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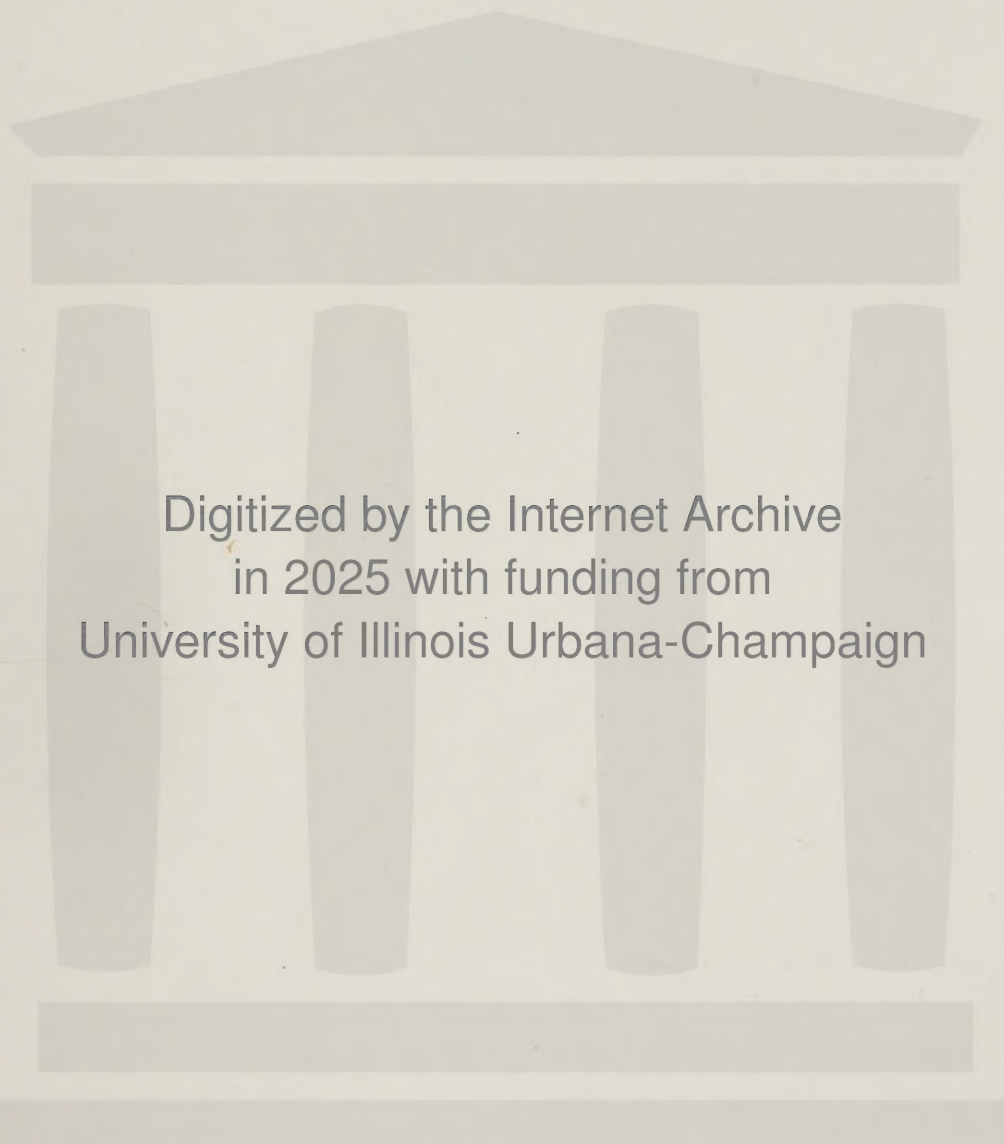
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# Legislative Journal.

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No. 38.

## SENATE

TUESDAY, APRIL 18, 1961.

The Senate met at 2:00 p.m., Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

### PRAYER

The Chaplain, Rev. PETER CHRISAFIDEIS, Pastor of the Greek Orthodox Church, "Ypapanti," of East Pittsburgh, offered the following prayer:

In the name of the Father and of the Son and of the Holy Spirit.

O Master, Lord our God, the Source of life and immortality, the Author of all things, both visible and invisible, Who hast placed all seasons and years in Thy power and directs all things with Thy bounties, which Thou hast poured upon us during our life which is past, we entreat Thee, O all bountiful Lord, to grant wisdom to these men assembled here to undertake the duties of the Legislature. Endow them with the right understanding of Thy will and the many needs of this great Commonwealth of Pennsylvania.

Guide and direct these men in their deliberations. Give them a keen sense of discernment. Strengthen and encourage them in the performance of the task which Thou hast planned for them. Grant them wisdom and knowledge that they may wisely undertake the affairs of the State in such a way as to bring to us the best leadership. Assist them to avoid any selfish purposes; use their talents and abilities to bring the greatest possible blessings.

O Lord Almighty, be present with us this day. For Thine is the Kingdom and the power and the glory of the Father and of the Son and of the Holy Spirit, Amen.

### GUESTS OF SENATOR HARRY E. SEYLER PRESENTED TO SENATE

Mr. SEYLER. Mr. President, we have present with us today, in the balcony, a group of youngsters from the York City Schools. As a matter of fact, they are junior high school students from the Edgar Fahs Smith Junior High School Civics Class. They are here today under the sponsorship of two of my professional colleagues and good friends from York; namely, Mr. Richard Jacobs and Mr. Leonard Bernhardt.

I wish that the Chair would recognize their presence.

The PRESIDING OFFICER. Thank you, Senator Seyler, for calling our attention to the fact that so many students are here from the York City Schools, under the supervision of the two gentlemen designated by you.

Students, we are happy to have you here. If you will be kind enough to rise, we will give you the warm welcome of the Senate of the Commonwealth of Pennsylvania. Please rise.

We trust you will spend some time with us and see how your government is in operation.

### GUESTS OF SENATOR JOHN T. VAN SANT PRESENTED TO SENATE

Mr. VAN SANT. Mr. President, last week, I was afforded the great pleasure of introducing the Fifth Grade Opportunity Class from the Jefferson School, in Allentown. They consisted of a group of outstanding students which I told you more about.

Today, Mr. President, we have the Sixth Grade Opportunity Class from Jefferson School, in Allentown. Here, again, are a group of gifted children who are reaping the harvest of the great educational system of our city and of our Commonwealth.

It is my pleasure to present to you, Mr. President, the Sixth Grade Opportunity Students. They are here under the supervision of their teachers, Mrs. Stone and Mr. O'Brien, and their school principal, Mr. Robert Unser.

The PRESIDING OFFICER. Thank you, Senator Van Sant.

On behalf of the Senate, the Chair welcomes the Sixth Grade Opportunity Class of the Jefferson School, in Allentown.

If the group, seated in the balcony, will be kind enough to rise, again, the Senate of the Commonwealth of Pennsylvania will be happy to welcome you.

We also hope you will spend some time with us and watch your Senators as they discuss various bills and debate them.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. MCGINNIS, further reading was dispensed with, and the Journal was approved.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION, SERIAL No. 104

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:



Welcoming former President and Mrs. Eisenhower to Pennsylvania.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 430**, which was referred to the Committee on Education.

He also presented for concurrence **HB 870, 874, 875**, and **876**, which were referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 873, 943, 973** and **974**, which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 892**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 936**, which was referred to the Committee on Finance.

He also presented for concurrence **HB 953**, which was referred to the Committee on Local Government.

#### REPORTS FROM COMMITTEES

Mr. VAN SANT, from the Committee on Local Government, reported, as committed, **HB 597**.

Mr. SESLER, from the Committee on Judiciary General, reported, as amended, **SB 360**.

He also, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **HB 251**.

Mr. MURRAY, from the Committee on Education, reported, as committed, **SB 307** and **433**.

#### PENN STATE GLEE CLUB PRESENTED TO SENATE

Mr. HAYS. Mr. President, I have the privilege at this time to present the Penn State Glee Club.

I might say that they have been rehearsing in the House for the past half-hour. They, therefore, should be pretty sharp when they perform before the Senate. I think this group represents each and every Senatorial District, perhaps, in Pennsylvania. I might also say that if Penn, Temple and Pitt want equal time, I will vote equal time to them, I would be in favor of such a motion.

Mr. PRESIDENT, it is now my privilege to present the Leader of the Penn State Glee Club, Mr. Frank Gallu.

The PRESIDING OFFICER. Will the leader of the group please come forward? You may come in with your entire ensemble.

#### RECESS

The PRESIDING OFFICER. The Senate will be at ease at this time for the purpose of hearing the Penn State Glee Club. I understand their performance will take about one-half hour. The Chair, therefore, declares a recess until the performance of the Glee Club is concluded.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

May the Chair, on behalf of the Senate, thank the Penn State Glee Club for a joyous afternoon of music? Things in the world, such as events in Cuba and Laos, all of which do not smack of harmony, are in contrast with the type of harmony that prevailed in the halls of this Senate today. It is trusted that some of this

harmony will continue to prevail in the Senate as the various bills come up for discussion and debate.

Thank you again for being with us and bringing this musical treat to us.

#### SENATE RESOLUTION

SENATE COMMITTEE TO CONSIDER NECESSARY LEGISLATION REQUIRED TO SOLVE THE SCHOOL PROBLEMS, AS SET FORTH IN THE REPORT OF THE GOVERNOR'S COMMITTEE ON EDUCATION

Mr. WEINER, on behalf of the Democratic Caucus, by unanimous consent, offered the following resolution (**Serial No. 41**), which was read as follows:

In the Senate, April 18, 1961.

Whereas, The report of the Governor's Committee on Education sets forth the various problems presently facing the schools of Pennsylvania; and

Whereas, The solution of some of these school problems requires legislation; that is, some legislation in the general field of education and some legislation in the field of taxation; and

Whereas, The legislative process takes time and thought, consideration and debate in order to arrive at the finished product of a law; and

Whereas, The earlier the Senate can take up these problems, the sooner their legislative solution can be arrived at; therefore be it

Resolved, That the President pro tempore of the Senate appoint a Senate Committee of four members of the Democratic Party and four members of the Republican Party to consider the necessary legislation required to solve the school problems as set forth in the Report of the Governor's Committee on Education; and be it further

Resolved, That the said Senate Committee shall, from time to time, meet with a similarly constituted committee of the House of Representatives so that they may jointly determine the legislative program which, in their opinion, will constitute the legislative goals of this Session in the field of school legislation.

Mr. BERGER. Mr. President, not in any way criticizing the resolution, I believe, however, it does take some time and thought—this, among other things.

For that reason, I suggest that this resolution be referred to the Rules Committee so it may be considered in that committee.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise the Members of the Senate if he is objecting to the four members who are to be appointed?

Mr. BERGER. Mr. President, I certainly would not object to anyone in this room being appointed to any committee. I believe, however, this is a matter that will require some consideration and the taking under advisement of whether or not a special committee should be appointed to do this work or whether or not it might safely be left to the regularly constituted Committees on Education in both the Senate and the House.

I am not stating any opinion at this time, and that is the reason I would request that the bill be sent to the Rules Committee.

Mr. WEINER. Mr. President, if I accede to his wish that we do not act on this resolution today, is it all right of we allow this measure to lie on the table, so if they decide to name four members, I might have the names of the four members whom they wish to name



to this committee from the Republican side?

Mr. BERGER. Mr. President, there appears to be a suggestion on this side that the resolution go to the Rules Committee or a committee as may be selected by the Chair.

Mr. WEINER. I yield to Senator Hays, Mr. President.

Mr. HAYS. Mr. President, I desire to interrogate the Majority Leader.

The PRESIDING OFFICER. Will the Majority Leader permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. HAYS. Senator Weiner, would you tell us when you plan to call a Rules Committee Meeting to act on this resolution? I think this is a matter of urgency, myself.

Mr. WEINER. Mr. President, I can only answer that question in this vein. We feel this bipartisan report on education which was handed down should have action. We feel the Governor's suggestion that there be a bipartisan committee to work on this matter should have immediate attention. I cannot and I will not say to my colleagues on the other side that the four members are so-and-so or have the President pro tempore name the members without their suggestion. All I am asking in this resolution is that they give us the names of four of their colleagues whom they would like to serve on this bipartisan committee, dealing with the education program.

I feel the Rules Committee could meet today, tomorrow, Monday or within a few minutes, if that would be helpful.

My concern is, even if we report this resolution from committee and put it on the Calendar, that no one is forced into doing this. If it is the suggestion of the gentlemen on the other side that they do not wish to go along with this resolution or do not wish to take a position on this matter, I would rather let it rest there.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I would inquire of the Majority Leader whether or not this is an indication that you would have other matters of extreme importance on legislation referred to bipartisan committees?

Mr. WEINER. Mr. President, I think for all practical purposes that is exactly what does happen. Since the Senate is divided twenty-five to twenty-five, I think that is the way we usually work on these issues. Without the cooperation of the gentlemen on the other side, I cannot pass any legislation, as you well know.

Mr. BERGER. Mr. President, may I inquire of the Majority Leader whether or not, in view of his statement just now, he intends to give equal representation on all committees?

Mr. WEINER. Mr. President, if the issues that come before us are as nonpartisan as this is, I will be very happy to do that.

Here is an opportunity, Senator, to take advantage of a situation which gives you bipartisan representation. I do not understand why you will not take advantage of it. However, if, for reasons best known to yourself, you decide not to do that, I will be happy to go along with that.

Mr. BERGER. Mr. President, would the gentleman care

to answer the question I propounded? Are you now prepared to give equal representation on all committees?

Mr. WEINER. Mr. President, I will give the same kind of representation that has always existed in this Senate I think from the day of its inception. On a nonpartisan or bipartisan matter, I certainly hope that we will get bipartisan support.

I say here, as an addenda to what we have been talking about, that I do not think I ever got on the same level when I was in a similar position as the gentleman is now. I would have been happy to have that kind of an offer made to me, but it never was forthcoming. It ill-behooves us to overlook this kind of generosity at this stage of the game when we are dealing with a nonpartisan or bipartisan matter.

The PRESIDING OFFICER. Gentlemen, in order to keep the business of the Senate moving orderly, the Chair thinks you are both going far afield, and unless Senator Hays has something to say, the Chair will refer the matter. Do you have something to say about this matter, Senator Hays?

Mr. HAYS. Mr. President, I would like to thank the Majority Leader for his answer. As the Chairman of the Education Committee, I would like to respectfully urge that he call a meeting of the Rules Committee today or tomorrow so we may get on with the work at hand on the Governor's Report.

The PRESIDING OFFICER. In order that the Majority Leader can call a proper meeting, the Chair will accordingly refer this resolution to the Committee on Rules.

### MEMBERS OF THE LEAGUE OF WOMEN VOTERS PRESENTED TO SENATE

Mr. SEYLER. Mr. President, I spent a very stimulating hour and a half at lunch time, an experience which I think was shared by many of my colleagues in the Senate, as I lunched with the representation from my county of the League of Women Voters.

The members of the delegation from York County are now seated in the balcony, and I would like the Presiding Officer to recognize them. As I look around, I gather there are many members of that League from other parts of the Commonwealth, and I would suggest that at the same time the President give recognition to these ladies.

I would say that this is an organization which is nonpartisan in nature and which provides support for many of the issues in the Commonwealth which I consider to be in the interest of good government. As a group of Senators, I know we are interested in furnishing that kind of legislation. Therefore, Mr. President, I feel it would be very fitting if you, at this time, would invite the members of that organization to rise and receive recognition from this Body.

The PRESIDING OFFICER. Thank you, Senator Seyler, for calling our attention to the women who are her from the League of Women Voters. If the women from the organization will please rise, we will give you the warm welcome of the Senate of this Commonwealth.

Mr. BERGER. Mr. President, before doing that, a number of these groups come from various counties, and I would suggest that I would call the names of the counties and have the Senator rise on this side who might represent them, and the same be done by the Senators on the other side. I have the list here, Mr. President.



The PRESIDING OFFICER. You may proceed, Senator Berger.

Mr. BERGER. Will the Senators representing these groups rise as the groups rise and when the applause is given, the Senators may join so that there will be no mistake that they are included themselves.

The PRESIDING OFFICER. Senator Berger, the Chair asks that you withhold for one moment.

You realize that yesterday, a specific time and hour was fixed for a Special Order of Business. Under the rules of the Senate, a motion must be made to postpone the consideration of that Special Order. Otherwise, we must proceed with dispatch. The hour was fixed at 3:00 o'clock. May the Chair hear a motion that we change the hour for the consideration of the Special Order of Business? Otherwise, according to the clock, we will have to consider that particular item.

Mr. BERGER. Mr. President, I do not care to make such a motion.

The PRESIDING OFFICER. Does the Chair hear a second?

Mr. WEINER. There is no motion, Mr. President.

The PRESIDING OFFICER. Therefore, according to the Calendar, we will proceed with the Special Order of Business.

Mr. STIEFEL. Mr. President, I ask for a minute for the opportunity to offer a resolution at this time.

The PRESIDING OFFICER. The gentleman, at this moment, is out of order. We will come back to it later. Because of the rule laid down yesterday, we will proceed according to the clock.

### CONSIDERATION OF SPECIAL ORDER OF BUSINESS ON HOUSE BILL NO. 132, PRINTER'S NO. 686, ON THIRD READING AND FINAL PASSAGE

HB 132—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

#### AMENDMENTS TAKEN FROM THE TABLE AND WITHDRAWN

Mr. BERGER. Mr. President, I call from the table the amendments to House Bill No. 132, and yield to Senator Stroup.

Mr. WEINER. Mr. President, if I am incorrect, please correct me. However, I believe the gentleman has offered his amendments. We were going through them because they are three pages long. I believe he might coordinate them with the Library Bill, itself.

The PRESIDING OFFICER. In order to assure the orderly process of business, Senator Weiner, do you desire to have the amendments read or re-read?

We will be at ease for a moment.

(The Senate was at ease.)

Mr. STROUP. Mr. President—

The PRESIDING OFFICER. The Chair previously recognized Senator Weiner and asked him whether he wanted the amendments read.

Mr. WEINER. No, sir. Originally, I believe the Chair recognized Senator Stroup when he offered his amendments. I believe he is going to make some comments on the amendments.

Mr. STROUP. Mr. President, I request unanimous con-

sent of the Senate to withdraw the amendments as submitted yesterday, for the purpose of submitting other amendments which may be more in conformity with the wishes of the entire Body.

The PRESIDING OFFICER. There being no objection, unanimous consent is granted to the request and the amendments are accordingly withdrawn.

I might say to the visitors in the gallery, who were about to be introduced, that yesterday a Special Order of Business came up. We, therefore, fixed the hour for considering that order of business for 3:00 p.m. Under our rules, we must consider this business at the hour fixed. I regret, exceedingly, the inability to introduce you. However, if time permits, we will come back to you.

Mr. STROUP. Mr. President, may we be at ease for just a moment?

The PRESIDING OFFICER. The Senate will be at ease for a moment.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STROUP. Mr. President, I ask unanimous consent to offer amendments to House Bill No. 132.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I did not receive a copy of these amendments. I only received the three pages of amendments. Are these the same as yesterday.

Mr. STROUP. Mr. President, I suggested, when I withdrew the former amendments of yesterday, that I would submit other amendments which, perhaps, would be more palatable to the gentlemen on the other side. As a consequence, these are the amendments which I have just recently received from the Legislative Reference Bureau.

The PRESIDING OFFICER. I notice that Senator Seyler is standing there and I see he does not have a copy of the amendments. I am sure he would like a copy.

Mr. SEYLER. Mr. President, may we be at ease for a moment, before we proceed with the reading of the amendments?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. WEINER. Mr. President, it might be easier to follow the amendments if we took one section at a time and worked on it, rather than go through the entire bill and work on that. May we please proceed with the first one?

Mr. STROUP. Mr. President, does the Majority Leader desire me to explain the amendments as they now appear in the bill?

The PRESIDING OFFICER. Let us have the Clerk read the amendment and then we will do our explaining.

Mr. WEINER. Mr. President, I believe if we took them up one at a time, we would be able to follow this a little bit better.

The PRESIDING OFFICER. There being no objection, Senator Stroup, you may proceed.

Mr. STROUP, by unanimous consent, offered the following amendment:

Amend Sec. 102, page 3, lines 7, 8 and 9 by striking out "of coordinating the services of all local" in line 7, all of line 8 and "library center system" in line 9.

On the question,

Will the Senate agree to the amendment?

Mr. SEYLER. Mr. President, this was the amendment



which we had time to debate yesterday and on which we had extensive interrogation. It is still in the same position and I would imagine, since this is submitted in the new amendment, it still applies. From my point of view, therefore, I would suggest that we proceed to the next amendment.

Mr. WEINER. Mr. President, before we proceed to the next amendment, I would desire to interrogate the gentleman from Somerset, Senator Stroup.

The PRESIDING OFFICER. Will the gentleman from Somerset, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman explain to us that if he strikes out the words "of coordinating the services of all local libraries within the district which by contract become part of the district library center system," is this not tearing out the very heart or the very essence of this bill?

Mr. STROUP. Mr. President, it is not tearing out the heart or the essence of the bill in any way whatsoever.

Mr. WEINER. Mr. President, will the gentleman then explain, if we remove this feature of the bill, how will the State Librarian set up minimum standards, for personnel, books and other materials, location, type of building and hours of service? How will he do that?

Mr. STROUP. The State Librarian can still, and will, under the bill, set up those standards and formulate them and introduce them to the local libraries with suggestions in reference to them, in order for the local libraries to attempt to meet those standards and qualify, if they see fit.

All this amendment does under this particular section—Subsection 3—is take out the superimposed supervision of coordinating all the libraries in a district library center. This could very well result in a local library or a county library, not wishing to be a member of the district library center system, being compelled to become a member of such a system in order to receive State-aid.

Mr. WEINER. Mr. President, will the gentleman please refer to page 3, Subsection 3 of this bill, as written here, under Section 102, "Definitions"? We are dealing with subsection 3, entitled: "District Library Center." It states very clearly what the district library center shall be, what it shall do and what the State Librarian's function therein is. If you take out of that, by striking out, the words "of coordinating the services of all local libraries within the district" and so on and so forth, which is a part of the district library center system, how will the State Librarian be able to set up minimum standards or personnel which are required? In other words, if I understand the word "coordinating," then you have to have something to coordinate. If you remove that which is going to be coordinated, it makes no difference whether you do have this program or not. We might as well just keep what we have.

Mr. STROUP. I must respectfully disagree, Mr. President.

The State Library, with the standards which the Librarian will set, can very well deal directly with the county libraries on the local libraries under the traditional system, with a recommendation for standards.

Mr. WEINER. Mr. President, will the gentleman please advise us whether he feels, by just putting up this money, that is enough, without having the coordination or the

State Librarian set up a system which is adequate for everyone in this Commonwealth?

Mr. STROUP. The State Librarian will set up a system that is adequate for the Commonwealth, under this bill, as the amendments are submitted and, if they are adopted, purely from the standpoint of a recommendation and suggestion. With reference to the local libraries, we are removing, by these amendments, the compulsory element of this bill upon local and county libraries.

Mr. WEINER. Mr. President, if we adopt the gentleman's amendments, what will be left of this bill?

Mr. STROUP. As a consequence of the adoption of the amendments, you will have a tremendous amount of local effort if the local districts see fit to do so. As a consequence, the libraries will receive State-aid as set forth under the bill.

Mr. WEINER. Mr. President, how does that differ from what we now have?

Mr. STROUP. It goes much further, Mr. President, from what we now have.

Mr. WEINER. Would you please explain how, sir?

Mr. STROUP. It gives them local effort on the basis of one-quarter mill for the first year and from the Commonwealth, about twenty-five cents per capita for each local library or for each county library. It also includes the continuance of the county library, with its appropriations, and the possibility of receiving from the Commonwealth upward of anywhere from twenty-five to 100 per cent of State-aid for that library.

Mr. WEINER. Mr. President, is it a fair statement to say that all we are doing here, if the gentleman's amendments are adopted, is merely giving money to these libraries without doing anything else, such as setting up standards, setting up minimum requirements and making sure that there are adequate library facilities?

It is not a fact, Mr. President, that all the gentleman is actually doing here is giving the same libraries, which are in existence today, additional money?

Mr. STROUP. No, Mr. President, that is not true.

The bill with the amendments, if adopted, would implement throughout the Commonwealth an effort by local libraries and county libraries everywhere to respond to certain pressures, let us say, at the local level, and certain requests at the local level for increased library aid.

The only thing which the amendments do—and now we get to the crux of this entire problem—is remove the indirect compulsion to which the local libraries must submit. One must remember, Mr. President, that under this bill, the money which is going to be raised, a great amount of it comes from the local level. There must be an increase of millage on real estate and upon homes, which already are tremendously overburdened. As a consequence, if the local libraries see fit to so perform, they receive the State-aid as set forth in the bill. However, we do not want to have the local and county libraries be denied State-aid when they make the local effort because they do not come up to the particular standards which are recommended or determined by the State Librarian, who then become a dictator of the entire system.

Mr. WEINER. Mr. President, will the gentleman please explain to us who is going to set up these standards, if he is removing the coordinating feature from this bill? Would he also explain to us how this money is going to help this situation if they make the local effort, but do



not do anything further about improving the facilities which are now available to them and which, apparently, have not been improved over the years? This is one of the reasons why we have House Bill No. 132 here before us today.

If we follow through with the amendments submitted by the gentleman, is it not true that nothing will be left of this bill except a mere shell? The only thing left in it would be to give these local areas money, whether or not they meet the need of the communities or the requirements.

Mr. STROUP. Mr. President, I think the best answer to the gentleman's question is that if the bill were to be adopted as it is presently written, without amendments, there would be little effort on the part of local citizens or local groups to comply with the requests in the bill. Local and county libraries must surrender their autonomy for a minimum amount of State-aid. They have the burden of raising a great majority of the funds, themselves.

In the long run, therefore, what do your local and rural libraries, particularly, receive as a consequence of the legislation as it is presently written? They receive nothing but a superimposed element of control from the State Librarian and the Advisory Council. They surrender that which they already have, thereby making the bill become a nullity. There is little or no incentive whatsoever for local groups.

Mr. WEINER. Mr. President, will the gentleman please advise me where in the bill it shows that the State Librarian would superimpose his power or become a dictator? Will he also show me where the word "control" appears in the bill?

Mr. STROUP. Mr. President, I call to the attention of the gentleman Section 303 and Section 304. Before that, I call his attention to Section 201 and the responsibility, let us call it, is set forth in those sections for the State Librarian to exercise.

They provide that the State Librarian shall coordinate a State-wide system of local libraries and counsel local libraries on minimum standards for number, quality of library staff, resources of books and other materials, and even location of new local libraries, hours and physical facilities. That is the power of the State Librarian. The implementation and explanation of that power is found in Sections 303 and 304.

Mr. President, if the gentleman will refer to those particular sections, he will find, in the first place, in Section 303—

Mr. WEINER. Mr. President, would the gentleman please yield for just one moment?

The PRESIDING OFFICER. Will the gentleman yield?

Mr. STROUP. I will, Mr. President.

Mr. WEINER. Mr. President, I would like to ask just one question. It might clarify this for me. Mr. President, will the gentleman advise me or give me an example where the State Librarian might act in a manner that might be distasteful to the local area? Maybe that would clarify it for me.

Mr. STROUP. The State Librarian?

Mr. WEINER. Under this bill.

Mr. STROUP. The State Librarian, under this bill, has the authority to move in and counsel or make recommendations to the local library boards. As a consequence, under Section 303 and Section 304, if those minimum

standards which the State Librarian sets up are not met, then the local area does not receive any State-aid.

These amendments are designed to make it possible for the local districts to comply with the requests and suggestions in the bill by imposing taxation at the local level in order to improve the libraries and then, after having done that, to receive State-aid, but not to be denied State-aid when they reach the local effort requirement because they do not come up to certain regulations and requirements which the State Librarian might lay down.

Mr. WEINER. Mr. President, will the gentleman please advise us how recommending or counseling would result in dictatorship? Will he please give us a specific example that would be distasteful to the local areas about which he is so concerned? Where could the State Librarian even act in an arbitrary manner which would have the effect of hurting the local effort? I would appreciate a specific example, even as to the location, if it puts it in that locality that makes it more available to the people who live in the community.

This is what is before us in these amendments, which, I think, seem to tear out the very heart of this bill.

Mr. STROUP. Mr. President, I think you will find that the bill specifies that all funds, both local and State, will be controlled by the State because a plan for the use of the funds—and I emphasize that—must be submitted which will move the local library up to minimum standards.

Now that just does not mean State-aid funds, nor is it spelled out in the bill as presently written. It means local funds also. Therefore, when they have all of the funds that are raised by local effort and by the State, a plan for the use of the funds must be submitted to the State Librarian. If the plan, as submitted for the use of the funds, is not approved by the State Librarian, then State-aid can be removed.

Mr. WEINER. Mr. President, I know I am being repetitious and I hope the gentleman will forgive me. It is just that I have difficulty in understanding things.

Would you give me a concrete example, Senator, of where this would be difficult? Would you just reduce it down, so that even I could understand it, to some concrete example or specific example where this type of operation, either counseling or recommendation by the State Librarian, would have the effect of making it distasteful to the local people?

Mr. STROUP. Mr. President, all funds, both on the local and the State level, must be used to meet the requirements of the State Librarian in so far as the number and quality of staff is concerned, which indirectly means the salary paid to the staff. The libraries are required to submit plans as to the resources of books, of other materials, data of library management and details on that management. I think the rules and regulations that the State Librarian will set down are contained in Section 201, Subsection 15. Therein is contained the entire part of the indirect control. When State-aid can be removed, then certainly the local library must comply or they do not receive State-aid.

That, Mr. President, is exactly what these particular amendments do. They permit us to receive the aid. They permit us to receive the aid. They permit us to handle the local effort and raise our funds, but we do not lose



State-aid if we just do not comply with what the State tells us we must do.

These amendments, Mr. President, are designed to continue our full faith and confidence in the operation of our local municipalities and in the personnel that makes up the library boards. We feel quite confident that it is not necessary to submit ourselves to this type of control by the State on the local level of our public libraries.

Mr. WEINER. Mr. President, will the gentleman please advise us whether he is satisfied with the present library system that we have?

Mr. STROUP. Mr. President, I am unsatisfied with it for the simple reason that it does not make enough provision for our increased local effort and increased State-aid, and that is what we get through this bill.

Mr. WEINER. Mr. President, does the gentleman feel that we ought to give State-aid without setting any minimum standards as to personnel or as to requirements of what these libraries contain?

Mr. STROUP. Mr. President, it is not necessary to set minimum standards that must be met in order to receive State-aid. It is merely necessary to advise, counsel and assist local library groups and local library boards.

Mr. WEINER. Mr. President, will the gentleman advise, under the Constitution of the State, how we can give any money without setting any standards or how we can pass any legislation that gives any money without setting any standards or any requirements?

Mr. STROUP. Mr. President, as I understand the Constitution of the State, at least I know of no constitutional prohibition in the Constitution which would make it impossible for our Legislature to grant State-aid without insisting upon and compelling that certain requirements be met. State-aid can be given and granted. I think it could very well be legally interpreted as being possible to give State-aid under the Constitution without setting up a compulsion of compliance.

Mr. WEINER. Senator, would you be in favor of giving State-aid promiscuously without any requirements or any standards being set?

Mr. STROUP. I am in favor, as the amendments will show, Mr. President, of giving State-aid under requirements which are recommended and suggested without denying that aid if those particular standards are not met.

Mr. WEINER. Mr. President, have I understood the gentleman correctly? Please correct me if I am in error. You say that you are in favor of setting up standards and certain requirements, but you are not in favor of withdrawing the money if these standards and requirements are not met.

Mr. STROUP. Mr. President, not as long as local effort is continued.

Mr. WEINER. Mr. President, I do not wish to interrogate the gentleman any further on this. I want to thank him for his remarks and also for bringing me up-to-date on how this problem should be handled.

I would like to say on behalf of myself and my colleagues that this will tear out the very heart of the bill and the very purpose of it. The reason for this bill is, as was stated here yesterday, that there are many, many, many areas in this State—too many areas in this State—which do not have adequate library facilities. There are over 50,000,000 people in this Country who are denied adequate library facilities. We have an opportunity to

take care of some of those people right in our own State, and the first chance that we have to do anything about it, the best that we are met with are amendments to tear out the heart of this bill and leave a mere shell.

The gentleman is in favor of giving this money—I am quoting him and if I am incorrect, I wish he would correct me—to these people and he wants them to have this money and make the local effort, but he certainly does not want to set any requirements for it. However, if he does set requirements for it and they do not meet them, he is perfectly willing for them to still have the money and will not take it away if they do not meet the requirements.

If that is logic, I have difficulty understanding it. It might be just me, Senator. However, I think some of my colleagues have difficulty understanding it, as do some other people.

Mr. SEYLER. Mr. President, it had been my intention not to make any further remarks on this particular section. However, in the exchange between the Majority Leader and the Senator offering the amendment, some points developed which I do not think I can allow to pass without attempting to controvert.

This is the section, I would remind everyone, which specifically does one thing. It removes from the bill the possibility of coordinating services of local libraries within the district which, by contract, become part of the district library center system. This is specifically what this amendment does. In other words, it takes from the bill the coordinating function of the bill. It says, in effect: "We will give you money if you raise some local money. We will give you some additional money to operate your libraries. However, there shall be no coordination."

If we do that, then we are saying to each library that we will give them more money and they can go ahead as they please.

I respectfully submit to the gentleman who is offering the amendments, and all other Senators who are interested in achieving the aims of this bill, that taking out this particular section will mean that we will be putting in more money and encouraging local districts to put more money into libraries without achieving the purpose we are seeking.

I think—and I understood from the gentleman's remarks yesterday that he agreed—that the aim of this bill is to provide adequate library services to any citizen of this Commonwealth no matter where he lives, because under our present situation, we have magnificent libraries in some parts of our Commonwealth and we have practically none in other parts of our Commonwealth.

If it is true that our aim is to make adequate library service available to all citizens, then we should include in this bill those measures which are likely to do that. I respectfully submit that it is not possible to let each local library within its own orbit, even if it has more money, furnish the kind of service we are talking about.

For example, in a given district, if a library has more money, it buys more books. However, that library is never going to be able to afford to have on its shelves all of the books that may be in demand by some of the individuals in that district. It can have a good fiction selection, yes. However, I am talking about books which only a few people in that area may want but which, if they need as citizens, they are entitled to have just as the



citizens of any other part of the Commonwealth are entitled to have them.

What the bill suggests here is that the services of these libraries over the State shall be coordinated. I do not know that there is anything frightening about coordinating something. By coordinating services, we simply mean that libraries which have other resources will supply them upon demand by requests from libraries which do not have those resources. That is all coordination means. I see nothing frightening in the idea. I see, as a matter of fact, that if we are going to do anything with the additional money that we are asking the Commonwealth and local districts to furnish, we must have some coordination. Each little library by itself cannot possibly develop the kind of services that are needed.

The gentleman has, in a number of his remarks, inferred that he is afraid of this item and several others which he is attempting to amend in this bill because of the question of home rule. He is afraid that local units are going to somehow be dominated by powers above them which will make unreasonable demands upon them. I would suggest to him that if he is really interested in home rule, the thing that needs to be done is to see to it that you have adequate local units which will be able to furnish the services people need, because the surest way to destroy local initiative and local units of service, and have people calling upon the State or the Federal Government to do it, is to have those local units become so ineffective that they cannot supply the services which people need. I say that the best way to support home rule and to see that your local library does exist as a local library, and does meet the need, is to make it strong enough and, by coordination, to make the facilities of the other great libraries in our State accessible to it so that it will be able to meet the demand and so that the people will not need to appeal to the State to take over a function that local units—in this case, local libraries—are no longer able to supply.

Several other terms have come up in addition to coordination. If the gentleman is afraid of coordination, he says he is also afraid of recommendation. He finds something very tyrannical and very authoritarian in recommending something. He is afraid of the term counseling. My impression of counseling is that people sit down together and try to work out a good solution. These are not authoritarian words. Coordination is not an authoritarian word.

I would remind the gentleman again that no library needs to go under this system. This section would only apply to those libraries which are willing, by contract, to become part of the district library system. We have in view, and I am sure it will be supported on both sides, an amendment which will say that no district will receive any less funds as a result of their not participating in this bill than they did before. With that precaution, I do not see where the gentleman's problem is. No one is being forced or coerced to do anything.

I think the basic problem involved here is the fact that little libraries existing by themselves, regardless of how much money they are able to raise and how much the State is able to give them, are never, without coordination with the library system of our State, going to be able to bring to the people the service which they need and deserve.

Mr. WARE. Mr. President, I think at the outset, both Senator Weiner and Senator Seyler were concerned with the problem of coordination. I would like to point out that I served for a quarter of a century as a trustee of a library which has been coordinating throughout all of those years with public school libraries, university libraries and other libraries. We expect to continue to do so. I feel there is no need for any legislation in the Senate of this Commonwealth to try to force people to coordinate or to prevent them from coordinating. They are perfectly free to do so at any time under the present laws of the Commonwealth.

I would add further that no amount of amendments—or no amount of legislation—to House Bill No. 132 or any other bill are going to bring that about, except to the extent that the people in these local units want service of that type.

Mr. STROUP. Mr. President, the gentleman from York has entirely missed the point concerning the amendments and the purpose of the amendments.

Certainly, it is true that the district library center has the power to enter into contracts with other local libraries to produce a coordinated system. They have the power. The question is, basically, if a local library or a county library does not wish to enter into such a contract and participate in the coordination of the system, then they lose State-aid. That is one of the regulations which would be imposed upon them. If not, then amend it accordingly and say they would not. Can they preserve the local autonomy otherwise? Under this bill, they cannot.

Mr. President, in all the discussion which we had here this afternoon and yesterday on this bill, there is a divergence of philosophy concerning everything which has been remarked, it seems to me, by the Majority Leader and by the distinguished gentleman from York. They are insisting upon State control. Certainly, under Sections 303 and 304—interpreted as you must interpret them from the language which is set forth there—and from the authority which is granted to the State Librarian in Section 201, State-aid can be shut off. It surely will be shut off, even though local effort is carried on by the local libraries. As a consequence, there is no use and no incentive for the local groups to surrender their autonomy in order to receive questionable State-aid.

That is the position of these amendments, Mr. President. The more the gentlemen from the opposition to these amendments continue to vehemently protest against them, the more they subscribe to the fact that they want to raise a hierarchy—a word which is used in the Library Commission's report—on the State level and impose their regulations and their requirements, without law, upon the local districts. If the local districts do not comply, then, of course, there are no funds.

Give us a bill, Mr. President, as these amendments ask—and I am speaking on the amendments—whereby we can go out and work for our libraries under responsible people on the local level and receive suggestions, recommendations and counseling from the State Librarian, without the onus and the burden of losing State-aid if we do not exactly jump through the hoop when we are asked to.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Somerset, Senator Stroup.

The PRESIDING OFFICER. Will the gentleman from



Somerset, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. WEINER. Mr. President, suppose this were a welfare bill and we were giving State-aid under the Assistance Program. Would the gentleman then want a standard to be set in order for people to qualify, or would he go along with the very poor and needy receiving it and those people who have lots of money, who want to receive it, also getting it?

Mr. STROUP. Mr. President, the gentleman has hit me in a very sore spot with this question.

I would recommend that the Department of Public Assistance facilities might be better, more efficiently and more capably administered on the local level than on the State level as is now done.

That is the best answer I can give the gentleman.

Mr. WEINER. Mr. President, I do not want the gentleman to completely evade the issue.

Suppose we take the matter of the school subsidy. Perhaps that issue does not hit him as hard where he lives. Suppose we set no standards there. Would the gentleman be just as happy without regulations and standards dealing with that problem?

Mr. STROUP. Mr. President, the analogy between the school system and public education in the Commonwealth, as compared to that of the public libraries, is, of course, not completely sustained. I would consider the analogy irrelevant and, certainly, rather incompetent on this situation. Nevertheless, since the gentleman brings this matter to our attention, one of the great difficulties that we are experiencing in public education is that due to the standards—I do not say it is wrong and, therefore, do not misunderstand me—set by the Department of Public Instruction, local boards have been compelled to raise so much money until now they are so extremely overburdened, they do not know where to turn. Real estate, in so far as its tax millage is concerned, has reached the point of no return. That is a good example, in so far as State control is concerned.

Mr. SEYLER. Mr. President, still continuing the debate on the amendment, I wish to reply to a few remarks made by Senator Stroup which repeat something which he said yesterday.

I wish to repeat to the gentleman that neither I nor anyone in this Senate who is battling for this bill, in any way, are opposed to home rule or believe in State control or believe in a hierarchy which would put undue pressure on local districts. I do not think the following organizations are opposed to home rule or want to be destructive to the local libraries: The distinguished committee which drew this bill, after several years of work, all of which were composed on a nonpartisan basis of lay people, who I am sure have the welfare of the Commonwealth at heart and would abhor a destructive bureaucracy; the State Organization of the Parent-Teachers' Association, which has carefully studied this bill and endorsed it as it stands, without amendments; the League of Women Voters, a letter from whose President I have received, endorsing the bill as it stands, without amendments. None of those organizations, I would remind the gentleman, has any desire in any way to limit home rule or to be destructive to local libraries.

There was one organization—another distinguished organization of ladies, I understand—which had certain

objections to this bill. Amendments were made in the House which, I understand, met their objections and they have been removed.

I do not know at the present moment of any group in the Commonwealth, many of whom have given intensive study to this because this is a matter of tremendous importance to people who are interested in public education, in the literacy of our people and in having good citizens who are informed and able to participate as citizens, which has taken a position against this bill as it stands without the amendments.

There is no question here of trying to be destructive to local initiative. In fact, the effort here is to make local units capable, by receiving State help and by working with each other through coordination, of offering the kind of services which are needed.

I cannot without correction let the gentleman's statement stand that such an insidious and sinister motive exists in the minds of the thousands of good people in the Commonwealth who have supported this bill and are in favor of this bill without amendments.

Mr. WEINER. Mr. President, I would like to point out to Senator Stroup the meaning of "coordinating" in Webster's Dictionary, which I hope he will accept. It usually means harmonious and equal. It means an operation where people are partners and try to get their work together in sort of an equal and harmonious adjustment. Equal usually means partners, and harmonious relations usually mean the type where one person is not trying to dominate the other or trying to dictate, push or press anyone in any area. I think that is hardly what you have in mind, Senator.

I think this is the point that you are completely missing by substituting the word "dictating" for the word "coordinating," Senator. I think the two are not even close to each other.

Also, Senator, if you wipe this part out of the bill, how will you have the libraries lend each other books or cross-lend to borrowers who might live in one area and who might go down to another area? How would you allow for that?

Would you not, Senator, have duplication of effort when all you are doing is pouring more money into the already bad system that exists? It is bad in the sense that there is not adequate service for everyone in the Commonwealth.

Senator, I do not know that I should be particularly complaining because we have a very adequate library system in my area of the State. At the other end of the State, this is also true. However, I am not sure that it is true in your area of the State and the areas of some of the other gentlemen. I think they are inadequate in the sense that you do not have the books. I am sure that you have proper personnel, but you do not have the kind of material that the people in your communities would like to have in their libraries.

Mr. STROUP. Mr. President, I do not wish to unduly delay the voting on this amendment. However, I must answer certain allegations that have been presented by the gentleman from York and also by the Majority Leader.

First of all, as to the shades of meaning and nuance to be found in the word "coordination," while it does mean harmonious participation, it also requires, in this



instance, a district library center which will be under the supervision of the State Librarian who will, in fact, be responsible for the coordination of the services and, therefore, require a complete compliance with such services or State-aid would be denied. That would be one of the rules and regulations under Section 201, Subsection 15, as I cited before.

Now as to the basic question concerning this problem of control, I cannot conscientiously or sincerely see what particular basis the gentlemen of the opposition, who so vehemently oppose these amendments, find to take issue with. If they do take issue with them, then they are asking for control. They are asking for supervision and they are asking for requirements to be met, and if the requirements are not met, then the libraries do not receive State-aid. The local effort, therefore, which the bill would imply and require in order to get that State-aid, would be unnecessary.

I submit to you, Mr. President, and to all of the gentlemen here, that these amendments make a good bill of that which is otherwise a very onerous and burdensome bill at the local level.

As to the fact that there are people who are not asking for amendments and that there are so many organizations, as the gentleman cites, who want this bill as it is, at first blush when one looks at it, it is a popular bill. It is the type of legislation which window dresses everything, with which we are becoming so familiar. It offers so much at the front, but when you get down deep into a study of it, and a scrutiny and analysis of it section by section, you find what we find in this bill: an imposition of State attitudes and State control on the local level.

We who sponsored these amendments yesterday, and others on this side I believe who are in harmonious thinking with us, are of the opinion that we can have an excellent library system with this bill if the amendments should be adopted. We rely upon the fiduciary relationship of our municipalities, who will participate in setting up the local effort of the libraries, and on our trustees or our responsible citizens to cooperate and to work with us, but not to have it said unto them: "Do this or you do not receive State-aid from us." That is the fault of the bill.

I, in my own area, I assure the gentlemen of the Senate, Mr. President, have found that reaction throughout the three counties that I represent. For that reason, I sponsored these amendments because I found out from my people that they do not want this type of legislation foisted upon them by this Senate.

Mr. SEYLER. Mr. President, I want to reply to a few statements made by the gentleman in his last remarks.

First of all, he asked why are we opposing the amendments to the bill unless we are in favor of a tight State control. I can answer him in this way. We are against the amendments because we are convinced that these amendments, in substance, would make the bill an ineffective one. They would eviscerate and, in effect, kill the bill. The people who are favoring the bill are against passing a bill which will be a cheat and defraudment upon the people.

If we are going to have a bill which is effective, let us keep the provisions which make it effective. Merely to supply more money to ineffective libraries, which will spend more money and still be ineffective, is not the pur-

pose of this bill. We are opposed to the amendments because we are honestly convinced that these amendments, in substance, will kill the bill as far as any effectiveness is concerned.

I, personally, would consider that a vote for these amendments would be just the same as a vote to kill the bill.

Secondly, it seems to me the gentleman insults many good people in the Commonwealth when he insinuates that they have only looked at the title of this bill. As he put it, the face of it promises well and the idea is good.

I do not think the people who have endorsed this bill have done so without giving the matter serious thought. I know that the P.T.A. had a Legislative Committee which spent a lot of time on analysis of this bill. I would suspect that the League of Women Voters is another organization which would not give a superficial scrutiny and recommend something which would make for bad government in this Commonwealth. I think it is an insult to the kind of people that I cited to say that they would give such a superficial examination that they would endorse something without knowing what is in it. I believe they have considered it. I believe they know what the issues are. I think they realize that what is in the bill needs to remain in the bill if we are going to have an effective law.

Mr. STROUP. Mr. President, the insult which is being given is more likely to be given, if at all,—certainly not intentionally, I am sure, by any of us—by the gentleman from York who insults the integrity, the capacity and the ability of our local librarians, of our local library groups and our boards of trustees to handle their own affairs, and to tell them that they cannot do this properly unless we set up for them a State library and we will shut off their State-aid if they do not comply with what we tell them to do.

The PRESIDING OFFICER. Let us keep the debate to a minimum.

Mr. SEYLER. Mr. President, I just wish to make one short statement in answer to that, and that is to point out to the gentleman that the Library Association, which is an association of the libraries in this state, and which I am presumably insulting, has endorsed this bill. It is in favor of this bill as it is now without amendments.

Mr. SILVERT. Mr. President, I would like to comment briefly and congratulate Senator Stroup on making what sounds like a wonderful argument on a very weak case.

As far as I am concerned, and I am sure any layman would agree, the word "coordinating services" do not mean and never will mean dictation.

Mr. MULLIN. Mr. President, I read from a Pittsburgh Post-Gazette editorial of Wednesday, March 8, 1961. The Pittsburgh Post-Gazette supports this bill and gives many reasons why, but some of these organizations who are supporting it were not mentioned here today.

"Gov. Lawrence's plan has been endorsed by the Pennsylvania Library Assn., the Pennsylvania Federation of Women's Clubs, the Pennsylvania Congress of Parents and Teachers, the Pennsylvania Council of Teachers of English, the State Junior Chamber of Commerce, and many individual library boards and citizens' groups."

The Harrisburg Patriot, supporting this bill in a vigorous editorial, exposes the opponents of this bill.

The most outstanding one is Mrs. Katharine B. Martin-



dale, Chairman of the Council of Republican Women's Legislative Advisory Committee. The editorial reads as follows:

"Perhaps the most glaring weakness in Mrs. Martindale's report to her Council members and to legislators is the contention that Pennsylvania can cure its library ills through 'traditional methods' of support. State-aid now goes to only 8 per cent of our libraries—those set up as county libraries. It does not go to the great bulk of the State's patchwork system of libraries. And because of a lack of sufficient tax base, incentives and general public interest, these libraries simply aren't providing the information services that Pennsylvanians need."

In the Valley Independent of Charleroi and Donora, the Republican Party is accused of obstructing this bill:

"Some Republican leaders in Pennsylvania seem to want to go out of their way to enhance the reputation of the GOP as a party of obstruction and reaction. And in so doing, they often play squarely into the hands of their Democratic opponents."

"This time the Pennsylvania Council of Republican Women has done it by coming out against a carefully developed program to improve public library service throughout the State."

"This program grew out of a detailed study made by a bipartisan commission of distinguished citizens originally appointed by ex-Gov. Leader and continued by Gov. Lawrence . . ."

Continuing further, the newspaper states that:

"HB 132 strikes us as a modest program, yet one which can gradually correct a serious deficiency in many communities of Pennsylvania. We earnestly hope the legislature agrees."

In the Center Daily Times, this well-known newspaper editorializes again. All of the editorials point out—including the Philadelphia Inquirer—that other States, especially to the northeast of us, have very excellent library systems. New York spends about six times as much as Pennsylvania whereas the States to the south of us—especially the deep South—spend very little or nothing on public libraries.

These editorials, in my opinion, are indicative of the support of the people of Pennsylvania in favor of this bill without amendment. I believe the opinion of the people of the Commonwealth of Pennsylvania should prevail in this body.

Mr. HAWBAKER. Mr. President, I would just like to remind the gentleman who just spoke that not one word of opposition has been voiced on this side of the aisle against this bill. We have not taken any position opposing House Bill No. 132. We are simply trying to improve this bill and make a better bill out of it.

Those of us who are fighting for these amendments are doing so only in order to make this bill more palatable and more acceptable to the people we represent.

I can understand the position of the people who represent the large metropolitan areas which have large libraries. This bill is tailor-made for them. I can well understand that they support the position of our illustrious Governor who seems to be intent upon raising money by taxing rural areas and spending that money in the big cities. This is precisely what this bill is designed to do because, as the Majority Leader has pointed out, the people in the rural areas who feel they cannot comply

with the requirements are perfectly free to go right on paying their taxes to support this bill while, at the same time, receiving absolutely no benefits.

As to being obstructionists, I would like to point out to Senator Mullin that what the gentlemen on the other side are proposing—indeed, the very issue before this Senate at this moment—is exactly the same issue that faced our Nation 160 years ago when The Honorable Thomas Jefferson was opposing the Federalists. The Federalists insisted that only the elite were capable of governing; that the rank and file were incapable of governing themselves, and the local districts must be supervised by the Federal Government.

If this is what you call progress,—taking us back to the philosophy of 160 years ago and if progress is reverting back to eighteenth century techniques—then, gentlemen, I am happy to be classed in the category of obstructionist.

Mr. SESLER. Mr. President, with due respect to the gentleman from Franklin, I would like to take exception to his remarks. I believe, first of all, that the discussion on this amendment revolves around two or three crucial points.

Behind the arguments we have heard today rests the proposition and the ancient fear that government encroaches upon individual liberties. To this end, the proponents of this amendment believe that no control or coordination should be made with the local libraries on how our State funds are to be spent.

At the risk of being redundant, let us look at the first point. The first point is this: Shall we be prepared to spend the money collected from all the people throughout this Commonwealth and give this money to local libraries without having any coordination being made by trained librarians who can assist, particularly the rural areas, in formulating a library program that will be an improvement over our present system?

This is not designed simply for urban libraries. In fact, I think that a history of this bill would indicate that this first study was made because of the inadequacies of our rural libraries. It is these libraries that I sincerely believe will be benefitted by these amendments.

However, I believe the analogies that have been made as to the use of school funds, for example, are indeed relevant, because I think that all of us would agree here that we could not spend large sums of money and give this money to local districts without some form of coordination to insure that it is being spent in those ways that people who are trained to study this subject believe are proper. This is only common sense.

The rural areas are those areas which lack trained librarians and trained technicians who can give this supervision. In the local, rural areas they do lack this type of science. That is the reason, ladies and gentlemen, that library science is becoming a science.

I would like to indicate to you that in a democracy, we continue to say that because we shall attempt to limit this aid, we shall not set forth any form of coordination or control. This is a mistake in this day and age of increasingly large bodies of knowledge being collected. We all know that the human race marches forward, and as we do, vast bodies of human knowledge are being collected.

As an example of comparison, I would like to read to



you a statement from the Library Journal of January 15, 1961. This is a statement made by Doctor Thomas Dreier, who is Chairman of the Florida State Library Commission. This information was quite shocking to me and it might be of interest to you.

Doctor Dreier states that Doctor E. Feisly Carter, of Stanford Research Institute, made a study of certain aspects of the Russian library system.

For example, there is in Russia at the present time an institute known as the All-Union Institute of Science and Technical Information. This staff has at its disposal 2,500 full time technicians and approximately 10,000 to 20,000 part time translators. This institute at the present time, it is estimated, translates approximately 11,000 technical and scientific journals from all over the world, with the idea in mind of having at their disposal all known scientific information available.

I would like to ask the gentleman this. Do you know how many technical periodicals are being translated by the Library of Congress today? I will tell you; 250. This is the estimate by the best known librarian-scientist we have in the United States today.

What is the net result of this? I can tell you as an example, that there was one company in the United States which spent \$250,000 on basic research, and when they had spent the money, they found out that all of the work had already been done in Russia and it would have been available to them if they had these periodicals at their disposal.

This is not to say that we are going to change this situation by our library bill. However, our State is only an indicia of this backwardness that exists throughout the United States. I am sorry to say that in many respects, Pennsylvania is behind other States. This is indicated, for example, in our per capita expenditure for library purposes.

There is another interesting figure which I found very shocking. During World War II, approximately one-half of the libraries in Russia were destroyed, and it is estimated that at the end of the war they had 44,300 libraries. Today it is estimated, by the best experts now available, that there are 394,000 libraries in Russia, with volumes of books totaling 1.5 billion or approximately 700 books for every 100 inhabitants.

Do you know how many libraries there are in the United States? The total of public, private and institutional libraries is 25,000, of which 7,000 are truly free public libraries. This is the estimate today; 25,000 libraries in the United States and 394,000 in the Soviet Union.

This comparison itself means nothing. However, if we are to preserve our democratic ideals and if we are to realize, for example, that we must have an educated electorate if we are to maintain and preserve our democratic principles, then let us not, in the name of democracy and in terms of preserving and being afraid we are going to impose controls, end up with a mutilated type of program whereby we do not have an adequate, coordinated system, dedicated to improving and giving us those libraries that this State needs.

Mr. HAWBAKER. Mr. President, I would just like to say, in reply to what the distinguished gentleman from Erie has just said, that if we are going to use the standards of libraries in Russia as a criterion for progress in libraries in the United States, again, I am happy to

be classed in the category of obstructionist. I see no reason why it is necessary for us, in order to have progress in these United States, to adopt the techniques and the methods of Russia. I think this is a very, very weak argument.

I would further point out that again this issue which is before us at this moment is exactly the same issue that divides the civilized world; that issue being, shall people control government or shall government control people?

I wish to reply to another statement which was just made by the gentleman from Erie, in which he indicated that the hearts of the gentlemen from the big cities bleed for the libraries in rural areas. These gentlemen insist that they best know what should be done for local, rural libraries. They are not willing to allow the people in these local areas to decide for themselves what is best for local, rural libraries. They are not even willing to accept the judgment of Senators in this Senate who represent rural, local people. They adhere to the philosophy that only the elite, only those people who are privileged to happen to be residents of large metropolitan areas, are capable and sufficiently intelligent to dictate policy for this entire Commonwealth.

I submit, Mr. President, that there are people just as intelligent in the smallest communities of Pennsylvania, and just as capable of managing their own affairs, as anyone in any large city. I resent the implication that rural people are incapable of managing their own affairs and the rural Senators are incapable of reflecting those sentiments in this Senate.

Mr. SESLER. Mr. President, I would like to dispel an allusion which has been made by the gentleman from Franklin that we are speaking on behalf of urban libraries. I, for one, represent more rural libraries in my district than I do urban libraries. We only have possibly one so-called urban library and that is in the city of Erie, which certainly should not be classified as a large city.

Secondly, no one on this side of the aisle has ever made any inference that we are going to force the rural libraries to do what they do not wish to do. Let us remember that, first of all, this is an optional program. It need not be accepted. Let us remember that.

I am sure that in the course of this discussion, we will consider the possibility of providing an amendment whereby the local libraries can choose to receive a sum similar to that which they are now receiving. We will not increase it or change it in the scope of this bill, but we will not deflect from that. This is simply a reasonable alternative. If you choose to seek help and guidance, along with the State funds, then we ask that you do counsel with the State Librarian. If you do not choose to, then that will be up to the trustees and the directors of those local libraries which are concerned.

However, Mr. President, let us emphasize this important fact. They do need help in this sense. I do not, for example, hold myself out as an expert on missiles. If we were going to build a missile in order to defend this Country, we would turn to those men who are technicians. The art of collecting, filing and disseminating information, and to control and coordinate the vast amount of printed material that we have today, requires more often the use of people who have studied and who have attempted to correlate, design and develop systems which



are adequate. I think, like any other science, the science of libraries does require specialized training and knowledge. It is true that in many things, common sense can prevail, but there is certainly nothing wrong with asking for the counsel and advice of people who are experts. To refuse to do so would be foolhardy, particularly in this day and age.

Mr. WARE. Mr. President, I think we might set the record straight in one or two instances here. Some reference has been made to the nature of this erstwhile and outstanding committee which studied this matter; namely, a Subcommittee on Library Services, appointed by Governor Leader. If you will look at the personnel of that committee, on page 3 of Volume 1, as I have just done, you will find that seventeen of those people are professional library people and that there are two of these so-called outstanding laymen—two trustees. Thirteen of them are professional librarians and four of them are professionals of the Department of Public Instruction.

Again, as a matter of record, some indication has been given as to the support of a number of organizations, such as Parent-Teachers' Associations and Library Associations. Let me say that those associations are in favor of better libraries, as is everyone in this Chamber. Let me add that none of those people had an opportunity to consider this matter in their local groups, nor did they see copies of the bill, nor did they read the forty-five pages of House Bill No. 132. At least I speak for my own District, where a check of the libraries and Parent-Teachers' Associations revealed that fact. This support has come—presumably, if it does—from certain officers of certain associations who elect to speak for the majority or all of their constituents.

Mr. HAYS. Mr. President, I have before me a letter from the President of the Pennsylvania Congress of Parents and Teachers, Incorporated. Interestingly enough, the officers of this organization are from such large cities as Wesleyville,—with due respect to these towns—New Wilmington, Erie, Towanda and Honesdale. The President of this organization wrote to me as follows:

"The Pennsylvania Congress of Parents and Teachers is tremendously interested in the Library Bill, H. B. 132 (Printer's Number 686). The members of our organization in all areas of the Commonwealth favor extended and improved public library services in their communities.

"Our leaders and members have studied H. B. 132. They feel that this bipartisan measure will transform our public libraries into a source of pride rather than embarrassment.

"I, personally, was pleased that this measure passed in the House on March 6, by a vote of 146 to 45. I urge you to support this measure in the Senate. I cannot emphasize too greatly how interested the 580,000 members of the Pennsylvania Congress are in this important bill and that they look forward to its passage very soon."

I am sure that the Senator does not mean to cast any reflection on Mrs. Moore, the President of this organization.

Mr. WEINER. Mr. President, I have been listening very patiently to all the comments which have been made here. I think the record should be set straight.

The gentleman from Franklin, Senator Hawbaker, was quite concerned about taxes being put on the rural people in order to take care of the cities. If we go into the

record of this, I will be very happy, at this point, to exchange with the gentleman, right now, the amount of State-aid received by the city of Philadelphia. Just to name a few, would you like to begin with the school subsidy program, the highway program, the refund of gasoline taxes or the refund to farmers? We can proceed on from that point.

I do not think any area has been more discriminated against than the city of Philadelphia. I do not think any area has suffered as badly under the highway program and under the subsidies from the State. Yet, by the same token, the city of Philadelphia has been the greatest supplier of money by way of the sales tax, the gasoline tax and all the other fields which provide income to the Commonwealth.

I think the exceptions and the comments which have been made regarding this bill are poorly taken. If we follow through on the gentleman's comments which were made regarding these amendments—I am now speaking on the amendments offered by Senator Stroup—I think the only things which the libraries would contain would be paperback books, such as comic books, instead of the kind of books that we are trying to put in, such as encyclopedia, science books and books which deal with the things which are now of great moment to us in the very fact that the Country, whose ideology opposes us, has put a man into space. We do not have the scientific know-how. We are trying to provide this for the people. The best reading matter they will have will be comic books. I am sure they will meet the standard which is being set up under this bill.

Mr. BERGER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. BERGER. Mr. President, the fact that the gentleman said he is speaking on the amendments does not mean that any remarks which he makes on any subject are germane to the amendments.

We certainly do not wish to limit the debate on this matter or any other matter in this Senate. However, I question very much whether further discussion of collateral matters is going to change anybody's view as to their support or disapproval of these particular amendments. If the debaters will confine themselves to the language of the amendments and the effect of the amendments, we can reach a vote a much more reasonable time.

Mr. President, I believe we have now reached the point where we could well vote upon these amendments.

Mr. WEINER. Mr. President, I believe the gentleman's point is well taken, even though it is a little belated. I was merely answering the statements which were made here.

I would like to speak further on these amendments and try to point out to Senator Stroup, the sponsor of these amendments, that I do not see any difference between the amendments today and the amendments of yesterday. They cover the same area and cut the heart out of this bill, as was stated earlier. If the gentleman is anxious for the people in these various areas, who have inadequate library facilities, to only refer to the paperback and comic books or the Bobbys Twins,—because this is all they are going to be permitted to have if we continue in this vein—I think his purpose will be well achieved by this measure.

Mr. SEYLER. Mr. President, justifying my remarks on



the amendment, I would say that I am replying to a statement made by Senator Ware. If his remarks were on the amendment, then my answer to him must, of necessity, be on the amendment.

Senator Ware is an admirable sort because he always wants to have the record straight. I would like to set it straight because I think he has it a little crooked. He said that the committee which worked on this bill was entirely composed of professional librarians. Such is not the case, Mr. President. The committee appointed by Governor Lawrence, which drew up these amendments, was a lay committee. The committee to which Senator Ware had reference was a subcommittee, appointed by the Pennsylvania Library Association to study this problem. I think even Senator Ware will concede that if the Library Association wishes to set up a committee which will then issue an independent report and which is not directly related or in any way officially connected with the report of the Governor's Committee, it has the right to put librarians on it if it wishes to.

In view of the discussion of this bill entirely being devised by big city slickers to defraud the honest farmers of Franklin County, it is interesting to know who was on these committees. Let me give you an idea of who was on the Library Association's Committee. In addition to those people from Philadelphia and Pittsburgh, who formed four members of this committee, I find the Librarian from the Zelienople Public Library. I do not know where Zelienople is, but it is in some county. I was just informed that it is in Senator Pechan's county, the county of Butler. This is hardly to be listed as a big city representative. I find Mrs. Hoyle, of the Warren Library Association. I do not think the gentleman from Franklin will contend that Warren is a huge community. I find the Free Library Association of Montrose recommended. I am sorry, but I do not know what county Montrose is in. Again, I was just informed that it is in Susquehanna County, which is hardly a large urban area. I find the librarian from York is on this list, and I assure you that York has no pretensions of being a great metropolitan center. I find the Mifflin County Library, from Lewistown. I have been in Lewistown and I fail to see any metropolitan area there. The Abington Library Association, in Jenkintown, again, it seems to me, is less than a great urban area. Norristown, Monessen and Harrisburg are also listed.

The same thing is true of the Governor's Committee. There is no stacked committee here. This was an attempt, in its initial phase, to meet needs which are not being met. Let me assure you that the facilities of Philadelphia and Pittsburgh are magnificent, as far as libraries are concerned. They have the greatest libraries in the Commonwealth and they rate among the greatest libraries in the world.

The thing which led to this bill was the desire to provide library service in those areas which do not have library service.

Now having said that and having set I believe the record straight, I yield to Senator Ware.

Mr. WARE. Thank you, Senator Seyler.

Mr. President, I guess there is no virtue in brevity. I thought I said that this was a subcommittee appointed during the Leader Administration. I did not mean to infer that the committee to which Senator Seyler is referring was Governor Lawrence's committee, nor am I—

Mr. SEYLER. Mr. President, I rise to a point of order. The PRESIDING OFFICER. The gentleman from York, Mr. Seyler, will state it.

Mr. SEYLER. Mr. President, may I, at this time, make a short interrogation of the gentleman—one question?

The PRESIDING OFFICER. Will the gentleman from Chester, Mr. Ware, permit himself to be interrogated?

Mr. WARE. I will, Mr. President.

Mr. SEYLER. Mr. President, I would ask the gentleman if he did not mean the inference, with this sentence, that the committee he was referring to was a governmental committee appointed by Governor Leader. At least, that was the impression he left with me and I believe with the majority of the Senators.

Mr. WARE. Mr. President, I referred, I thought, to a subcommittee. I did not mean any inference in the nature that you indicated. I was going to say if I did infer that, I will apologize to you. I pointed out that it was on page 3, of Volume I, which you can refer to. I think that is what you just read, as a matter of fact.

The point which I endeavored to make, on which I failed so miserably, was that the support of the Library Association and the P.T.A. came not from the membership of those associations. I think that in reference to Senator Hays' letter, I made mention of certain officers and leaders. I can tell you that in my own community, the P.T.A. did not vote on it. I happen to be a member of it. I was not asked to express my viewpoint. However, I think we are talking about two different records. I would like to say that the record I tried to make is, in my opinion, still correct.

Mr. STROUP. Mr. President, I must just take a few moments to correct an impression left by Senator Weiner, and that is to the effect that there is no difference between the amendments offered today and those offered yesterday.

For the information of the Members of the Senate, the amendments offered have kept, in this bill, the library training feature, have kept in the bill all the features concerning certification of library personnel on page 6 and page 7, and have kept in the bill all of the reference to library trainees in Section 205, Section 207 and Section 208. In other words, these amendments only correct the situation in so far as the denial of State-aid is concerned for not meeting the requirements set up by the State Librarian.

#### PARLIAMENTARY INQUIRY

Mr. BERGER. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Potter, Mr. Berger, will state his question of parliamentary inquiry.

Mr. BERGER. Mr. President, in view of the explanation just given by Senator Stroup and the indication by the Chair that each one of these line amendments was about to be voted on in order and singly, I might suggest to the Chair and to the Majority Leader that we could, under those circumstances, proceed with the amendments covering each section and vote upon the entire set of amendments relating to those sections at one time rather than to vote upon each line amendment. Does that seem acceptable to the Chair and to the Majority Leader?

The PRESIDING OFFICER. Will the Majority Leader and the Minority Leader please approach the rostrum?



The Senate will be at ease a moment.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendment?

Mr. SEYLER. Mr. President, I request a roll call on the amendment to this section.

The yeas and nays were required by Mr. SEYLER, and were as follows, viz:

#### YEAS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

#### NAYS—23

Camiel,	Lane,	Mullin,	Staisey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Miller,	Silvert,	Presiding Officer

So the question was determined in the affirmative, and the amendment was adopted.

On the question,

Will the Senate agree to the bill on third reading, as amended?

Mr. STROUP, by unanimous consent, offered the following amendments:

Amend Sec. 201, page 5, lines 4 to 12 by striking out all of lines 4 to 11 and "(6)" in line 12 and inserting: (5).

Amend Sec. 201, page 5, lines 17, 18 and 19 by striking out all of said lines.

Amend Sec. 201, page 6, line 1 by striking out "(8)" and inserting: (6).

Amend Sec. 201, page 6, line 4 by striking out "(9)" and inserting: (7).

Amend Sec. 201, page 6, line 11 by striking out "(10)" and inserting: (8).

Amend Sec. 201, page 6, line 13 by striking out "(11)" and inserting: (9).

Amend Sec. 201, page 6, line 14 by striking out "(12)" and inserting: (10).

Amend Sec. 201, page 6, line 17 by striking out "(13)" and inserting: (11).

Amend Sec. 201, page 7, line 11 by striking out "(14)" and inserting: (12).

Amend Sec. 201, page 7, line 13 by striking out "(15)" and inserting: (13).

Amend Sec. 201, page 7, line 14 by striking out "libraries" and inserting: the State Library and Regional Library Resource Centers.

Amend Sec. 201, page 8, line 4 by string out "(16)" and inserting: (14).

On the question,

Will the Senate agree to the amendments?

Mr. SEYLER. Mr. President, I am going to address my remarks to the amendment amending page 5, which eliminates lines 4 to 11. I would like to interrogate the sponsor, if I may, about this section.

The PRESIDING OFFICER. There are various sponsors. Whom do you wish to interrogate?

Mr. SEYLER. Senator Stroup, I believe is the sponsor of the amendments.

The PRESIDING OFFICER. Will the gentleman from Bedford, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. SEYLER. Mr. President, I would like to ask the gentleman to explain the significance of these amendments and why he offered them.

Mr. STROUP. The significance of these amendments, Mr. President, is to eliminate the authority of the State Librarian which he can exercise upon local libraries and county libraries. Subsection 5, of this Section, must be read in conjunction, however, Senator Seyler, with Section 303 and Section 304, which set forth the power of the Librarian and the Advisory Council to eliminate State-aid in the event that "what" is suggested and recommended and required by the State Librarian is not lived up to by the local libraries.

For that reason, we are taking this out in order to give the local libraries the privilege of receiving under Subsection 6—right below, Senator Seyler—the advice and counsel of the Librarian and the Advisory Council by all municipalities and groups which establish libraries in the selection of books, cataloging and so forth. In other words, we take out the burden and the imposition of influence and control and the refusal of State-aid, and allow them to ask to be given assistance and the privilege of receiving their suggestions in the section below.

Mr. SEYLER. I thank the gentleman.

Mr. President, does the gentleman object to the word "counseling"?

Mr. STROUP. Mr. President, I do not object to the word "counseling," if it is not used in connection with Section 303 and Section 304. However, when you tie them together, then you find counseling becomes mandatory, and when the counseling is not accepted and the minimum standards are not set up, then under Section 303 and Section 304 State-aid can be refused.

I might add that we have counseling and the privilege of counsel in the following section which we leave in the bill. This gives us that privilege and that right.

Mr. SEYLER. Mr. President, line 5 provides that he shall counsel the library on minimum standards. The term "minimum standards" suggests to me, and I think would suggest to any reasonable minded person, the establishment of such standards which would be met by any library which is, in effect, a library.

It is possible that a group of people could come to Harrisburg and ask for State funds by maintaining they had a library. They could start one in the back room of a poolroom. They could start one in the basement of somebody's home. They could maintain that because they had their own lending library in a department store, they would be entitled to support under this bill. Would the gentleman tell us, if we are to have no minimum standards, how would he suggest we shall determine, upon application under this bill, whether there is, in effect, a library entitled to State-aid?

Mr. STROUP. Mr. President, the gentleman's effort to reduce the matter to an absurdity certainly cannot be very valid. He puts very little, shall we say, credit, faith or confidence in our local library boards. To intimate that some group might try to create a library or to have a library in the back room of a poolroom or something of that nature is going too far, much too far afield.

As a matter of fact, minimum standards are recommended and counseled in the section just below the section which is being taken out of the bill by these amendments. We have the privilege, on the local level, of



receiving all of the advice, counsel and suggestion with full reference to the certification of librarians and librarian trainees as the bill would stand with these amendments.

However, we do not lose the right to our State-aid if we do not achieve the standards that are set up for us. Per se, it may take us some time and it gives us some time to get some place in doing the job. I think you will find, Mr. President, that this is the section that is very acceptable to many of those on the local level.

Mr. SEYLER. Mr. President, I did not suggest that local library boards might do the things I have indicated. I see no where in this bill or any place else, if we cut out the ability to have a minimum standards, any requirement that there shall be a local board. Will the gentleman point out to me where there is such a requirement? It might not just be one of the minimum standards that you require; namely, that there be a local board.

Mr. STROUP. Mr. President, I will just answer briefly. Then I shall yield.

There has been nothing done in this bill to take out the local board, and its authority and its control over its own destiny. It is retained in the bill, and I think the gentleman is well aware of that. Whether it is the board of a local library, a merged county and local library, or whether it is a board of municipal representation, in so far as the officers are concerned, still that local board is there and in full control.

I now yield to Senator Hawbaker.

Mr. SEYLER. Mr. President, I think I still have the floor. I am conducting an interrogation, and I do not care to yield at the moment. I will be very glad to yield to Senator Hawbaker at the appropriate time.

The PRESIDING OFFICER. You have the floor. You may proceed, Senator Seyler.

Mr. SEYLER. Mr. President, may I continue the interrogation? I do not know whether the gentleman's remark indicated that he is tired of replying. However, I would like to continue.

The PRESIDING OFFICER. Senator Stroup, will you permit yourself to be further interrogated?

Mr. STROUP. I will, Mr. President.

Mr. SEYLER. Mr. President, I would like to ask the Senator whether he would consider a minimum requirement that there be a library board before a library could come to Harrisburg and ask for State-aid?

Mr. STROUP. Mr. President, that is in the bill beyond any question.

Mr. SEYLER. Mr. President, would the gentleman consider it a reasonable minimum standard that there be a librarian engaged, with the qualifications of a librarian, in order to come to the Commonwealth and ask for State-aid?

Mr. STROUP. Mr. President, we now get down to an absurdity again. It is absurd to think that the people on the local level are going to ask for State-aid and are going to go out and impose taxes upon their people without qualifying as a library that the people will accept.

First of all, you must exercise your local effort. You must tax your people. You cannot believe that the people of any locality are going to submit to taxation, for goodness sake, if they do not have a library or a library board.

Mr. SEYLER. Mr. President, there is nothing in the bill, as I see it, that requires municipal taxation. Municipal

taxation is suggested as one means of raising the necessary local support in order to qualify. However, it is conceivable that a library would have an endowment and the local support could be met without taxation.

I will continue the interrogation, however. Would the gentleman consider it a reasonable minimum standard that the library be required to have books on its shelves in an amount indicating that it was a library?

Mr. STROUP. Mr. President, we are now getting into one of the sleepers in the bill, you see.

At the present time, we have thirty-four county libraries. These county libraries are locally autonomous, receiving aid under the old Public Library Act. That Public Library Act has been included within the purview of the present bill, which is before us. However, under the purview of the present bill, that county library must submit to all of the burden of control or suggested control—the indirect control that is in this bill—from the State Librarian and thereby losing their local autonomy. It is these thirty-four county libraries, for example, and it is the needs of some 387 libraries all over the State which we are trying to protect, in so far as the deletion of this particular section is concerned in the bill.

Mr. SEYLER. Mr. President, I reject the idea which the gentleman advances that local libraries will lose their autonomy. Repeating the question I asked him, would he consider it a reasonable minimum requirement set by the State if there were a requirement that a library should have books in a certain number in order to receive State-aid?

I would point out to the gentleman that this might well be one of the minimum standards which he is cutting out of the bill.

Mr. STROUP. Mr. President, the gentleman needlessly labors the subject. I have already answered his question heretofore. In reply, I stated that it is inconceivable that local effort would be imposed upon local citizens by any group, if there were not a library going to become, in fact, a library and if there were not personnel and books upon the shelves and if there were not a locality.

Mr. SEYLER. Mr. President, the gentleman inferred, in his earlier answer as a defense against my question, that under the terms of the present law there are, in effect, standards. I hope the gentleman realizes that if this bill is passed with his amendments, or without his amendments, that law is repealed.

Now the question comes as to what kind of standards are we going to have for the submission of an application to receive State funds for libraries. I do not think he answered the question. However, I will pass and ask him another one.

Does the gentleman feel that it would be a reasonable minimum requirement or standard to say that the library must have its books and its library facilities housed in a building accessible to the public?

Mr. STROUP. Mr. President, there is no question about that. That is a standard and it would be impossible to do otherwise under this bill.

I repeat my previous reply. It is purely redundant I think. Taxes will be levied on the local level for a library which must be, in fact, a library. Those standards are the basis of the local library at the present time.

In reply to another question the Senator from York asked, we presently have our county libraries and those



county libraries are functioning under the present Library Act. They are functioning as such and we are keeping them in this bill. By these amendments, we are deleting the requirement of either meeting minimum standards or losing State-aid in this bill.

Mr. SEYLER. Mr. President, the gentleman is correct, but he has overlooked the fact that if this bill repeals the present law under which the county libraries now function, and his amendments to the present bill pass, then we are making it impossible for anyone, as far as I can see, and we will be in the position where no one is going to be able to pass on whether a library is a library as such and entitled to receive State-aid.

As I understand the answers to my questions over-all, I understand he is saying that all of the things which I mentioned are reasonable minimum standards.

Now I ask him, if the suggestions I made are reasonable minimum standards and if this bill passes, who in State Government is to make the decision as to whether a library has those very elemental and basic aspects which I mentioned as minimum standards, in the event his amendments pass?

Mr. STROUP. Mr. President, local libraries and county libraries are defined in the bill. The definitions have not been amended out of the bill. I think that is the answer to that question.

Mr. SEYLER. Mr. President, a local library can be a library which is brand-new at the beginning of this bill, and in the event that they come to Harrisburg and ask for State-aid, who is to make the decision as to whether they merit the State-aid as being an adequate library?

Mr. STROUP. Mr. President, the State-aid will be merited by the local group because they levy taxes on the local level to comply with the local effort and, as a consequence of raising the money with the local effort, they, therefore, can get the State-aid.

Mr. SEYLER. Whether they have books or not?

Mr. STROUP. No.

Mr. SEYLER. Whether they have a library or not?

Mr. STROUP. Mr. President, they must already comply with the definitions of a county library or a local library. As I said before, there are 387 of these libraries in the State and there are 34 county libraries presently existing. They are functioning quite well. They need increased State-aid. We are giving them that authority. We are giving them the privilege of receiving suggestions and recommendations by the State Librarian, but no denial of State-aid if they do not meet the particular standards which may be set up.

Mr. SEYLER. Mr. President, I thank the gentleman for his answers, and now advise him that I do not intend to ask any more questions but will conclude with a few remarks so that he may have some well-deserved relaxation.

Mr. President, the main point, as I see it, to these amendments is to cut out any possibility on the part of anyone on the State level to see to it that adequate libraries are maintained in return for State funds.

I do not believe the people of this Commonwealth would agree that they are willing to pay taxes for libraries which are libraries in name only. I do not believe the distribution of funds should go to anybody who comes to Harrisburg and says they have a library.

I believe, in all common sense, you have to have some

standards in order to reimburse people. You cannot hand out money to just anyone who comes in. There have to be standards and if there have to be standards, they have to be set by someone, and someone has to oversee them.

If the gentleman is afraid of the word "coordinate," again, or the word "counsel," I think we have gone through that and I will not bring any more changes on that.

However, I would remind him that these are the terms that are used to imply a relationship between the local library and the State Librarian which is not authoritarian, but which is advice, which is counsel and which is recommendation.

The very fact that the local librarians over the State have agreed that this is a good bill indicates that they are not concerned about this relationship. They would realize that minimum standards are desirable. They would not want to pour the money of the Commonwealth down the drain. They realize that coordination—the very first or second word in this bill—is necessary. They are not the people who have these fears.

I do not know Senator Stroup's profession. I do not know whether he is an attorney or not. However, it seems to me that there is a question here of attempting to represent a group which does not ask for representation. He speaks a great deal about the local libraries and how they will be hampered. Yet, it is the local librarians who have pushed this, have urged it, and are now supporting it. I do not know whether a lawyer would consider it ethical to go into court and represent a person who has not appealed to him for help. Doctors, I understand, are a little touchy on a subject like this. They want to be requested. Here we have a case, it seems to me, where clients are being served who have no desire for representation.

I do not think the point of these amendments is well-taken. I say again, it would cripple the bill. It would make the bill ineffective.

Referring to the earlier remarks of the Senator from Franklin, I would say that when he says he is in favor of the bill but the fact that he is supporting these amendments has no effect on whether he is in favor of it, most of the people who are within his hearing, and most of the people who are interested in this bill, are sophisticated enough to know that there is more than one way of killing a piece of legislation. One way is to vote it down. Another way is to so eviscerate and cripple it that when you get finished with it, the poor thing cannot get up and crawl away.

I suggest to the gentlemen that perhaps the latter tactic is being used here. However, nonetheless, the victim is going to be just as dead when they are finished with it.

And the question recurring,

Will the Senate agree to the amendments?

(During the calling of the roll, the following occurred:)

Mr. McMENAMIN. Mr. President, having been in the hall of the Senate and not having heard my name called, I desire to be recorded as voting "no" on these amendments.

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. McCREESH. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.



The roll was called and resulted as follows:

## YEAS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

## NAYS—23

Camiel,	Lane,	Mullin,	Staisey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Miller,	Silvert,	Presiding Officer

So the question was determined in the affirmative, and the amendments were adopted.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

Mr. STROUP, by unanimous consent, offered the following amendment:

Amend Sec. 211, page 13, line 3 by striking out "system of such district."

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, I would like to point out to the Members of the Senate that the amendment that is being made here deals with district library centers, and the duties of the State Librarian in designating these district library centers.

I would like the sponsor of this amendment to look at this part of the bill very carefully. It says: "... any local library which wishes thereby to become part of the District Library Center . . ." Then his amendment strikes out the words: "system of such district."

I do not think this fits in too well with what he might have in mind. I do not think this amendment fits into what he is trying to do.

I would respectfully ask him to look at this and see what he has in mind; whether this fits what he has been talking about.

Mr. STROUP. Mr. President, I will answer the question.

The words "system of such district" are being stricken from the bill to leave solely a district library center which will be the center to service the area in which it exists, on a voluntary operation and consent with the libraries in that particular center. We do not create a system of district library centers. We merely create a library center and eliminate the system. The reason for that is that failure to enter the system under contract could very well deny State-aid.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Bedford, Senator Stroup.

The PRESIDING OFFICER. Will the gentleman from Bedford, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman explain to us, if the district library center is at such a distance that the people who live in that area cannot get to it, what he has accomplished?

Mr. STROUP. The people in each particular library, Mr. President, through their district center, can function just as well with the other libraries around the area without coming under the library center itself or with-

out being part of that system. They can coordinate themselves without the imposition of State Library control.

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, I think I heard the gentleman say "coordinate," and I think we just struck that out of the bill. I do not think we ought to get into that because we have been through that. I wish he would leave that word out of his remarks because I am abiding by the amendments made to this bill. I think the word "coordinate" is in bad taste, Senator.

The PRESIDING OFFICER. The Chair will request the Senator to adopt a synonym.

Mr. STROUP. Mr. President, I will substitute the word "cooperate."

Mr. WEINER. Mr. President, will the gentleman please advise us if he has in mind what the distance of these library centers will be from these other areas, as long as there is no system created? What does he have in mind? In other words, where will these library centers be created, and how far will they be from the farthest person in the area?

Mr. STROUP. It may be some distance, Mr. President. The district library center—if there are thirty of them created within this State—will be some distance from the local library. That is quite true. The creation of a system, however, is not going to change the distance from the library center. The cooperation of the local library, through the suggestions and the references of the State Librarian and the Advisory Council, can very well be implemented by the libraries on the local level without becoming members of the system.

This amendment does not make it impossible, on a voluntary basis, Mr. President, for the local library or the county library to contract with other libraries in the area to receive the service of the district library center. However, if there is a compulsion element, as one sees in the following sections, then it may fail to contract and can be denied State-aid.

Mr. WEINER. Mr. President, will the gentleman please advise me that if the thirty library centers set up as designated in this bill must, perforce, be a great distance from each other, and also perhaps from the people living in the area, how will the setting up of a library system—which obviates the distance that you are going to create by the setting up of these single centers, and set up a network of libraries—avoid bringing this library system closer to the people by setting up these centers? In other words, if you set up the centers, you have made a center that everybody must go to and it may be some distance. If you set up a system, you are now bringing the library system closer to the people.

If your idea or view, as you stated earlier, was that the library system be improved so that everyone will have better library service as a result of this bill and that this bill was desirable, then here you are avoiding that and going out of your way to do away with it.

If what you want to carry out is indicated by this amendment, we can very simply do away with this bill and continue with the present system by providing more money at the local level and additional State money. Would that not accomplish the same purpose and accomplish what you are seeking to do here?



Mr. STROUP. Mr. President, I believe the most effective answer to the interrogation is that the word "system" does not change the mileage that exists from the library center to the local libraries. Also, local libraries can very well cooperate among themselves in the area where the district library center may be located.

Mr. WEINER. Mr. President, will the gentleman advise us what he thinks the word "system" means?

Mr. STROUP. Mr. President, "system," as I understand it in my limited knowledge,—and I certainly would not allegate unto myself more knowledge in the interpretation of language than the distinguished Senator—would mean a group of libraries which work together.

Mr. WEINER. Mr. President, if the gentleman will not leave the microphone, unless he does not want me to interrogate him any further, I will appreciate it.

Senator, if I follow your definition correctly, you are talking about a group of libraries, which are in addition to the district library center. Is that correct?

Mr. STROUP. That is correct.

Mr. WEINER. Then if we have a district library center and we have a group of libraries with them, we do have a network of libraries, about which we were speaking, which puts the library system closer to the people. Is that correct?

Mr. STROUP. That is correct.

Mr. WEINER. Therefore, if we have the district library center and the network of libraries which is closer to the people, and you strike out this network of libraries or group, as you stated, then you are taking the libraries away from the people. Is that correct?

Mr. STROUP. The gentleman's conclusion is incorrect.

Mr. WEINER. Will the gentleman explain why?

Mr. STROUP. It does not do anything of the kind. We are taking out the word "system" because if a library enters into a contract with a district library center system, as such, it must do so in order to receive State-aid. If it does not desire to do so then, of course, it loses its State-aid. Where we have a district library center, the libraries in that particular center can cooperatively work together with the district library center and receive State-aid, and not lose it if they do not enter into the system, as such.

Mr. WEINER. Mr. President, will the gentleman please advise us then if you remove the system and leave the center alone, you have taken the libraries away from the people? Is that correct?

Mr. STROUP. That is not correct, Mr. President. We have not taken the libraries away from the people at all. As a matter of fact, we have kept the libraries closer to the people. We give them their own voluntary procedures to follow in order to have the benefit of the books, the resources, the counsel and the advice of the center.

Mr. WEINER. Mr. President, I want to thank the gentleman.

Mr. President and Members of the Senate, I believe just by following this type of even circuitous reasoning, you will see that if you leave the center without the system in operation, you have taken libraries away from the people instead of bringing them closer. You have already ripped out of the bill the ability to give them the kind of books, encyclopedias and scientific training they need. I think this also is taking something away from the people.

However, if you persist in introducing these amendments and ripping this bill to pieces, there is nothing I can do except to alert you and warn you that you are making a very grave error.

Mr. SEYLER. Mr. President, I have only a very brief remark to make on this point.

From listening to the gentleman in his interrogation, it seems to me that he was not opposed really to the substance, but to the name. This indicates that the gentleman is extraordinarily sensitive to certain words, such as co-ordinate and, now, system. I would like to suggest to him that we talk about our school system with great pride; we talk about our railroad system; we talk about the free enterprise system. I just wondered whether the gentleman thought that all of these were equally authoritarian.

And the question recurring,

Will the Senate agree to the amendment?

The roll was called and resulted as follows:

#### YEAS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Probert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

#### NAYS—23

Camiel,	Lane,	Mullin,	Staisey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Miller,	Silver,	Presiding Officer

So the question was determined in the affirmative, and the amendment was adopted.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

Mr. STROUP, by unanimous consent, offered the following amendments:

Amend Sec. 303, page 14, lines 14 to 18 by striking out all of lines 14 to 17 and "leading to the achievement of such standards and" in line 18.

Amend Sec. 303, page 17, line 14 by striking out "and the State Librarian."

Amend Sec. 303, page 17, line 14 by inserting after "required": A copy of each report made to the county commissioners by a library receiving State-aid shall be sent to the State Library in Harrisburg.

On the question,

Will the Senate agree to the amendments?

Mr. SEYLER. Mr. President, I would just like to point out that the first part of these amendments, again, cuts out any possibility of having any standards when the Commonwealth grants reimbursement to local or county libraries. It also cuts out the requirement, which we will discuss later on, that the local libraries be asked to submit a plan. The word "plan" may be another of those authoritarian words which is feared by the gentleman. To my mind, a plan is sensible. Living from day to day and from hand to mouth, in our own private affairs, we would consider a reprehensible way of living. I think it is just as sensible that a library should have a plan.

Referring to page 17, I would like to ask the gentle-



man concerning the amendments at the bottom of that page, line 14.

The PRESIDING OFFICER. Will the gentleman from Somerset, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. SEYLER. Mr. President, will the gentleman tell me what these amendments do and what are their purpose?

Mr. STROUP. Mr. President, the amendments pertain particularly to the county libraries, which you will note appear in Section 303, Subsection 2. They require, solely, that a report of expenditure of State money shall be made to the County Commissioners and do not require it to be made to the State Librarian in such form as may be required. However, the report shall be made to the County Commissioners by the library which receives State-aid and a copy shall be forwarded to the State Library in Harrisburg.

Mr. SEYLER. Mr. President, will the gentleman tell me what is the purpose of the amendments?

Mr. STROUP. That is the purpose. The antonymy is the County Commissioners, and not the State Librarian. The library is to report expenditures to the County Commissioners and a copy of it then sent on to the State Library.

Mr. SEYLER. I would ask the gentleman whether he considers the County Commissioners or the State Librarian the most adequate judge of a library's expenditures.

Mr. STROUP. Mr. President, the County Commissioners remain, I believe, under our laws, very adequate judges in many instances of the expenditure of funds. I certainly cannot bring myself to the realization that they would not be adequate judges of the expenditures of funds of the State Library. The fact of the matter is, Mr. President, they are now making appropriations. They will continue making appropriations and they certainly will have to supervise the expenditure of funds as being proper through the auditors.

Mr. SEYLER. As far as the people of Bedford County getting their money's worth in library service for money spent, who would be the best judge of that question? Would it be the County Commissioners of Bedford County or the State Librarian?

Mr. STROUP. Thus far, Mr. President, I think the people of Bedford County are well satisfied with the functioning of the County Commissioners and the audit made of the accounts as to the proper expenditure of their funds.

Mr. SEYLER. Mr. President, I definitely wish to cast no aspersions on the County Commissioners of Bedford County. I am sure they are all well-qualified gentlemen and do a good job for county government. My suggestion is that we are not dealing here with county government. Therefore, I now ask the gentleman how many of the members of the present Board of Commissioners of Bedford County are qualified librarians?

Mr. STROUP. Mr. President, they are not qualified librarians. They rely upon the librarians whom they employ.

Mr. SEYLER. How many of the gentlemen have served on library boards?

Mr. STROUP. At the present time, I believe one has served on a library board for quite a number of years.

Mr. SEYLER. I would suggest then that there is one

person there who would have some faint notion. However, does the gentleman realize that, in this event, he would be asking a County Commissioner to pass on a report made by an institution of which he is a member of the board?

Mr. STROUP. Mr. President, that is also submitted to the auditor, to be scrutinized after application. I might submit here that the library board of a county, which is appointed, is the one which makes the report. In conjunction therewith, they have a meeting with the County Commissioners and go over the report before it is officially adopted or submitted.

Mr. SEYLER. Mr. President, I thank the gentleman.

Of course, my point is that the County Commissioners are certainly not the agency to specify what items shall be reported, if we are interested in seeing that the people's money, local as well as State, is spent to good effect in providing library services. I do not believe, generally speaking, that the commissioners are qualified. If, by some accident, there should be a librarian or a member of the Library Board who got elected to the County Commissioners, we would be doing that thing which, in all other areas of State and municipal government, we do not allow; namely, a person to pass on and audit that which is made by himself. This would certainly be bad practice. I would suggest that this is not a good procedure, if we are interested in the most effective use of the people's money to provide library services.

And the question recurring,

Will the Senate agree to the amendments?

The roll was called and resulted as follows:

#### YEAS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

#### NAYS—23

Camiel,	Lane,	Mullin,	Staisey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Miller,	Silvert,	Presiding Officer

So the question was determined in the affirmative, and the amendments were adopted.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

Mr. STROUP, by unanimous consent, offered the following amendments:

Amend Sec. 304, page 24, line 8 by inserting after "Plans:" for Regional Library Resource Centers.

Amend Sec. 304, page 24, lines 8 and 9 by striking out "library desiring to receive" and inserting: Regional Library Resource Center receiving.

Amend Sec. 304, page 24, line 10 by striking out "the funds" and inserting: State-aid.

Amend Sec. 304, page 24, line 12 by striking out "a library" and inserting: such.

On the question,

Will the Senate agree to the amendments?



Mr. SEYLER. Mr. President, I would just like to point out that here again we are removing the possibility of having State libraries encouraged to make plans, to look ahead for more than the next week, or the next month or the next year, in deciding how the services of a library to the community shall be approved.

Mr. STROUP. I just have one comment, Mr. President.

This is one of the most important amendments in the bill. It provides that it will not be necessary to submit a plan to the Commonwealth in order to receive State-aid. Nor will it be necessary to submit to the State Librarian how local funds, in addition to State-aid funds, are going to be utilized.

Mr. SESLER. Mr. President, it would appear to me that if the gentleman was interested in preventing the State Librarian from becoming more or less a dictator, why did he not include a provision in here for allowing an appeal from any decision which was negative as to the use of the funds? Clearly, this is reasonable here. To simply say that you shall submit a plan which shall demonstrate to the State Librarian that you have thought out, considered and have established a reasonable plan for the use of the State-aid and, moreover, not to be relative to the use of local funds or applicable, since the provision will simply say "a plan for the use of State-aid," as amended by the gentleman from Bedford County, does not seem logical. It would seem, therefore, that the logical thing here, if they are concerned about the powers being delegated to the State Librarian, would be to provide for an appeal to the Advisory council or say that this had to be approved by the State Librarian, with the consent of the Advisory Council. If they feel that the advisory Council is too dictatorial, then consider some other changes.

Under this system, it is obviously inconsistent to require the regional library centers to submit plans for State-aid and not apply the same to the local libraries. This is another evidence of inconsistency in these amendments.

And the question recurring,

Will the Senate agree to the amendments?

The roll was called and resulted as follows:

#### YEAS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

#### NAYS—23

Camiel,	Lane,	Mullin,	Stalsey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Miller,	Silvert,	Presiding Officer

So the question was determined in the affirmative, and the amendments were adopted.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

Mr. STROUP, by unanimous consent, offered the following amendments:

Amend Sec. 413, page 34, line 10 by striking out "municipal."

Amend Sec. 413, page 34, line 12 by striking out "the" where it appears the first time and inserting: all.

Amend Sec. 413, page 34, line 12 by striking out "from the municipality."

On the question,

Will the Senate agree to the amendments?

Mr. SEYLER. Mr. President, I desire to interrogate briefly the gentleman from Somerset, Senator Stroup.

The PRESIDING OFFICER. Will the gentleman from Somerset, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. SEYLER. Mr. President, will the gentleman explain the purpose of the amendments to page 34, lines 10 to 12?

Mr. STROUP. Mr. President, in this particular section, we are referring to the board of control of any library established, as specified in Section 411. This, of course, is the qualification before State-aid may be received. It also refers to appropriations received; that is, appropriations, whether received from the municipal government or from State-aid. They shall be set forth in a report, made annually to the proper municipal authorities, of the moneys received by the library, regardless of from what source they come. Wherever the money comes from, they must make an annual report with reference to that money.

Mr. SEYLER. Mr. President, I would ask the gentleman whether he does not feel it is proper for the library to report to the Commonwealth, according to the State's terms, on the money which it receives from a county, as was indicated in the previous amendment? Why does he think this is proper that a library should report to municipal authorities an accounting of moneys they receive from the State?

Mr. STROUP. Mr. President, this refers to the board of control of local libraries. They are the ones who are responsible for the handling of their library funds. They are the ones who have raised the majority of the money on the local level and a report, covering all of it, is made to the local library. However, there is no restriction that a copy of the report cannot be sent to the State Librarian. I presume that such a report would be made available.

Mr. SEYLER. Mr. President, is not the gentleman attacking the local control of the library by saying that it has to report to municipal authorities on an item which the municipal authorities have nothing to do with; namely, the moneys received from the State?

Mr. STROUP. Mr. President, under this bill, many of the local libraries, which are receiving local effort, will have upon their board representation from the municipality which raises the money for them. As a consequence, the report will be made out and submitted to that municipality which is levying the funds. It seems only duly and correctly proper that this should be done.

Mr. SEYLER. Mr. President, does the gentleman think that such municipal authorities will be in any position to evaluate the expenditure of State funds toward the accomplishment of the aims expressed in this bill?

Mr. STROUP. Mr. President, I think they certainly will. They evaluate the expenditure of many State funds on the local level at the present time.

Mr. SEYLER. On such municipal boards, would there likely to be trained librarians?



Mr. STROUP. I should imagine that is possible. We have very many people on the local level who have knowledge of the lending library field.

Mr. SEYLER. Would not this mean, in effect, if they are also on the local board, that again you are asking a body to evaluate and audit an account made by themselves?

Mr. STROUP. At the present time, Mr. President, many of the representatives of the local municipality which make appropriations, join with, sit in and discuss with the local library board many of their problems. They become quite familiar, therefore, with the problems on the local level.

Mr. SEYLER. Mr. President, I thank the gentleman.

I would like to point out to the people who are interested in voting on these amendments that here again are amendments which are self-contradictory. We are asking a library, which is receiving money from the State and from the local municipality, to report to the local municipality on the funds it expends which are received from the Commonwealth. Again, we are not having any evaluation by anyone who is interested in the accomplishment of those ends which it seeks to achieve by State-aid.

And the question recurring,

Will the Senate agree to the amendments?

The roll was called and resulted as follows:

## YEAS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

## NAYS—23

Camiel,	Lane,	Mullin,	Stalsey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Miller,	Silvert,	Presiding Officer

So the question was determined in the affirmative, and the amendments were adopted.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

Mr. STROUP, by unanimous consent, offered the following amendments:

Amend Sec. 414, page 35, line 2 by inserting after "desirable": to the municipal officers.

Amend Sec. 414, page 35, line 3 by inserting after "officers": by a library receiving State-aid.

On the question,

Will the Senate agree to the amendments?

Mr. SEYLER. Mr. President, I just want to briefly point out to those people who are interested in voting on these amendments on their merits that here, again, you have the situation where you are asking libraries to report to people who have no way of evaluating the effectiveness, in library services, of the money supplied to them by the Commonwealth.

Mr. STROUP. I just have one statement to make, Mr. President, and that is that herein the annual report of

State-aid money will be forwarded to the State Librarian. The local officers shall rely upon the suggestions and the counsel of the State Librarian.

Mr. SEYLER. Mr. President, the gentleman is correct, of course, but the terms of the report shall be information and suggestions which seem desirable to the municipal officers.

And the question recurring,

Will the Senate agree to the amendments?

The roll was called and resulted as follows:

## YEAS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

## NAYS—23

Camiel,	Lane,	Mullin,	Stalsey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Miller,	Silvert,	Presiding Officer

So the question was determined in the affirmative, and the amendments were adopted.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

Mr. STROUP, by unanimous consent, offered the following amendments:

Amend Sec. 417, page 36, lines 11, 12 and 13 by striking out "and which meets the minimum standards" in line 11, all of line 12 and "state-aid" in line 13.

Amend Sec. 417, page 37, lines 1 and 2 by striking out "and approved by the State Librarian."

On the question,

Will the Senate agree to the amendments?

Mr. SEYLER. Mr. President, I do not think that the gentleman from Bedford can possibly argue in this case that such libraries as are described here—namely, new local libraries—are subject to the terms applying to county libraries. I would say that here is an instance where you are allowing a local library, which is open to the use of all residents, with no other qualifications whatever and with no other standards whatever being set, to come to the Commonwealth and ask for money. There is nothing here about having a qualified librarian. There is nothing here about having books on the shelves, or how many. There is nothing here in regard to the building or to the accessibility of the site. You are giving a blank check here to any group of citizens, which comes to Harrisburg and designates themselves as a library, to receive funds with no criteria for anybody on the State level to decide whether they should receive State-aid or how much.

Mr. HAWBAKER. Mr. President, it becomes more and more obvious that the gentleman from York has not read Section 102, Subsection 1, of this bill. He continues to constantly refer to the fact that there is nothing in this bill to designate a library as a library. I would refer him to Section 102, Subsection 1, which very clearly de-



finds what a local library actually is. In the event that he is unwilling to read it, I will read it for him as follows:

"Local Library" Any free public nonsectarian library whether established and maintained by a municipality or by a private association corporation or group which serves the informational educational and recreational needs of all the residents of the area for which its governing body is responsible by providing free access (including free lending and reference services) to an organized and currently useful collection of printed items and other materials and to the services of a staff trained to recognize and provide for these needs . . ."

This certainly should allay the gentleman's fears.

Mr. SEYLER. Mr. President, I ask the gentleman, who would make the decision as to whether they met those qualifications?

The PRESIDING OFFICER. Will the gentleman from Franklin, Mr. Hawbaker, permit himself to be interrogated?

Mr. HAWBAKER. Mr. President, I would like to simply state that we are now in the process of a floor debate and not a committee hearing. I think all of this dialogue and cross-examination is highly improper and I am not going to answer the question.

Mr. SEYLER. Mr. President, I thank the gentleman for his answer, such as it was. I hope he is not suggesting that the matter is so unimportant that it does not need the full consideration of this Senate. I hope he is not suggesting that the Members, both on this side and the other, who have spoken on the bill, have been doing anything improper under the tradition and rules of this Senate. As far as I can see, we have lived within—

Mr. BELL. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. BELL. Mr. President, I raise the point of order that the remarks of the gentleman from York are out of order.

The PRESIDING OFFICER. The Chair believes they are in order. The gentleman from York, Mr. Seyler, may proceed.

Mr. SEYLER. Therefore, Mr. President, I do not consider the gentleman's answer as responsive. I am reminded that this is about where we came in a couple of days ago, when we had a similar amendment. Obviously, if you cut out the ability of the State Librarian, the Advisory Council and everybody else, you have no one who is in any position to make any decision in regard to this matter. I still suggest that the effect of these amendments will kill any effectiveness that this bill might have, if they are accepted and are continued in the bill.

And the question recurring,

Will the Senate agree to the amendments?

The roll was called and resulted as follows:

## YEAS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Probert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Chapman,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

## NAYS—23

Camiel,	Lane,	Mullin,	Stalsey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Miller,	Silvert,	Presiding Officer

So the question was determined in the affirmative, and the amendments were adopted.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

Messrs. BERGER and SEYLER, by unanimous consent, offered the following amendment:

Amend Sec. 303, page 14, line 19 by inserting after "follows": except that no library receiving State-aid prior to and at time of the approval of this act, shall receive less State-aid as a result of the provisions hereof, notwithstanding that such library has not accepted the provisions of this act.

On the question,

Will the Senate agree to the amendment?

Mr. BERGER. Mr. President, this amendment is offered on behalf of Senator Seyler and myself.

The PRESIDING OFFICER. Does that indicate there will be no debate?

Mr. SEYLER. Mr. President, I do not rise to debate this amendment. However, I do rise to say that I believe the point in this amendment is a real point of consideration which has concerned many Members. Therefore, this spells out that factor and I believe it makes it a better bill.

Mr. President, at least, I hope that all the Members on this side, as well as the other, will vote "aye" on this amendment.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading as amended?

Mr. MAHADY. Mr. President, may the Senate be at ease for a few moments?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. LANE. Mr. President, during the interim here, I would like to have the opportunity to make a committee report and I ask for unanimous consent at this time.

The PRESIDING OFFICER. Let us not get into that because there are many committee reports to be made. We have not as yet arrived at that order of business.

Mr. LANE. Mr. President, I am asking for unanimous consent and not for the Chair's decision.

The PRESIDING OFFICER. At the moment, we are dealing with House Bill No. 132 and the Senate is at ease.

Mr. LANE. Mr. President, the Chair recognized me on the floor just a moment ago. Therefore, how can the Senate be at ease?

I would like to make a committee report while we have the opportunity. It is soon going to be midnight.

The PRESIDING OFFICER. I will say there are numerous committee reports to be made. We want to



receive them all, but we also want to keep things in their logical sequence.

Mr. LANE. We have not done that so far today.

The PRESIDING OFFICER. This was a Special Order of Business. I am sorry.

Mr. LANE. I know it was a Special Order of Business, but you interrupted Committee Reports.

The PRESIDING OFFICER. I did that at that particular time because the time was fixed. The Chair rules the gentleman out of order.

Mr. LANE. I know I am out of order now.

The PRESIDING OFFICER. I am sorry, sir.

Mr. MAHADY. Mr. President, the paragraph which we desire to amend has already been amended once today. Therefore, we will have to withhold our amendments.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

The PRESIDING OFFICER. There being no further amendments to House Bill No. 132, Printer's No. 686, the bill, on third reading, will go over in its order, as amended.

Mr. WEINER. Mr. President, I believe this concludes the Special Order of Business. Therefore, I would like to revert back to the regular order of business which, I believe, is Reports from Committees.

The PRESIDING OFFICER. We are now under the order of business known as Reports from Committees and, as a matter of courtesy, the Chair now recognizes the gentleman from Washington, Mr. Lane.

#### REPORTS FROM COMMITTEES

Mr. LANE, from the Committee on Highways, reported, as committed, **SB 203**.

He also, from the Committee on Local Government, reported, as committed, **SB 112**.

#### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### MEMBER OF THE BOARD OF TRUSTEES OF THE COMMONWEALTH MENTAL HEALTH RESEARCH FOUNDATION

April 18, 1961.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Natalie Saxe, 424 West Upsal Street, Germantown, Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of the Commonwealth Mental Health Research Foundation, until December 31, 1962, and until her successor shall be duly appointed and qualified, vice Lessing J. Rosenwald, Jenkintown, resigned.

DAVID L. LAWRENCE

#### STATE REAL ESTATE COMMISSION

April 18, 1961.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Turchi, 2315 South 13th Street, Philadelphia, Philadelphia County, for appointment as a member of the State Real Estate Commission, until September 21, 1963, and until his successor has been appointed and qualified, vice Harry Segal, Philadelphia, deceased.

DAVID L. LAWRENCE

#### MEMBERS OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

April 18, 1961.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Board of Optometrical Examiners, for the term of four years, and until their successors shall have been appointed and qualified:

Dr. Bernard Kushner, 1413 North Seventy-fifth Street, Philadelphia 31, Philadelphia County, vice Dr. Richard R. VanKirk, Oil City, whose term expired.

Dr. William J. Van Essen, 18 Thomas Avenue, Pittsburgh 5, Allegheny County. (Reappointment)

DAVID L. LAWRENCE

#### REPORTS FROM COMMITTEES

Mr. HAYS, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **HB 366**.

Mr. YATRON, from the Committee on Agriculture, reported, as committed, **SB 518**; as amended, **HB 306**; as committed, **HB 307, 333 and 334**.

Mr. HALUSKA, from the Committee on Local Government, reported, as committed, **SB 533, 534, HB 416, 418 and 542**.

Mr. DEVLIN, from the Committee on Corporations, reported, as committed, **SB 354 and HB 140**.

He also, from the Committee on Local Government, reported, as committed, **SB 378**; as amended, **SB 487 and HB 649**; as committed, **HB 690**.

He also, from the Committee on Judiciary General, reported, as committed, **SB 204, 223, 332, 385, 431, 446, 466 and HB 321**.

Mr. MCGINNIS, from the Committee on Appropriations, reported, as committed, **SB 115, HB 529 and 571**; and rereported, as committed, **SB 197**.

Mr. MILLER, from the Committee on Labor and Industry, reported, as committed, **HB 369**.

Mr. KELLER, from the Committee on Education, reported, as committed, **HB 425 and 556**.

Mr. STEVENSON, from the Committee on Local Government, reported, as amended, **SB 401**.

Mr. KROMER, from the Committee on Local Government, reported, as committed, **SB 486 and HB 730**.

Mr. WARE, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **SB 315**.

Mr. McMENAMIN, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **HB 474**.

Mr. FLACK, from the Committee on Local Government, reported, as committed, **HB 600**.

Mr. STASEY, from the Committee on Highways, reported, as committed, **SB 96, 156, 432, 495 and HB 631**.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nom-



inations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

#### MEMBER OF THE DELAWARE RIVER PORT AUTHORITY

January 3, 1961.

Joseph S. Lord, Philadelphia, from January 3, 1961, for a term of five years, and until his successor is appointed and qualifies.

David L. Lawrence

#### MEMBER OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

January 3, 1961.

Earl C. Bohr, Harrisburg, from November 15, 1960, for the term of four years or until his successor is appointed and qualified.

David L. Lawrence

#### MEMBER OF THE BRANDYWINE BATTLEFIELD PARK COMMISSION

January 3, 1961.

Frank J. O'Brien, West Chester, Chester County, from November 15, 1960, for the term of four years, and until his successor shall have been appointed and qualified.

David L. Lawrence

#### MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward O'Malley, Jr. (Democrat), 25th and Moore Streets, Philadelphia 45, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Joseph W. Wood, Philadelphia, whose term expired.

David L. Lawrence

#### MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Pennsylvania Soldiers' and Sailors' Home:

Andrew T. Fenrich, 2014 Veronica Street, Pittsburgh, Allegheny County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Joseph F. Schierberl, 629 South Street, Clarion, Clarion County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

David L. Lawrence

#### PENNSYLVANIA NATIONAL GUARD

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as Brigadier General, Pennsylvania National Guard, until terminated:

Colonel Arthur D. Bertolett, 341 Friendship Drive, Paoli, Chester County, vice Major General Harry A. Markle, Jr., retired.

Colonel Herbert A. Vernet, Jr., 245 East Granada Avenue, Hershey, Dauphin County, vice Major General Arthur D. Kemp, retired.

David L. Lawrence

#### STATE REAL ESTATE COMMISSION

April 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Turchi, 2315 South 13th Street, Philadelphia, Philadelphia County, for appointment as a member of the State Real Estate Commission, until September 21, 1963, and until his successor has been appointed and qualified, vice Harry Segal, Philadelphia, deceased.

David L. Lawrence

#### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I am rather hesitant to infringe upon the dinner schedule of the Senate, but I have a very important resolution which I would like to present.

The Prime Minister of Canada, John G. Diefenbaker, tonight, in Philadelphia, is honoring one of our leading scholars, Doctor Abraham A. Neuman, President of The Dropsie College.

On behalf of the entire group of Senators from Philadelphia, and Senator Chapman, I am about to offer this resolution and ask for its immediate adoption.

#### SENATE RESOLUTION

##### EXTENDING FELICITATIONS OF THE SENATE TO DOCTOR ABRAHAM A. NEUMAN

Messrs. STIEFEL, DONOLOW, WEINER, DiSILVESTRO, McCREESH, SILVERT, MULLIN, CAMIEL, and CHAPMAN offered the following resolution (Serial No. 42), which was read, considered and adopted:

In the Senate, April 18, 1961.

Proudly appreciative of Pennsylvania's leadership in the vanguard of America's cultural advancement along ever-ascending paths of progress, the Senate of the General Assembly of Pennsylvania pays herewith tribute, this eighteenth day of April 1961, to Doctor Abraham A. Neuman, President of The Dropsie College for Hebrew and Cognate Learning, on the occasion of the festal convocation that is being held today in Philadelphia to mark the completion of twenty years of inspiring and fruitful service by Dr. Abraham A. Neuman as President of this great American seat of learning.

An exclusively graduate institution, leading to the degree of Doctor of Philosophy, Dropsie College is nonprofessional and nonsectarian, its sole aim being to advance knowledge and truth.

During an era which has marked the decline of humanistic studies in favor of the sciences which undergird the mechanistic structure of present-day civilization, The Dropsie College has developed those areas of study which gave the world religion, ethics and a way of life, rooted in faith, social justice and righteousness.

Founded by Moses Aaron Dropsie, an eminent citizen and lawyer, born and all his life a resident in the County of Philadelphia, Mayor of Northern Liberties, then a municipality in the County of Philadelphia, and one of the Lincoln-Electors, The Dropsie College was desig-



nated by him to be permanently situated in Philadelphia, Pennsylvania, and he furthermore directed "that in the admission of students there shall be no distinction on account of creed, color or sex."

During more than half a century of its chartered existence, The Dropsie College has gained renown throughout the world of scholarship and enhanced the scholarly fame and the cultural standards of our Commonwealth.

The Senate of the General Assembly of Pennsylvania notes with particular interest and gratification the far-visioned policies of the Board of Governors and of the Faculty of The Dropsie College, under the leadership of Dr. Abraham A. Neuman, in pioneering through its Institute for Israel and the Middle East in the training of qualified personnel for United States Government Service, and for work in those countries in behalf of American social agencies, industry and commerce.

BE IT THEREFORE RESOLVED, That the Senate of the General Assembly of Pennsylvania extend its felicitations to Dr. Abraham A. Neuman as a towering scholar, universally acclaimed in America and abroad, whose vast erudition and trenchant pen have enriched world historiography with several masterful classics and whose vision and creative leadership at the helm of Dropsie College made possible the emergence therefrom of many gifted teachers and eminent scholars, who continue to fructify learning everywhere, thus enhancing the cultural pursuits of our State and Nation and earning for the United States the good will of many Nations the world over.

AND BE IT FURTHER RESOLVED, That the Secretary of the Senate be directed hereby to send a copy of this Senate Resolution, upon its passage, to Dr. Abraham A. Neuman, President of Dropsie College, Broad and York Streets, Philadelphia and to the Honorable Horace Stern, former Chief Justice of Pennsylvania, President of the Board of Governors of Dropsie College.

### REPORT FROM COMMITTEE

Mr. McGINNIS, by unanimous consent, from the Committee on Appropriations, rereported, as committed, **HB 558**.

### EXECUTIVE NOMINATIONS

#### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. STASEY, that the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

#### NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

#### MEMBER OF THE DELAWARE RIVER PORT AUTHORITY

January 3, 1961.

Joseph S. Lord, Philadelphia, from January 3, 1961, for a term of five years, and until his successor is appointed and qualifies.

DAVID L. LAWRENCE.

#### MEMBER OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

January 3, 1961.

Earl C. Bohr, Harrisburg, from November 15, 1960, for the term of four years or until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE BRANDYWINE BATTLEFIELD PARK COMMISSION

January 3, 1961.

Frank J. O'Brien, West Chester, Chester County, from November 15 1960, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward O'Malley, Jr. (Democrat), 25th and Moore Streets, Philadelphia 45, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Joseph W. Wood, Philadelphia, whose term expired.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS HOME

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Pennsylvania Soldiers' and Sailors' Home:

Andrew T. Fenrich, 2014 Veronica Street, Pittsburgh, Allegheny County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Joseph F. Schierberl, 629 South Street, Clarion, Clarion County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### PENNSYLVANIA NATIONAL GUARD

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as Brigadier General, Pennsylvania National Guard, until terminated:

Colonel Arthur D. Bertolett, 341 Friendship Drive, Paoli, Chester County, vice Major General Harry A. Markle, Jr., retired.

Colonel Herbert A. Vernet, Jr., 2445 East Granada Avenue, Hershey, Dauphin County, vice Major General Arthur D. Kemp, retired.

DAVID L. LAWRENCE.

#### STATE REAL ESTATE COMMISSION

April 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John



J. Turchi, 2315 South 13th Street, Philadelphia, Philadelphia County, for appointment as a member of the State Real Estate Commission, until September 21, 1963, and until his successor has been appointed and qualified, vice Harry Segal, Philadelphia, deceased.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. STALSEY. Mr. President, I second the motion.

The motion was agreed to.

#### CALENDAR

#### THIRD READING CALENDAR

#### BILL OVER IN ORDER

**HB 63**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**SB 90**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

**SB 94**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**SB 95**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 161**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 179**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafa,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 183**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafa,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 190**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 195**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafa,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye,"

the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 207**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafa,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 209**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 239**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafa,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 291**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 338**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 346**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 346**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. EHRGOOD. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. BELL. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—27

Berger,	Kalman,	Murray,	Stalsey,
Confair,	Kessler,	Pechan,	Stevenson,
Devlin,	Mahady,	Propert,	Wagner,
DiSilvestro,	McGinnis,	Rooney,	Weiner,
Flack,	McMenamin,	Sesler,	Yatron,
Haluska,	Miller,	Seyler,	Ripp,
Hays,	Mullin,	Silvert,	Presiding Officer

## NAYS—20

Bell,	Hawbaker,	Mallery,	Stroup,
Camiel,	Keller,	McCreesh,	Taylor,
Chapman,	Kromer,	Scott,	Van Sant,
Ehrgood,	Lane,	Shafer,	Wade,
Fleming,	Madigan,	Stiefel,	Ware, III,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 365**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 394**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

Mr. MAHADY. Mr. President, I call to the attention of



the Senate the fact that the Army has appointed various officers to notarize various documents and to perform the functions covered by this bill. This bill would enlarge that so that every shavetail, who was made a gentleman by an Act of Congress, can notarize every instrument, regardless of what he knows about the sanctity of a note or the dignity of the instrument which he is acknowledging, and regardless of where he is located.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bell,	Hawbaker,	Mullin,	Stiefel,
Berger,	Kalman,	Murray,	Stroup,
Camiel,	Keller,	Pechan,	Taylor,
Chapman,	Kessler,	Proper,	Van Sant,
Confair,	Kromer,	Rooney,	Wade,
Devlin,	Lane,	Sarra,	Wagner,
DiSilvestro,	Madigan,	Scott,	Ware, III,
Donolow,	Mallery,	Sesler,	Weiner,
Ehrgood,	McCreesh,	Shafer,	Wolfe,
Flack,	McGinnis,	Silvert,	Yatron,
Fleming,	McMenamin,	Stalsey,	Ripp,
Haluska,	Miller,	Stevenson,	Presiding Officer

## NAYS—3

Hays,	Mahady,	Seyler,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 400**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proper,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 402**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proper,	Taylor,

Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 475**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proper,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL ON THIRD READING

**SB 491**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

Mr. MAHADY. Mr. President, may the Senate be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. MAHADY. Mr. President, in the late 1920's, Professor Eliot wrote a book, entitled, "Mussolini, The Profit of Pragmatism." He also wrote a book entitled, "The Future of Pragmatism." It was a success because no one understood it at the time and they thought it could not happen. As the years go on, the wisdom of Eliot has been demonstrated on more than one occasion.

We find ourselves in this august Body, on many occasions, giving way to pragmatism. Pragmatism, as a form of government, is considered the most and least desirable of all governments. We have a government of law and a government of men. We are governed by a Constitution and that Constitution limits the property valuation to assessment. What we have attempted to do under this bill, and are attempting to run over very hurriedly, is to amend the Constitution of Pennsylvania, which limits you to two and four per cent of the assessed valuation or whatever the percentages are. We are now saying that the market value is going to be the guide.

How far can we go, Mr. President? Are we going to



say, "The Supreme Court did it"? It was pragmatic when it approved the type of organization which we have, in order to avoid the debt limit. We formed corporations and said that does not count toward our debt limit. The Supreme Court looked at Authorities and said: "Here there is money coming from the Federal Government and we will do it." I can recite ten or twelve instances, even this year, where we have been pragmatic in our actions.

Either we are going to have constitutional government or government by the Legislature, just itself. If you are going to have this, let us get the mandate of the people that there is no limit upon what we can do in these Halls. Either the direction of the people is a mandate to us, and we have sworn to uphold that Constitution, or we are going to find ways about us to evade it.

Are we going to say that certain people want this who are in authority, and, therefore, we will give way to their pressure? We are here to represent and have sworn to uphold a form of government which is a democracy. In the democracy, we have established a Constitution which should be sacred to us. If we are to take every evasion, every possible way to avoid even the spirit, let alone the letter, of the Constitution, we will find ourselves eventually with a government where we are following the whims of chance. We will be pushed by the pressures of people who have power or, apparently, have political backing.

I do not rise here to oppose those who have attempted to get this bill through. However, Mr. President, I am opposing their method, a method which is a short cut amendment to the Constitution. Plainly, this is a bill which is unconstitutional on its face and morally wrong.

Mr. LANE. Mr. President, probably I should again explain to the Senate the reason for Senate Bill No. 491, and the reason that we—the Local Government Commission—feel it is perfectly legal.

Sometime ago, the county governments of Pennsylvania requested the Commission to draft legislation, consolidating the institution districts with the General Fund. We were stymied when we came to the portion whereby the assessed valuation for the Institutional District Fund is two per cent, and the assessed valuation for the General Fund is two per cent. I am now talking about the borrowing capacity. Should we consolidate the two, it would mean there would be a loss of two per cent borrowing capacity for both funds.

Therefore, we talked with the Bureau of Municipal Affairs and the Attorney General. Mr. Bullis, of the Bureau of Municipal Affairs, met with the Local Government Commission, at which time he recommended that we draft this legislation. In addition, he had an opinion from the Attorney General of Pennsylvania which, incidentally, I inserted in the record several weeks ago.

We feel that this legislation is proper. We do not feel that we are circumventing the Constitution in any way at all. We feel this legislation should be passed. Once we pass this bill, then we will be in a position to pass Senate Bill No. 88, which has been on the Postponed Calendar for the past several weeks. We feel that we are on solid ground or, otherwise, we would not have taken this course. We have the opinion of the Attorney General of Pennsylvania which has been inserted in the record.

I feel this is good legislation, and I ask my colleagues to support this bill.

Mr. BERGER. Mr. President, because there is a doubt in the minds of some of the Senators, I wonder if the gentleman would object if I request that the bill go over in order?

Mr. LANE. Mr. President, that is perfectly all right with me. However, I feel we should have this worked out by next week because we have all the other legislation ready to go. If this bill is disapproved by the Members of the Senate, we are going to have to recommit Senate Bill No. 88 which is now on the Second Reading Postponed Calendar.

Mr. BERGER. Mr. President, I will request that the bill go over in its order.

The PRESIDING OFFICER. Let me ask you, sir, whether it is going over on Third Reading or on Final Passage?

Mr. BERGER. In whatever position it is at the present time.

The PRESIDING OFFICER. It is on Final Passage.

Mr. BERGER. Mr. President, I request that Senate Bill No. 491 go over in its order on Final Passage.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 501**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraff,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 560**—Mr. WADE. Mr. President, I request that House Bill No. 560 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WADE. Mr. President, I have spoken to both the Majority and Minority Leaders and I would like this bill to go over in its order. However, they both insist that we deal with it today.

I would like to point out some weaknesses in this legislation, much as I am reluctant to do it as this late hour, in view of our long standing, unwritten agreement that we would try to adjourn by 6:00 p.m. However, I assure the gentlemen, if they will be tolerant, I will hurry through it as quickly as possible, if there are objections to the bill going over in order, and I am told there are.

Mr. WEINER. Mr. President, I must rise to object to this bill going over in its order. I do not like to do that, but I cannot possibly avoid doing so.



Mr. President, I believe this measure has been before us in previous Sessions and I think all of the inherent problems in it have been ironed out. I do not feel that by leaving it here another day or two is going to help the situation. I realize there are some Members here who feel strongly against this bill and, therefore, I think we should consider it and go on to other areas.

The PRESIDING OFFICER. In view of that statement, the Chair will call on Senator Wade. The bill is not going over in order.

Mr. WADE. Mr. President, regarding the statement made by the gentleman that the bill has been before us before, it has come to the floor of the Senate, but I do not believe it has been before us. However, that makes no difference.

The bill is really a subterfuge. It is bait by the Federal Government, which collects the taxes and then promises to return them.

Mr. FLEMING. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. FLEMING. Mr. President, has the bill been read for the third time?

The PRESIDING OFFICER. The bill has not been read for the third time. The gentleman asked for the floor and the Chair was courteous enough to give it to him. Let us proceed accordingly.

**HB 560**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

Mr. WADE. Mr. President, I want to point out, in the briefest method possible, that this bill is purely a subterfuge on the part of the Federal Government. It is bait in order for us to put certain limitations on where they promise a return of some of our taxpayers' money.

This bill provides for the taking of a right from the landowners of Pennsylvania beyond the paid right-of-way. As of January 1961, there were 1,541 miles of Interstate and Defense Highways in Pennsylvania. That means that we have 3,082 front feet, so to speak, of highway frontage in the Commonwealth of Pennsylvania on the Interstate and Defense Highway System. At one dollar per front foot, this would be over \$16,000,000. If anyone is under the impression that the landowners of Pennsylvania will allow that right to be taken away from them, without compensation of some kind or another, they are certainly under a misapprehension. When you take a right from a landowner, it is the obligation of the Commonwealth to pay for that right.

Let me point out, in this \$6,000,000 which is promised, that no State in the United States has ever received one penny of this so-called bonus. One State, however, entered into an agreement with the United States Government on January 18, 1961, whereby they would receive this money if and when appropriated by the Federal Government from the Highway Trust Fund into a fund which would be privileged to pay that State; namely, the State of Maryland. No less than six or seven States have attempted to pass legislation which would qualify for this bonus. None have qualified as yet, except for the State of Maryland. None have received any money. Maryland will never receive any money unless that money, I repeat, is appropriated out of the Highway Trust Fund into a fund for the purpose of paying this so-called bonus.

Let me make one other point clear, Mr. President. If

this legislation is passed, then it is up to the Federal Government to enter into an agreement with this State, if the legislation qualifies, for the return of a portion of our money.

We appropriate millions of dollars to build industry in the Commonwealth of Pennsylvania. Here we are passing legislation which would destroy or weaken an industry that spends, we are told, some \$31,000,000 annually. The outdoor advertising business of the Commonwealth spends approximately \$31,000,000 annually in the Commonwealth of Pennsylvania for supplies manufactured in Pennsylvania and for labor in Pennsylvania. We are now passing legislation to destroy or, at least, weaken that. I know there are competitors in this industry, the same as there are in any other industry.

For that reason, Mr. President, I am going to take the privilege—and with it I will conclude—to read a recent editorial from a Central Pennsylvania newspaper. It is entitled, "For The Sake Of What," and reads as follows:

"In recent weeks, we have had a vertiable flood of material from organizations and from State agencies calling for support of House Bill 560, the 'Roadside Protection Bill' which would outlaw billboards along many miles of the State's highways.

"The Federal Government has dangled some interesting bait for passage of the bill—an extra half of one per cent of Federal funds for Interstate highway construction.

"To a newspaper, the curtailment of the activities of a competitor with the possible result that we may get some of the advertising dollars that otherwise go into the 'boards' should be attractive.

"But we haven't hopped onto the band wagon. There are several reasons:

"If the purpose is to beautify our highways, there is much more than elimination of billboards needed. Scarcely an inch of the new four-lane roads can qualify as beautiful—this doesn't mean they are not useful. If beauty of scenery is the purpose, then there is much beautifying that the Department of Highways could and should do before it stumps for billboard control.

"If the purpose is in the name of good taste, then it would be well to examine whether billboards are more unseemly as part of the American landscape than some of the chrome-plated land palaces that burn up the road at such speeds as to make the scenery of little significance to the occupants.

"If the purpose is to get some extra Federal dollars, we're a little fed up with governmental agencies using the tax money we provide to buy our loyalties to causes.

"If the purpose is to end the abuse of the public domain,—or whatever the public owns in the way of a right to scan the countryside sans billboards—then similar controls are in order to end abuses by radio and television stations which continue to serve up large masses of tripe to the exclusion on all but a few occasions of quality programs.

"If the purpose is to end the advantage to private business of benefits from public expenditures, then similar benefits enjoyed by the publishing business—the Post Office Department loses millions of dollars each year handling some of the nation's top circulation magazines—are due for a searching re-examination.

"Anyway, we find the billboards quite useful. In addition to supplying us with information, they provide our youngsters with a game to while away the time on long trips. We'd sure miss them."



I repeat, Mr. President,—and with this I will conclude—that not one State, after almost four years of having this Federal legislation on the books, has ever received a dollar. If we were fortunate enough to qualify and, thereby, have a promise of the return of our money, it would only be paid over a period of twelve years. If we do not meet every qualification along the line, we will never receive that money. That is the bait which is held by the Federal Government. That is the purpose of this legislation, which is an attempt to weaken an industry in the Commonwealth of Pennsylvania which reputedly pays in wages and materials in Pennsylvania some \$31,000,000 a year.

Mr. McMENAMIN. Mr. President, this bill has many worth-while features. I think after sufficient discussion, some of us who were a little bit leary of it or opposed to it might be persuaded to vote for it.

In addition to whatever good features it has,—such as an effort to rid Pennsylvania of a very definite eyesore, the billboard alleys—this bill is also a further encroachment by the Federal Government on the rights of the sovereign States. In a sense, the leak in the dike has steadily grown larger in the past generation. I am referring to the gradual assumption of the Federal Government over many of the powers of the individual States. This bill has in it authority for the Federal Government to make that leak in the dike much bigger. I think that the bill deserves more discussion than it can get now.

Let us be sensible. As I remember it, we adopted this so-called gentleman's rule to adjourn at 6:00 o'clock in the evening for dinner in the second year of the 1955 Session at the suggestion, I believe, of Senator Yosko. I believe on that day, there were ten of the fifty Members either in hospitals or sick and unable to attend the Session. All of us have gone through a very hard day, starting with Committee Meetings as early as 9:00 a.m. this morning.

We have all worked in one way or another down here for twelve hours, and to fully debate the bill at this hour would be a further imposition on those Members of the Senate who are under doctors' orders to eat and rest at regular hours. Therefore, I will vote against this bill because we have not had an opportunity to fully discuss it at this time.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—42

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Proport,	Stroup,
Confair,	Kessler,	Rooney,	Taylor,
Devlin,	Kromer,	Scott,	Van Sant,
DiSilvestro,	Lane,	Sesler,	Wagner,
Ehrgood,	Mahady,	Seyler,	Ware, III,
Flack,	McCreesh,	Shafer,	Weiner,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Ripp,
Hawbaker,	Mullin,		Presiding Officer

## NAYS—5

Chapman,	Mallery,	McMenamin,	Wade,
Madigan,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 620**—Read at length the third time and agreed to, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proport,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 648**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proport,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 811**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proport,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,



DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## SECOND READING CALENDAR

## BILLS OVER IN ORDER

**SB 30, 73, 99 and 191**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 276 and SB 294**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 315 and 326**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**SB 371**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 381**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**HB 419**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 429, 463 and 479**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 481, 482, 483 and 484**—Without objection, the bills were passed over in their order at the request of Mr. SEYLER.

## BILL ON SECOND READING

**SB 485**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 493, HB 635 and 636**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## REPORT FROM COMMITTEE

Mr. HAYS, by unanimous consent, from the Committee on Education, reported, as committed, **SB 437**.

## MEETING OF COMMITTEE ON MINES AND MINERAL INDUSTRIES

Mr. WEINER. Mr. President, may we have a five minute recess for the purpose of holding a meeting of the Committee on Mines and Mineral Industries, to be

held in the office of the President pro tempore?

Mr. President, I believe we could take some bills in place. There are some gentlemen who would like to introduce those, and I do not think that will interfere with the Committee Meeting.

Mr. BERGER. Mr. President, I want to suggest, if it is agreeable to the Chair, that we proceed with the business and read, for the first time, the bills reported from committee while we are having the meeting.

The PRESIDING OFFICER. That is perfectly agreeable to the Chair.

## BILLS INTRODUCED AND REFERRED

Messrs. STEVENSON and HAYS, by unanimous consent, presented to the Chair **SB 537**, entitled:

An Act making an appropriation to the Department of Public Instruction for the construction of an athletic field and plans and design for a field house and gymnasium at Clarion State College.

Which was committed to the Committee on Appropriations.

## PERMISSION TO ADDRESS SENATE

Mr. ROONEY asked and obtained unanimous consent to address the Senate.

Mr. ROONEY. Mr. President, before I introduce this bill, I would like to make a very brief statement.

Mr. President, the bill which I am going to introduce pertains to public utility companies in Pennsylvania. It will require public utility companies, who enter into contracts with outside contractors, to have outside contractors submit performance bonds.

I do not want to mention the company involved in a situation, but it involved one-half million dollars in the Commonwealth of Pennsylvania. This public utility company entered into a contract for over a half million dollars. The contractor was on the job only two months before he went bankrupt.

I called the counsel of the public utility company and asked why he did not have the outside contractor issue a performance bond. He said he could not get a performance bond because he had a contract with the United Gas Company in my District and with another utility company in New Jersey. I said: "He then was not the lowest responsible bidder."

However, nevertheless, this utility company issued the contract. Perhaps in the next year or so, the public utility company will go to the Public Utility Commission and ask for an increase in rates. I am going to oppose it. In the meantime, I am going to introduce this piece of legislation which I hope will prohibit a recurrence of this unfortunate situation.

## BILLS INTRODUCED AND REFERRED

Mr. ROONEY, by unanimous consent, presented to the Chair **SB 538**, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law," requiring contractors to furnish performance bonds in contracts between them and public utilities.

Which was committed to the Committee on Corporations.

Messrs. DEVLIN, WEINER, CAMIEL, McCREESH,



CONFAIR and MAHADY, by unanimous consent, presented to the Chair **SB 539**, entitled:

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An act appropriating the moneys in The State Stores Fund," providing for additional kinds of insurance.

Which was committed to the Committee on Insurance.

Messrs. DEVLIN, WEINER, CAMIEL, McCREESH, CONFAIR, STASEY and MAHADY, by unanimous consent, presented to the Chair **SB 540**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," providing for additional kinds of insurance.

Which was committed to the Committee on Insurance.

Messrs. CONFAIR, WADE, ROONEY, CAMIEL and MILLER, by unanimous consent, presented to the Chair **SB 541**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the Secretary of Highways to erect accurate mile courses and designations along State highways.

Which was committed to the Committee on Highways.

Messrs. BELL, SESLER, MAHADY and PECHAN, by unanimous consent, presented to the Chair **SB 542**, entitled:

An Act amending the act of June 11, 1947 (P. L. 565), entitled "World War II Veterans' Compensation Act," extending the time during which applications may be filed for veterans' compensation.

Which was committed to the Committee on Military Affairs and Aeronautics.

Messrs. BELL, PECHAN and SHAFER, by unanimous consent, presented to the Chair **SB 543**, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," authorizing the borrowing of money or acquisition and disposal of real estate by a vote of less than a majority of all members.

Which was committed to the Committee on Corporations.

Messrs. WEINER, McMENAMIN and DEVLIN, by unanimous consent, presented to the Chair **SB 544**, entitled:

An Act providing for the appointment of a disinterested real estate expert in all proceedings arising from the exercise of eminent domain.

Which was committed to the Committee on Judiciary General.

## REPORT FROM COMMITTEE

Mr. McMENAMIN, by unanimous consent, from the Committee on Mines and Mineral Industries, reported, as committed, **HB 678**.

## RECONSIDERATION OF HOUSE BILL NO. 70

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House bill No. 70 failed of final passage on April 4, 1961.

The PRESIDING OFFICER. How did the Senator vote? Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that House bill No. 70 appear on tomorrow's Final Passage Calendar.

The PRESIDING OFFICER. There being no objection, the bill will appear on tomorrow's Final Passage Calendar.

## BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 96, 112, 115, 156, 203, 204, 223, 307, 315, 332, 354, 360, 378, 385, 401, 431, 432, 433, 437, 446, 466, 486, 487, 495, 518, 533, 534, HB 140, 251, 306, 307, 321, 333, 334, 366, 369, 416, 418, 425, 474, 529, 542, 556, 571, 597, 600, 631, 649, 678, 690 and 730.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

## SB 90 CALLED UP

**SB 94**—Without objection, the bill, which previously went over in its order, was called up, from page 2 of the Third Reading Calendar, by Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 94**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.



## SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT  
COMMISSION TO MAKE A STUDY OF THE MENTAL  
HEALTH PROGRAM IN PENNSYLVANIA

Mr. YATRON, by unanimous consent, offered the following resolution (**Serial No. 43**), which was read and referred to the Committee on Public Health and Welfare:

In the Senate, April 18, 1961.

It has come to the attention of the Senate of the Commonwealth of Pennsylvania that the mental health problem is fast becoming one of vast importance to this State. Not only from the older citizens whose problems increase with their aging years, but also with the brain injured defective children who are ever increasing the burdens of the officials in charge of this phase of our social structure.

It is only fair to state that the reorganized Department of Mental Health is trying to do a superior job in getting patients into the right facilities. To do this a new method of screening by a super agency has been devised under the direction of the State Department. It may be that this method is professionally sound, but practically inadequate since patients in many cases are not screened for a period of six to eight months after application.

In many instances within the past few months mentally defective children have been found guilty of serious sex crimes of various descriptions. In many instances these crimes have stimulated waves of terror in many of the communities; therefore be it

Resolved, That the Joint State Government Commission be directed to make a complete study of the mental health program of the Commonwealth; this study to include laws, rules and regulations as to entrance to mental institutions; the adequacy of these institutions; and make recommendations as to the laws covering the mental health programs for the aging, and the younger people as well as mentally defective children. This commission will report to this body as soon as possible the results of its studies and recommendations.

## ANNOUNCEMENT BY THE SECRETARY

The following announcement was read by the Secretary of the Senate:

## NOTICE

The Senate Committee on State Government will hold Public Hearings on Senate Bill 249, 252 and 253 in the Senate Majority Caucus Room at Harrisburg, on Tuesday, April 25, 1961 at 9:00 a. m.

## ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 19, 1961, at 9:30 a. m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:06 p. m.



## HOUSE OF REPRESENTATIVES

TUESDAY, April 18, 1961

The House met at 1 p.m., e.s.t.

Mr. HAMILTON IN THE CHAIR.

The SPEAKER pro tempore. The present occupant of the Chair has been requested to occupy the Speaker's Chair until he arrives.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, Thou has called us to service in Thy Kingdom, and we recognize the complexity of the work which demands the best efforts we can muster. Help us, O God, to view the world about us in the light of the conditions which face us; make us aware of the obstacles and difficulties which confront us; but challenge us not to become so concerned with working on the defensive that we fail to utilize our offensive effort for the good of all: through Jesus Christ, Thy Son our Lord. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, April 17, 1961, will be postponed until printed.

The Chair hears none.

## FOURTH AND FIFTH GRADE STUDENTS OF HOKENDAUQUA SCHOOL WELCOMED

The SPEAKER pro tempore. The Chair welcomes the students of the 4th and 5th grades of Hokendauqua School, Lehigh County, under the supervision of their principal, Mr. LeRoy Swoyer. They have with them an exchange student from Malaya, Peter Ian Aeria, who is attending Whitehall High School, American Field Service. They are the guests of the lady from Lehigh, Mrs. Markley. Will this group rise, please?

## FORMER MEMBER WELCOMED

The SPEAKER pro tempore. We also have a former member of the House with us, Honorable John Stewart, Jr., of Philadelphia. Will Mr. Stewart rise in his place?

## LEAGUE OF WOMEN VOTERS WELCOMED

The SPEAKER pro tempore. The Chair also welcomes the League of Women Voters from Monroe County, who are the guests of the gentleman from Monroe County, Mr. Yetter. Will these ladies rise in their places?

## BILLS INTRODUCED AND REFERRED

By Messrs. HOLMAN, BUSH and KISTLER.  
HOUSE BILL No. 1291.

An Act repealing the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978).

Referred to the Committee on Rules.

By Messrs. GALLAGHER, GREMMINGER,  
LIMPER and McDEVITT. HOUSE BILL No. 1292.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), pro-

viding that certain attorney's fees and witness fees actually incurred by employes or their dependents in successful claims for compensation or petitions for the review or setting aside of agreements shall be paid by the employer as costs of the proceeding.

Referred to the Committee on Workmen's Compensation.

By Messrs. A. D. WILLIAMS and FINEMAN.  
HOUSE BILL No. 1293.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), changing provisions for proof of citizenship for certain persons previously requested.

Referred to the Committee on Election.

By Messrs. McCANN, HELM, FARABAUGH  
and KORN. HOUSE BILL No. 1294.

An Act amending the "Meat and Meat Food Products Law," approved May 28, 1915 (P. L. 587), excepting from licensing requirements those persons dealing in or handling only canned meat which does not require refrigeration.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. EWING, THOMPSON, SIMMONS  
and HAUDENSHIELD. HOUSE BILL No. 1295.

An Act authorizing the Dept. of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to grant to Upper St. Clair Township, Allegheny County, its successors or assigns, a right of way for the purpose of constructing, installing and maintaining a sanitary sewer system over property of the Commonwealth of Pennsylvania known as the Mayview State Hospital Property.

Referred to the Committee on State Government.

By Messrs. KORN, WILLARD, CURWOOD  
and T. F. SULLIVAN. HOUSE BILL No. 1296.

An Act imposing powers on the Water and Power Resources Board in relation to the approval of certain dams and requiring the Pennsylvania Fish Commission to stock lakes formed by such dams.

Referred to the Committee on Fisheries.

By Messrs. HAMILTON, CAPITOLO,  
ESHBACH and CROSSIN. HOUSE BILL No. 1297.

An Act amending the act of December 20, 1933 (1933-34, P. L. 89), entitled "An act appropriating the moneys in The State Stores Fund," providing for additional kinds of insurance.

Referred to the Committee on Insurance.

By Messrs. GALLAGHER, MEHOLCHICK,  
BACHMAN and KORNICK. HOUSE BILL No. 1298.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), changing the permitted length of vehicles operated in combination.

Referred to the Committee on Motor Vehicles.

By Messrs. EWING and STIMMEL.  
HOUSE BILL No. 1299.

An Act requiring certain provisions relating to later individual insurance policies to be contained in policies

of insurance issued to any group or for the benefit of any group which provide payment for hospitalization or medical or surgical services.

Referred to the Committee on Insurance.

By Mrs. KERNAGHAN, Messrs. LIPPINCOTT,  
MURPHY and FILO. HOUSE BILL No. 1300.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing the appointment of an assistant treasurer, requiring him to be bonded, and fixing his powers and duties.

Referred to the Committee on Boroughs.

By Messrs. GELFAND, LAWSON, HARTLEY  
and A. D. WILLIAMS. HOUSE BILL No. 1301.

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (P. L. 392) further providing for the time of payment when a lump sum is paid.

Referred to the Committee on Appropriations.

By Messrs. SCHAAF and PRENDERGAST.  
HOUSE BILL No. 1302.

An Act repealing clause (25) of section 493, of the "Liquor Code," approved April 12, 1951 (P. L. 90), relating to the employment of females in licensed places.

Referred to the Committee on Liquor Control.

By Messrs. FILO and SCHAAF. HOUSE BILL No. 1303.

An Act providing for the taxation of lessees and users of tax exempt property.

Referred to the Committee on Rules.

By MR. FRY. HOUSE BILL No. 1304.

An Act requiring employers to furnish employees with statements itemizing deductions from wages, and imposing penalties.

Referred to the Committee on Labor Relations.

By Messrs. DAVIS, GOODRICH, K. B. LEE  
and E. S. WILLIAMS. HOUSE BILL No. 1305.

An Act amending the act of July 5, 1957 (P. L. 479), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; \* \* \*" fixing the number of roadside rests to be erected in each county.

Referred to the Committee on Highways.

By Messrs. ZEMBER, CURWOOD, PIPER  
and HAMILTON. HOUSE BILL No. 1306.

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, \*\*\*," authorizing boroughs, towns and townships maintaining a police force of one or more members to establish a police pension fund or police annuity.

Referred to the Committee on State Government.

By Messrs. SCARCELLI, PARLANTE,  
BOWER and STANK. HOUSE BILL No. 1307.

An Act amending the "Chiropody Act of 1956," approved March 2, 1956 (P. L. 1206) providing for biennial

renewal of registration; changing fees and requiring attendance at biennial educational conferences as a condition of renewal of registration.

Referred to the Committee on Professional Licensure.

By Messrs. CURWOOD, WILLARD, ZIMMERMAN,  
and BRETH. HOUSE BILL No. 1308.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) requiring the fishing license to be displayed on an outer garment while fishing.

Referred to the Committee on Fisheries.

By Messrs. A. D. WILLIAMS, ZEMBER  
and ADAMS. HOUSE BILL No. 1309.

An Act amending the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978) prohibiting public officers, public employees, party officers and persons owning or engaging in the business of raising, breeding or training race horses from having an interest in pari-mutuel racing activities.

Referred to the Committee on Rules.

By Messrs. JENKINS, GUESMAN, MURRAY  
and T. F. SULLIVAN. HOUSE BILL No. 1310.

An Act amending the "Urban Redevelopment Law," approved May 24, 1945 (P. L. 991), authorizing boroughs and townships to create authorities, authorizing cities, boroughs, and townships to join and withdraw from county authorities, further regulating public meetings upon receipt of a redevelopment proposal, the exercise of eminent domain, and the records and reports of authorities.

Referred to the Committee on State Government.

The SPEAKER pro tempore. The sergeant at arms will conduct the glee club to the well of the House.

### WILSON JOINTURE HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House the ninth grade students of the Wilson Jointure High School, West Lawn, Berks County, in charge of Mr. Greesemer and Mr. Mahan. They are the guests of the Representative from Berks County, Mr. Piper.

### PENN STATE GLEE CLUB WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the House the 70-voice Penn State Glee Club who represent some 31 counties of Pennsylvania and five additional States. They are under the direction of Professor Frank Gullo, Associate Professor of Music at Penn State University. They are the guests of the members of the House.

### RECESS

The SPEAKER pro tempore. Without objection, the Chair now declares a recess to hear the glee club.

The Chair hears no objection.

(The Glee Club presented a program for the entertainment of the members)

The SPEAKER pro tempore. On behalf of the House of Representatives, members of this House, I wish to thank the music director, Professor Frank Gullo, and all these fine gentlemen for their variously good and healthy songs.



## AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. HAMILTON IN THE CHAIR

SOUTHERN WAYNE JOINT SCHOOL  
STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair wishes to welcome to the House students of the ninth grade civics class of the Southern Wayne Joint School, Wayne County, who are guests of the gentleman from Wayne, Mr. Wall.

## YORK JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER pro tempore. The Chair also wishes to welcome the Class of Civics from the Edgar Fahs Smith Junior High School in York, with their teachers, Messrs. Richard Jacobs and Leonard Bernhart, who are the guests of the gentleman from York, Mr. Gailey.

## EXCHANGE STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair also welcomes the Exchange Students from New York State and students from the Northeastern School District of York County, and teacher, A. T. Hendrix, who are the guests of the gentlemen from York, Mr. Gailey and Mr. Gross.

## REPORTS FROM COMMITTEE

Mr. FLYNN from the Committee on Liquor Control, reported as amended, House bill No. 665, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing licensees, manufacturers and their employes and agents to sponsor, support or contribute to certain athletic contests or tournaments.

Mr. SHERMAN from the Committee on Judiciary, reported as amended, House bill No. 942, entitled:

An Act amending the act of March 20, 1810 (P. L. 208), entitled "An act to amend an consolidate with its Supplements the Act entitled 'An act for the recovery of debts and demands, not exceeding one hundred dollars, \* \* \*'" providing for service of writs issued for violations of municipal ordinances by any justice by registered or certified mail.

Mr. FINEMAN from the Committee on Judiciary, re-reported as committed, House bill No. 32, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

Mr. A. M. LEE from the Committee on Education, reported as committed, House bill No. 193, entitled:

An Act amending "The Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the tuition and maintenance of certain handicapped children.

Mr. GAILEY from the Committee on Judiciary, reported as committed, House bill No. 246, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or

presumed death; imposing additional taxes to equal Federal Estate Tax Credits; \*\*\*.

Mr. RENWICK from the Committee on Motor Vehicles, reported as committed, House bill No. 398, entitled:

An Act amending "The Vehicle Code," approved April 29, 1950 (P. L. 58), providing for the revocation of operating privilege for operating a motor vehicle while under suspension.

Mrs. ANDERSON from the Committee on Education, reported as committed, House bill No. 616, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

Mr. TAYLOR from the Committee on Liquor Control, reported as committed, House bill No. 626, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the transfer of club licenses from one municipality to another under certain conditions.

Mr. HAMILTON from the Committee on Education, reported as committed, House bill No. 721, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the appointment of educational specialists in lieu of assistant county superintendents.

Mr. HELM from the Committee on Education, reported as committed, House bill No. 723, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for special education classes for certain detained children and providing for homebound instruction of children who are legally detained by court order in an institution directly and solely operated by the county.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 856, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; \*\*\*" providing for payments to dependent parents.

Mr. BOIES from the Committee on Appropriations, re-reported as committed, House bill No. 929, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), deleting certain limitations with respect to aids and services to the blind.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 970, entitled:

An Act amending the "Policemen's relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), providing for certain payments to dependent parents when there is no widow or no surviving children.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 1043, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) clarifying the Department of Public Welfare's powers and duties concerning plans for institution over which it has supervision.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 1075, entitled:

An Act amending the act of June 1, 1915 (P. L. 661),

entitled "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth fixing liability for their support \*\*\*" further defining the liability of relatives and estates by the entreties.

Mr. MUSTO from the Committee on Appropriations, re-reported as committed, House bill No. 1107, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 19229 (P. L. 177), creating the Bedding Advisory Board within the Department of Labor and Industry and prescribing its powers and duties.

Mr. DENGLER from the Committee on Education, re-reported as committed, House bill No. 1115, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the retention of seniority upon a merger, jointure or union of districts.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 1122, entitled:

An Act amending the "Milk Control Law," approved April 29, 1937 (P. L. 417), increasing the annual license fees on milk dealers.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 1139, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land in the Borough of Norristown Montgomery County Pennsylvania for the use of Norristown State Hospital.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 1149, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township Snyder County Pennsylvania.

Mr. CROSSIN from the Committee on Insurance, re-reported as committed, House bill No. 1163, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), requiring that policies of fire insurance issued by stock and mutual insurance companies, associations, and exchanges contain standard policy provisions herein prescribed.

Mr. RUBIN from the Committee on Liquor Control, re-reported as committed, House bill No. 1165, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events, under certain conditions.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 1166, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire ninety acres of land more or less in Canaan Township, Wayne County, for use of Farview State Hospital.

Mr. PARLANTE from the Committee on Professional Licensure, reported as committed, House bill No. 1172, entitled:

An Act amending the act of September 26, 1951 (P. L.

1536), entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged; \*\*\*" redefining certain terms; imposing powers and duties on the Department of Public Welfare and providing for provisional licenses.

Mr. STANK from the Committee on Appropriations, re-reported as committed, House bill No. 1178, entitled:

An Act fixing the salaries and Compensation of members of certain boards and commissions and repealing inconsistent acts.

Mr. HARTLEY from the Committee on Insurance, re-reported as committed, House bill No. 1190, entitled:

An Act re-enacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act," approved June 11, 1947 (P. L. 551), including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act, and providing for a uniform classification of accounts and records.

Mr. STANK from the Committee on Appropriations, re-reported as committed, House bill No. 1216, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the General Fund and certain funds and subsequent transfers of equal sums between such funds; and making appropriations necessary to effect such transfers.

Mr. MURPHY from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 1222, entitled:

An Act relating to bituminous coal mines; amending, revising, consolidating and changing the laws relating thereto; providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith; \*\*\*.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 193, entitled:

An Act amending "The Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the tuition and maintenance of certain handicapped children.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 246, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death; imposing additional taxes to equal Federal Estate Tax Credits; \*\*\*.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 398, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the revocation of operat-



ing privilege for operating a motor vehicle while under suspension.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 616, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 626, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the transfer of club licenses from one municipality to another under certain conditions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 721, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the appointment of educational specialists in lieu of assistant county superintendents.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 723, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for special education classes for certain detained children and providing for homebound instruction of children who are legally detained by court order in an institution directly and solely operated by the county.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1115, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the retention of seniority upon a merger, jointure or union of districts.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1163, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), requiring that policies of fire insurance issued by stock and mutual insurance companies, associations, and exchanges contain standard policy provisions herein prescribed.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1165, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events, under certain conditions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1172, entitled:

An Act amending the act of September 26, 1951 (P. L. 1536), entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged; \*\*\*" redefining certain terms; imposing powers and duties on the Department of Public Welfare and providing for provisional licenses.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1190, entitled:

An Act re-enacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act," approved June 11, 1947 (P. L. 551), including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act, and providing for a uniform classification of accounts and records.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1216, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the General Fund and certain funds and subsequent transfers of equal sums between such funds; and making appropriations necessary to effect such transfers.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1222, entitled:

An Act relating to bituminous coal mines; amending, revising, consolidating and changing the laws relating thereto; providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith; \*\*\*.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

## BILL RE-REFERRED

Mr. LIMPER from the Committee on Motor Vehicles, returned with the recommendation that it be re-referred to the Committee on Judiciary, Senate bill No. 208, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for ownership of a motor vehicle trailer or semi-trailer by joint tenants and

requiring the Secretary of Revenue to indicate such ownership upon the certificate of title.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. McCann for Mr. NEEDHAM because of illness,

Mr. McCann for Mr. MURRAY because of illness.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 8, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing for restrictions on speed of certain vehicles in certain cases and penalties for violation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 320, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804) entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof \* \* \*" changing the age at which a member of a police force may retire.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 458, entitled:

An Act requiring toilet facilities to be furnished for employes and patrons of certain parking lots and fixing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. MAXWELL offered the following amendment:

Amend Sec. 1, page 1, line 3, by inserting after "provide": "water supplied."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. MAXWELL offered the following amendment:

Amend Title, page 1, first line of Title, by inserting after "Requiring": "water supplied."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1262, entitled:

An Act amending the "State Workmen's Insurance Fund Law" approved June 2, 1915 (P. L. 762) extending the purpose of the fund to include the insuring of employers against employer's liability and the issuance of additional medical coverage at the option of the board.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, on page 2, did you move House bill 1259 to third reading?

The SPEAKER pro tempore. All bills were passed over on page 2.

Mr. McCANN. There is no mark on 1259. The mark is to move it to third reading.

The SPEAKER pro tempore. There is a mark on the calendar that says "not called."

Mr. McCANN. Mr. Speaker, on page 2, House bill 1259, printer's No. 1453, moved to third reading so we will be in a position to caucus.

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I believe your confusion with the bill is that we do not object to it going to third reading, but it is a bill that is many pages long. However, we do not object to its going to third reading. Then we are going to ask that it be held on the calendar for the week so the members will have a chance to read it. It is a big bill.

The SPEAKER pro tempore. The Chair will return to page 2, House bill 1259, printer's No. 1453.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1259, entitled:

An Act relating to State highways roads and bridges and certain use thereof amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto establishing the State Highway System providing for the construction abandonment and vacation of State highways and placing of existing roads and bridges on the State Highway System \* \* \*.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1263, entitled:

An Act amending the "State Workmen's Insurance Fund Law" approved June 2, 1915 (P. L. 762) extending the period for which insurance may be issued.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 153, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" empowering the Secretary of Highways to designate certain restrictive areas for commercial vehicles establishing speed limits and providing penalties for violations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 313, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their roads street and bridge purposes . . ." authorizing the use of allocated money for payment of interest and principal and sinking fund charges on bonds issued for road or street improvement purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, page 17. I request permission to turn to page 17, beginning with House bill 979, printer's No. 1080, for the first roll call today. We will vote on a series of bills before we caucus.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 979, entitled:

An Act amending the "Incompetents' Estates Act of 1955" approved February 28, 1956 (P. L. 1154) including the person of an incompetent within the provisions of the act and providing for appointment of a coguardian or succeeding guardian.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—197

Adams,	Fulmer,	Lee, A. M.,	Reidenbach,
Anderson, J. H.	Galley,	Lee, K. B.,	Renwick,
Anderson, S. A.,	Gallagher,	Leonard,	Riley,
Arlene,	Gelfand,	Limper,	Rovanssek,
Ashton,	George,	Lippincott,	Royer,
Auker,	Gibb,	Long, Wm. Jas.,	Rubin,
Bachman	Gibbons,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Lutty,	Rutherford,
Boles,	Goldstein, M. H.,	Magee,	Sakulsky,
Bonner,	Goodrich,	Manbeck,	Scarcelli,
Bossert,	Gramlich,	Markley,	Schaaf,
Bower,	Gray,	Marsh,	Schuster,
Bowman,	Gremminger,	Maxwell,	Seltzer,
Branca,	Gross,	May,	Shelton,
Breth,	Guesman,	McCandless,	Sherman,
Buchanan,	Guthrie,	McCann,	Shupnik,
Bush,	Hamilton,	McCormack,	Simmons,
Capano,	Hankins,	McDevitt,	Slack,
Capitolo,	Hartley,	McDonald,	Snare,
Cauley,	Haudenschild,	McInroy,	Stimmel,
Cianfrani,	Heavey,	McKeever,	Stiteler,
Cioffi,	Heffner,	McLaughlin,	Stone,
Clarke,	Helm,	McNally,	Strausser,
Comer,	Henzel,	Meholchick,	Sullivan, J. A.,
Cooley,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holliday,	Mihm,	Taylor,
Curwood,	Holman,	Miller,	Thompson,
Davis,	Horst,	Mills,	Tomasick,
Dengler,	Irvis,	Monroe,	Tompkins,
Dennison,	Isaacs,	Morley,	Trusio,
Donaldson,	Jim,	Mullen,	Ujohal,
Dougherty,	Johnson, A. W.,	Munley,	Varner,
Doughten,	Johnson, R. P.,	Murphy,	Verona,
Down,	Jones,	Musto,	Wall,
Edwards,	Kamyk,	O'Dell,	Walsh,
Elberg,	Keiser,	O'Donnell, J. A.,	Wargo,
Elvey,	Kelly,	O'Donnell, J. P.,	Weidner,
Eshback,	Kernaghan,	Odorisio,	Welsh,
Eshleman,	Kessler,	Ogilvie,	Whittaker,
Ewing,	King,	Parlante,	Willard,
Farabaugh,	Kistler,	Pashley,	Willaredt,
Fetterolf,	Klein,	Perry,	Williams, A. D.,
Filo,	Knecht,	Petrosky,	Williams, E. S.,
Fineman,	Kooker,	Piper,	Wilt,
Flynn,	Kornick,	Polaski,	Wood,
Foerster,	Korns,	Polen,	Worley,
Foor,	Kramer,	Prendergast,	Yetter,
Fox,	Lamb,	Pursley,	Zember,
Frascella,	Lawson,	Reibman,	Andrews,
Fry,			Speaker

#### NAYS—0

#### NOT VOTING—9

Blair,	Needham,	Stank,	Wescott,
Jenkins,	Price,	Steckel,	Zimmerman,
Murray,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 983, entitled:

An Act transferring money from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund for the purpose of meeting interest and sinking fund requirements on Public Buildings.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gailey,	Leonard,	Royer,
Arlene,	Gallagher,	Limper,	Rubin,
Ashton,	Gelfand,	Lippincott,	Rudisill,
Auker,	George,	Long, Wm. Jas.,	Rutherford,
Bachman	Gibb,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goodrich,	Manbeck,	Schuster,
Bossert,	Gramlich,	Markley,	Seltzer,
Bower,	Gray,	Marsh,	Shelton,
Bowman,	Gremminger,	Maxwell,	Sherman,
Branca,	Gross,	May,	Shupnik,
Breth,	Guesman,	McCandless,	Simmons,
Buchanan,	Guthrie,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stitteler,
Cauley,	Haudenshield,	McInroy,	Stone,
Cianfrani,	Heavey,	McKeever,	Strausser,
Cioffi,	Heffner,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heim,	McNally,	Sullivan, T. F.,
Comer,	Henzel,	Meholchick,	Taylor,
Cooley,	Hocker,	Merry,	Thompson,
Crossin,	Holliday,	Mihm,	Tomasck,
Curwood,	Holman,	Miller,	Tompkins,
Davis,	Horst,	Mills,	Trusio,
Dengler,	Irviss,	Monroe,	Ujohal,
Dennison,	Isaacs,	Morley,	Varner,
Donaldson,	Jim,	Mullen,	Verona,
Dougherty,	Johnson, A. W.,	Munley,	Wall,
Doughten,	Johnson, R. P.,	Musto,	Walsh,
Down,	Jones,	O'Dell,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. A.,	Weidner,
Ellberg,	Keiser,	O'Donnell, J. P.,	Welsh,
Elvey,	Kelly,	Odorisio,	Whittaker,
Eshback,	Kernaghan,	Ogilvie,	Willard,
Eshleman,	Kessler,	Parlante,	Willaredt,
Ewing,	King,	Pashley,	Williams, A. D.,
Farabaugh,	Kistler,	Perry,	Williams, E. S.,
Fetterolf,	Klein,	Petrosky,	Wilt,
Filo,	Knecht,	Piper,	Wood,
Fineman,	Kooker,	Polaski,	Worley,
Flynn,	Kornick,	Polen,	Yetter,
Foerster,	Korns,	Prendergast,	Zember,
Foor,	Kramer,	Pursley,	Zimmerman,
Fox,	Lamb,	Reibman,	Andrews,
Frascella,	Lawson,	Reidenbach,	Speaker

## NAYS—1

Murphy,

## NOT VOTING—10

Blair,	Murray,	Renwick,	Steckel,
Goldstein, M. H.,	Needham,	Stank,	Wescott,
Jenkins,	Price,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 985, entitled:

An Act relating to the effect and priority of liens for taxes and municipal or other claims in cities of the first class.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. McCormack, rise?

Mr. McCORMACK. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Morley, permit himself to be interrogated?

Mr. MORLEY. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, as I read this bill, it provides that any person liable to pay any municipal tax or other claim and refusing to do so, when that claim is entered and docketed of record by the prothonotary, it shall constitute a lien in favor of the municipality against the real and personal property of the person who is liable.

That being so, I am wondering whether or not there has to be a writ of execution issued and a levy made on the personal property of that person before the lien will attach on his personal property.

Mr. MORLEY. The way I understand it, the bill will have the same effect as the present procedure, except it will eliminate one step. It will make the lien the final instrument and will affect the property involved in the same fashion as does the act passed in the last session that applies to the sales tax.

It will also give these liens priority to Federal liens, which at the present time have priority over these municipal liens due to the fact that they are considered completed instruments.

Mr. McCORMACK. Since this is essentially a legal question, I was wondering whether or not Mr. Lee would permit himself to be interrogated because it involves a legal problem.

Mr. MORLEY. Probably the gentleman should apply to the courts.

Mr. McCORMACK. To the what?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. McCORMACK. The question that concerns me in this bill, Mr. Speaker, is the language in here creating a lien against the personal property of an individual, not after a writ of execution has been issued and a levy made on the personal property, but at the time that the claim is entered of record and docketed by the prothonotary. That is the way I read the bill, and, if that is correct, I will put a hypothetical question and ask you what your legal conclusion would be.

Suppose that I, as a delinquent taxpayer, own an automobile and I sell that automobile to another individual. At the time I sell that automobile there has been a tax claim entered of record and docketed, but there has been no writ of execution nor levy made against that automobile. Would I then get a title that is at least clouded, or would the person to whom I sold the automobile get a title that is clouded?

Mr. A. M. LEE. Mr. Speaker, in answer to the gentleman's inquiry, it would be my opinion from reading the bill that as far as the lien is concerned, upon filing, it would constitute a lien upon the real and personal property of the debtor, and therefore if the property were sold, in all probability it would be sold subject to that lien.

Mr. McCORMACK. So, then I should not buy a car from a delinquent taxpayer unless I had the record searched and made sure that there was no tax claim docketed, is that correct?

Mr. A. M. LEE. Unless the delinquent taxpayer happened to be in the automobile business and held the



automobile as part of his goods, wares and merchandise under the terms of the bill. That would be my understanding. May I also say in further clarification, Mr. Speaker, that this, as I understand it, is part of the city of Philadelphia's legislative program, and while I will be glad to answer all the questions I can in connection with the bill, there may be others on your side of the House who would have even more information.

Mr. McCORMACK. Well, I will ask you one more question. Mr. Speaker, would the gentleman, as an attorney, say that this is a good piece of legislation?

Mr. A. M. LEE. In my opinion, I think it is a good piece of legislation. It is the same type of lien which the Federal Government now has for Federal taxes under the Federal law.

In other words, it attaches to the real and personal property of the taxpayer as long as the obligation is concerned, it is my opinion that they have considerable difficulty in the collection of a lot of these delinquent tax claims, and as far as I am concerned, being a taxpayer, if we can properly help the city in collecting from those who do not pay, I think it is good legislation.

Mr. McCORMACK. Mr. Speaker, I would just like to say, very briefly, that I hate to disagree with the city of Philadelphia in its legislative program, but, nevertheless, I personally believe that this is a bad piece of legislation. Although I am in sympathy with the municipality in its attempt to use every means to collect delinquent tax money, at the same time I am concerned with the fact that the innocent purchaser of personal property from an individual delinquent taxpayer has no protection. If I buy anything from an individual not in business, I am purchasing that at the risk that the municipality might have a lien outstanding by virtue of entering that claim of record. The ordinary procedure, and the proper procedure, would be for the municipality that has that claim to issue a writ of execution and to make a levy on that property. But here it is not required and, as a consequence, no one can be safe who purchases personal property from individuals. For that reason, unless I am not reading the bill correctly, I am going to have to vote against the bill.

The SPEAKER pro tempore. The Chair recognizes the majority whip, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I disagree with the remarks of the gentleman from Philadelphia, Mr. McCormack. On page 2, lines 5, 6, 7, 8 and 9, "The lien shall have no effect . . . until a writ of execution has been entered and a levy made." I think this answers the gentleman's question.

I cannot let this opportunity go by without expressing to the House, particularly, our admiration for Representative Lee of the opposite party who gets up and speaks in favor of the bill because he thinks it is the right thing to do. At this time I ask that all the members vote for the bill.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Eilberg?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. McCORMACK. Are you saying, from the language

that you just quoted that it would affect in any way the hypothetical proposition that I put to the gentleman from Philadelphia, Mr. Lee?

Mr. EILBERG. I do.

Mr. McCORMACK. Where do you get that language?

Mr. EILBERG. I just read it, Mr. Speaker.

Mr. McCORMACK. Well, it says, "in the ordinary course of business." That assumes a situation, does it not, where a person is in that business and sells his goods, his wares, his merchandise in that business to somebody. Does it not assume that?

Mr. EILBERG. I disagree with the gentleman, Mr. Speaker.

Mr. McCORMACK. Well, what does saying "in the ordinary course of business" mean?

Mr. EILBERG. The gentleman is talking as a lawyer. I think the term "in the ordinary course of business" speaks for itself.

Mr. McCORMACK. Speaks for itself?

Mr. Speaker, that is all of my interrogation. It seems to me that there can be no disagreement—whether I am a Philadelphia lawyer or not—on the language of the bill. I will ask any other lawyer here if he will contradict me when I say that this language, "The lien shall have no effect upon any stock of goods wares or merchandise regularly sold or leased in the ordinary course of business . . .", means that a person who is in that business sells his wares, or goods, or merchandise, but it does not apply to an individual taxpayer who is delinquent and who wants to sell a piece of his personal property such as an item of furniture or an automobile? Now, I am not here in opposition to the great leadership in the city of Philadelphia or anything else, but I say that this does not protect a bona fide purchase from an individual. I am going to vote against it and I do not care how outstanding the other Philadelphia lawyers are. I think it is a bad bill.

Mr. LIPPINCOTT. Mr. Speaker, I am not a Philadelphia lawyer, but I would like to say that I agree 100 percent with what the gentleman from Philadelphia, Mr. McCormack, has said concerning this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I am a Philadelphia lawyer and I agree with the gentleman from Philadelphia, Mr. McCormack. I do not think there is any question about the language of this bill. I do not think there is any measure of protection for an innocent purchaser for value for the purchaser other than of goods in the ordinary course of business. Since I do come from Philadelphia, I am, of course, concerned with facilitating the collection procedures of the city of Philadelphia, and we all want to get the moneys that are properly due to any municipality from its taxpayers, but it has to be done in a manner that will accord to innocent people no injustices, and I think that as the bill is presently constituted it constitutes an injustice on an innocent purchaser, and I, for one, am going to vote against this bill.

#### MOTION TO RECOMMIT

Mr. LAMB. Mr. Speaker, I, too, am concerned about the effect of this bill. As I read it, and I feel that I am correct, this is going to make a drastic change in the law of liens with respect to real property.

I do not think that is the intent, and I know it only applies to Philadelphia, but I do not feel that it was ever the intent that the bill would be this broad. So on that line, I am going to move that the bill be recommitted for further study.

The SPEAKER pro tempore. The motion is in order.

Mr. McCANN. Mr. Speaker, I will ask the gentleman from Allegheny to withdraw his motion for the purpose of placing the bill on the final passage postponed calendar for the purpose of study and possible amendment to clarify the points in lines 3, 4, 5, and 6. I so move and hope the gentleman will withdraw his motion.

#### MOTION WITHDRAWN

Mr. LAMB. I shall withdraw my motion.

On the question recurring,  
Shall the bill pass finally?

#### BILL POSTPONED

Mr. McCANN. Mr. SPEAKER, I move that the bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 987, entitled:

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken.

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.

On the question,  
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, I should like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Which sponsor would you care to interrogate?

Mr. GAILEY. It is immaterial. I see Mr. Kramer is rising from his seat. The gentleman from Allegheny, Mr. Kramer.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Kramer, permit himself to be interrogated?

Mr. KRAMER. I shall, Mr. Speaker.

Mr. GAILEY. Mr. Speaker, will the gentleman from Allegheny advise the House as to whether or not this act affects deeds and mortgages which have already been executed, in other words, those which have been executed in the past by minor spouses. I call the gentleman's attention to line 6 on page 2, and let me read the following: "and any such deed heretofore made shall be valid as if such minor spouse had at the time been of lawful age and such minor spouse shall be liable on a bond or other obligation executed," et cetera.

Mr. KRAMER. In answer to the gentleman's question, it was not intended that deeds or mortgages filed before the effective date of this act would be affected by the act. I call to the gentleman's attention that this bill was

copied from another bill which is already on the books, and the only change that was made in the existing law was the addition of the word "mortgaging," and that is all.

Mr. GAILEY. Mr. Speaker, if this is an addition to existing law, the bill certainly does not indicate it, and it looks as if it is all brand new law. Is the gentleman advising me that presently we have an act on our books validating deeds executed by minor spouses?

Mr. KRAMER. Yes, Mr. Speaker, we do. The purpose of this particular bill was to allow a minor spouse above the age of 17, when she is joined in with her adult spouse, to allow such people to mortgage their properties.

The specific instance is that sort of case such as I had just this past summer, where I had an adult male husband, who was 23 years of age, and a minor wife, 20 years of age. They had three children. A piece of real estate was given to them by her parents. After all this was concluded, they came to me with some papers that they wanted to execute with the contractor to build a home for themselves and their children. We found that no bank or building and loan would loan any money because the wife was a minor.

In checking the law, I found that a minor spouse above the age of 17, joined in with her adult spouse, could convey property, but that she could not mortgage property with her adult spouse. So, the people caught in this situation, with children, had a very difficult time trying to find an apartment and the wherewithal to build a home, and the law prohibited them from doing so. That was the purpose behind this bill.

Mr. GAILEY. Well, Mr. Speaker, I am not out of sympathy with the general purpose of the bill for a minor who has married, but do I understand the gentleman to say that if this act passes and is signed by the Governor, that his particular minor spouse with whom he had difficulty—I do not mean his own minor spouse, I am sure, but his client who was a minor spouse—could then execute a mortgage, that she could execute a mortgage in the future, is that correct?

Mr. KRAMER. That is correct.

Mr. GAILEY. Now, are you saying, therefore, that this bill does not pretend to validate any mortgage signed by her in the past?

Mr. KRAMER. For example, if that intent was taken from this act, that would be an ex post facto law.

Mr. GAILEY. That is the point I am trying to make, Mr. Speaker. I thank the gentleman.

Mr. Speaker, I am certainly in sympathy with the intent of this act which will validate, which will allow, minors to join in with their spouses, married minors to join with their spouses, in executed bonds, mortgages, and deeds, as the need may be, if we do not have such a law on the books already, but it seems to me that the language of the act as it is now drawn clearly looks back toward validating prior action. There is no separability clause in the act. It seems to me, therefore, that this act would, in fact, be unconstitutional since it constitutes an ex post facto law, and I am just afraid that if we pass this we are going to, by virtue of the unconstitutionality of the ex post facto part of this law, render the whole act invalid and it will not have the effect the gentleman is trying to achieve.



## MOTION TO POSTPONE

Mr. KRAMER. Mr. Speaker, if it is in order, I would like to move that this bill be laid over on the postponed calendar so the gentleman and myself can get together and work out an amendment.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I do not agree with the legal conclusions of the gentleman from York, Mr. Gailey.

The SPEAKER pro tempore. Will the gentleman yield for a moment? ..

Mr. M. H. GOLDSTEIN. I shall. I would like to be heard on a legal question if the minority leader will yield to me for one second I may cover the same subject matter.

Mr. A. W. JOHNSON. I will yield to Mr. Goldstein because I have the same idea in mind that he has, that I can see no reason for placing this bill on any calendar other than today's to vote on it now.

## MOTION TO POSTPONE WITHDRAWN

The SPEAKER pro tempore. Will the gentleman yield for a moment, please?

A motion has been made to postpone. Will the gentleman from Allegheny, Mr. Kramer, withdraw his motion temporarily?

The gentleman withdraws his motion temporarily.

The gentleman from Allegheny, Mr. Goldstein, has the floor.

Mr. M. H. GOLDSTEIN. Mr. Speaker, validating acts of this character have been passed since time immemorial in this Commonwealth. The action of the minor spouse was merely a voidable act and could become a legal act by affirmance upon majority, so there is nothing in the Constitution which would make this an ex post facto act and which would make it unconstitutional. We see nothing improper about the act. It is sound, and we are only doing what we did in many instances before. I say we should vote upon this legislation which is remedial and pass it without delay.

Mr. A. W. JOHNSON. Mr. Speaker, I would just like to add the same words Mr. Goldstein said. I think the bill is in order and should be voted on. I think it is a very fine, commendable piece of legislation and is much needed in this State.

The SPEAKER pro tempore. Does the gentleman from Allegheny, Mr. Kramer, desire to make his motion?

Mr. KRAMER. No, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill, Mr. Heffner.

Mr. HEFFNER. Mr. Speaker, I must agree with the gentleman from York, Mr. Gailey. This is more than a validating act. This would actually be extinguishing a right which a minor, who in the past signed a mortgage and who now has a right to void. If this act were passed, you would be extinguishing a property right they have, the right to void.

I agree with the philosophy behind this bill, that perhaps we should let minors who have adult spouses enter into mortgages, but I do not believe that we should pass a law today to extinguish these contract rights which they now have, and that is what you will be doing by this legislation. It just is not—it is something more than—a validating act.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, I do not know if maybe I am a little confused here, but it seems to me that I agree with what Mr. Heffner, the gentleman from Schuylkill, said. You are concerned with something basic here. Traditionally in Pennsylvania, people have been considered minors until they reach the age of 21 years. I can see where it may be desirable to permit a minor spouse to join in the conveyance of real estate, but it seems to me when she makes herself, or himself, as the case may be, jointly or severally liable on a bond as secured by a mortgage, you are departing to a great extent from what has been traditional here in Pennsylvania.

I do not say that we should be bound at all times by tradition, but I do suggest that this is a serious piece of legislation. I admit that the gentleman from Allegheny, Mr. Kramer, may have had a problem, but could not the same problem be overcome in this particular case he cited by securing the appointment of a guardian through the local Orphans court? I think that is a reasonable approach which has been used in other counties of this State, and I think this bill will have serious consequences, not simply from the standpoint of conveying money, but from taking a minor person—although the age is 17 years—and incurring a substantial obligation. I question whether it is wise.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, there are some practical aspects to the bill that I think we should keep in mind. I do not imagine that in the course of the last 10 years throughout the Commonwealth of Pennsylvania that there are more than, perhaps, 100 mortgages that have been executed by any minor without that mortgage having been uninsured. No mortgagee permits an instrument to be executed by a minor unless the mortgagee is properly protected, and they are protected principally by a title insurance policy either issued by an attorney or by a title company. If the mortgagor is a minor, the mortgagor if he or she is going to execute the instrument, will have to secure the appointment of a guardian in Orphans Court. Generally what happens is that the title is taken in the name of the adult spouse, and the mortgage is not executed by the minor spouse whatsoever. Let me say this, if persons are old enough to be married, I think they are old enough to sign an instrument of conveyance, a mortgage instrument, knowing full well what they are doing. The possibility of voiding or striking out the availability to minors of the disavowment of any mortgage that they might heretofore have executed is so remote, so removed, that it should not play any part in our consideration of this bill. This is a bill that has tremendous merit and will facilitate the purchase of homes by young people. It is the kind of instrument that we should have authorized, the type of transaction we should have authorized, many years ago, particularly since the advent of GI mortgage financing. We have found many young people who have entered into contracts to be wed and in the ordinary course of events seek to buy their homes without the young wife being able to purchase a home. This will facilitate that type of purchase. I think we should vote favorably on it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, I agree 100 percent with the gentleman from Philadelphia, Mr. Fineman, in the laudable purpose of this bill. I think it will be helpful, however, and I think the gentleman from Schuylkill, Mr. Heffner, has phrased it much more felicitously than I. We are here taking away a vested property right, or we pretend to do that. We take away the right of a minor to make a valid contract. This right is vested in these minors and we are attempting, by legislation, to impair these contractual rights, and I think it is purely unconstitutional. I would like to see a bill passed in order to do this in the future, but I do not think we can do it in the past.

On the question recurring,  
Shall the bill pass finally?

#### MOTION TO POSTPONE

Mr. GAILEY. Mr. Speaker, in the interest of the pending legislation of this sort, I move that this bill be placed on the final passage postponed calendar for further study and possible amendment.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, the proponents of the bill have asked that I vote the bill, and I would ask Mr. Gailey to withdraw his motion for that purpose. If they desire to vote against the bill, they can vote either way.

Mr. GAILEY. Mr. Speaker, if there are enough of those of us here who feel the way Mr. Heffner does, and I know there are, I think to put it on the postponed calendar would help the bill. If we just vote "no" and it is subsequently determined, we will have to go through the process of bringing it back. I would therefore respectfully request that the motion to place it on the postponed calendar be voted and if that fails, then to vote the bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cumberland, Mr. Kistler.

Mr. KISTLER. Mr. Speaker, can we have a roll call?

The yeas and nays were required by Messrs. KISTLER and HOLMAN and were as follows:

#### YEAS—65

Adams,	Gelfand,	Klein,	Reibman,
Ashton,	Gibbons,	Knecht,	Scarcelli,
Backenstoe,	Goodrich,	Korns,	Schaaf,
Bossert,	Gramlich,	Lee, A. M.,	Seltzer,
Bowman,	Guesman,	Limper,	Slack,
Bush,	Heffner,	Magee,	Strausser,
Capano,	Henzel,	Markley,	Ujobal,
Capitolo,	Hocker,	May,	Wescott,
Cianfrani,	Holman,	McCandless,	Willard,
Donaldson,	Horst,	McDonald	Willaredt,
Elvey,	Johnson, R. P.,	Murphy,	Williams, A. D.,
Eshleman,	Jones,	O'Dell,	Wood,
Fetterolf,	Keiser,	Ogilvie,	Worley,
Foor,	Kessler,	Perry,	Zember,
Fox,	King,	Polaski,	Zimmerman,
Fry,	Kistler,	Pursley,	Andrews,
Gailey,			Speaker

#### NAYS—135

Anderson, J. H.	Frascella,	Long, Wm. Jas.,	Riley,
Anderson, S. A.,	Fulmer,	Long, Wm. Jos.,	Rovansek,
Arlene,	Gallagher,	Lutty,	Royer,
Auker,	George,	Manbeck,	Rubin,
Bachman	Gibb,	Marsh,	Rudisill,
Blair,	Goldstein, J. H.,	Maxwell,	Rutherford,

Boles,	Goldstein, M. H.,	McCann,	Sakulsky,
Bonner,	Gray,	McCormack,	Schuster,
Bower,	Gremminger,	McDevitt,	Shelton,
Branca,	Gross,	McInroy,	Sherman,
Breth,	Guthrie,	McKeever,	Shupnik,
Buchanan,	Hamilton,	McLaughlin,	Simmons,
Cauley,	Hankins,	McNally,	Snare,
Cioffi,	Hartley,	Meholchick,	Stank,
Clarke,	Haudenshield,	Merry,	Stiteler,
Comer,	Heavey,	Mihm,	Stone,
Cooley,	Helm,	Miller,	Sullivan, J. A.,
Crossin,	Holliday,	Mills,	Sullivan, T. F.,
Curwood,	Irviss,	Monroe,	Taylor,
Davis,	Isaacs,	Morley,	Thompson,
Dengler,	Jenkins,	Mullen,	Tomasick,
Dennison,	Jlm,	Munley,	Tompkins,
Dougherty,	Johnson, A. W.,	Musto,	Trusio,
Doughten,	Kamyk,	O'Donnell, J. A.,	Varnier,
Down,	Kelly,	O'Donnell, J. P.,	Verona,
Edwards,	Kernaghan,	Odorisio,	Wall,
Eilberg,	Kooker,	Parlante,	Walsh,
Eshback,	Kornick,	Pashley,	Wargo,
Ewing,	Kramer,	Petrosky,	Weldner,
Farabaugh,	Lamb,	Piper,	Welsh,
Filo,	Lawson,	Polen,	Williams, E. S.,
Fineman,	Lee, K. B.,	Prendergast,	Wilt,
Flynn,	Leonard,	Reidenbach,	Yetter,
Foerster,	Lippincott,	Renwick,	

#### NOT VOTING—6

Murray,	Price,	Stimmel,	Whittaker,
Needham,	Steckel,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, to pass on this legislation at this time, in light of the debate which has occurred here, is a travesty on the legislative process. We have respected members of the Bar on both sides of this House contesting the intent, the constitutionality, and the meaning of this legislation. We are going to by-pass these men, qualified in their field, who disagree and say we are going to pass legislation today come willy-nilly whether we know what it says, whether we know or believe that is constitutional. I do not propose to debate the merits of the legislation. I have a very definite opinion, as the other attorneys have here, as to whether this bill is sound or not sound, but to pass upon this bill today, I repeat, is a travesty upon the legislative process.

#### BILL LAID ON TABLE

Mr. BOWMAN. Mr. Speaker, I move that this bill be laid upon the table.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the Majority leader.

Mr. McCANN. Certainly House bill 987—

The SPEAKER pro tempore. The gentleman is out of order. There is a motion.

Mr. McCANN. I am speaking on the motion.

The SPEAKER pro tempore. You are not entitled to speak on a motion. The motion is not debatable. The question is on a motion.

Mr. HOLMAN. Mr. Speaker, I ask for a roll call.

Mr. McCANN. I ask the membership to support the motion to lay it on the table and get on with other business. We are now one hour overdue.

The yeas and nays were required by Messrs. HOLMAN and BOWMAN and were as follows:



## YEAS—178

Adams,	Fulmer,	Limper,	Rovansek,
Anderson, S. A.,	Galley,	Lippincott,	Royer,
Arlene,	Gallagher,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Bachman	George,	Lutty,	Scarcell,
Backenstoe,	Gibb,	Magee,	Schaaf,
Blair,	Gibbons,	Manbeck,	Seltzer,
Bonner,	Goldstein, J. H.,	Markley,	Shelton,
Bossert,	Goodrich,	Marsh,	Shupnik,
Bower,	Gramlich,	Maxwell,	Simmons,
Bowman,	Gray,	May,	Slack,
Branca,	Gremminger,	McCandless,	Snare,
Buchanan,	Guesman,	McCann,	Stank,
Bush,	Guthrie,	McCormack,	Stimmel,
Capano,	Hamilton,	McDevitt,	Stiteler,
Capitolo,	Hankins,	McDonald,	Stone,
Caulley,	Hartley,	McInroy,	Strausser,
Cianfrani,	Haudenschild,	McKeever,	Sullivan, J. A.,
Cioffi,	Heavey,	McNally,	Sullivan, T. F.,
Clarke,	Heffner,	Meholchick,	Taylor,
Cooley,	Helm,	Merry,	Thompson,
Crossin,	Henzel,	Mihm,	Tomascik,
Curwood,	Hocker,	Miller,	Tompkins,
Davis,	Holliday,	Mills,	Ujbal,
Dengler,	Holman,	Monroe,	Varner,
Dennison,	Horst,	Morley,	Verona,
Donaldson,	Jenkins,	Mullen,	Wall,
Dougherty,	Jim,	Munley,	Walsh,
Doughten,	Johnson, A. W.,	Musto,	Wargo,
Down,	Johnson, R. P.,	O'Dell,	Weidner,
Edwards,	Jones,	O'Donnell, J. A.,	Welsh,
Ellberg,	Keiser,	O'Donnell, J. P.,	Wescott,
Elvey,	Kelly,	Odorisio,	Whittaker,
Eshback,	Kernaghan,	Ogilvie,	Willard,
Eshleman,	Kessler,	Parlante,	Willaredt,
Ewing,	King,	Pashley,	Williams, A. D.,
Farabaugh,	Kistler,	Perry,	Williams, E. S.,
Fetterolf,	Klein,	Piper,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	Kooker,	Polen,	Worley,
Foerster,	Korns,	Pursley,	Yetter,
Foor,	Lawson,	Reibman,	Zember,
Fox,	Lee, A. M.,	Renwick,	Zimmerman,
Frascella,	Lee, K. B.,	Riley,	Andrews,
Fry,	Leonard,		Speaker

## NAYS—22

Anderson, J. H.	Goldstein, M. H.,	Kramer,	Prendergast,
Auker,	Gross,	Lamb,	Rubin,
Boles,	Irviss,	McLaughlin,	Rudisill,
Breth,	Isaacs,	Murphy,	Schuster,
Comer,	Kamyk,	Petrosky,	Sherman,
Filo,	Kornick,		

## NOT VOTING—6

Murray,	Price,	Steckel,	Trusilo,
Needham,	Reidenbach,		

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 992, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) conforming provisions relating to preparation of the State budget to correspond with the fiscal year.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Adams,	Frascella,	Kramer,	Rovansek,
Anderson, J. H.	Fry,	Lamb,	Royer,
Anderson, S. A.,	Fulmer,	Lawson,	Rubin,

Arlene,	Galley,	Lee, A. M.,	Rudisill,
Ashton,	Gallagher,	Lee, K. B.,	Rutherford,
Auker,	Gelfand,	Leonard,	Sakulsky,
Bachman	George,	Limper,	Scarcell,
Backenstoe,	Gibb,	Lippincott,	Schaaf,
Blair,	Gibbons,	Long, Wm. Jas.,	Schuster,
Boles,	Goldstein, J. H.,	Long, Wm. Jos.,	Seltzer,
Bonner,	Goldstein, M. H.,	Lutty,	Shelton,
Bossert,	Goodrich,	Magee,	Sherman,
Bower,	Gramlich,	Manbeck,	Shupnik,
Bowman,	Gray,	Markley,	Simmons,
Branca,	Gremminger,	Maxwell,	Slack,
Breth,	Gross,	May,	Snare,
Buchanan,	Guesman,	McCandless,	Stank,
Bush,	Guthrie,	McCann,	Stimmel,
Capano,	Hamilton,	McDevitt,	Stiteler,
Capitolo,	Hankins,	McDonald,	Stone,
Caulley,	Hartley,	McInroy,	Strausser,
Cianfrani,	Haudenschild,	McKeever,	Sullivan, J. A.,
Cioffi,	Heavey,	McLaughlin,	Sullivan, T. F.,
Clarke,	Heffner,	Meholchick,	Taylor,
Comer,	Helm,	Merry,	Thompson,
Cooley,	Henzel,	Mihm,	Tomascik,
Crossin,	Hocker,	Miller,	Tompkins,
Curwood,	Holliday,	Mills,	Trusilo,
Davis,	Holman,	Monroe,	Ujbal,
Dengler,	Horst,	Morley,	Varner,
Dennison,	Irviss,	Mullen,	Verona,
Donaldson,	Isaacs,	Munley,	Wall,
Dougherty,	Jenkins,	Murphy,	Walsh,
Doughten,	Jim,	Musto,	Wargo,
Down,	Johnson, A. W.,	O'Dell,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Ellberg,	Jones,	O'Donnell, J. P.,	Wescott,
Elvey,	Kamyk,	Odorisio,	Whittaker,
Eshback,	Keiser,	Ogilvie,	Willard,
Eshleman,	Kelly,	Pashley,	Willaredt,
Ewing,	Kernaghan,	Perry,	Williams, A. D.,
Farabaugh,	Kessler,	Petrosky,	Williams, E. S.,
Fetterolf,	King,	Polaski,	Wilt,
Filo,	Kistler,	Polen,	Wood,
Fineman,	Klein,	Prendergast,	Worley,
Flynn,	Knecht,	Pursley,	Yetter,
Foerster,	Kooker,	Reibman,	Zember,
Foor,	Kornick,	Renwick,	Zimmerman,
Fox,		Riley,	Andrews,
			Speaker

## NAYS—0

## NOT VOTING—10

Marsh,	Murray,	Piper,	Reidenbach,
McCormack,	Needham,	Price,	Steckel,
McNally,	Parlante,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair wants to congratulate the members of the House for the clarity and the decorum of the debate upon the legal questions that faced the House. I am not a lawyer and I am not testifying to the validity of the various contentions, but it was skillful, tactfully done and with great decorum. It reflected credit upon the membership of this House, particularly upon some of the new members who are very welcome additions to our membership.

## SPECIAL ORDER OF BUSINESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I request permission of this House to call up certain bills on special order of business.

The SPEAKER. The Chair hears no objection.

Mr. McCANN. I ask that we turn to page 13, House bill No. 681, as bill No. 1.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 681, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" further defining compensation and final average salary in the case of certain members of the General Assembly.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—158

Anderson, S. A.,	Gibbons,	Long, Wm. Jos.,	Rubin,
Arlene,	Goldstein, J. H.,	Lutty,	Rudisill,
Bachman	Goodrich,	Magee,	Sakulsky,
Backenstoe,	Gramlich,	Manbeck,	Scarcelli,
Boies,	Gray,	Markley,	Schaaf,
Bonner,	Gremminger,	Marsh,	Schuster,
Bossert,	Guesman,	Maxwell,	Seltzer,
Bower,	Guthrie,	May,	Shelton,
Branca,	Hamilton,	McCann,	Sherman,
Breth,	Hankins,	McCormack,	Simmons,
Buchanan,	Hartley,	McDevitt,	Slack,
Capano,	Haudenshield,	McInroy,	Snare,
Cauley,	Heavey,	McKeever,	Stank,
Cianfrani,	Heffner,	McLaughlin,	Stimmel,
Cioffi,	Helm,	McNally,	Stone,
Clarke,	Henzel,	Merry,	Strausser,
Comer,	Hocker,	Mihm,	Sullivan, J. A.,
Cooley,	Irvis,	Mills,	Sullivan, T. F.,
Davis,	Isaacs,	Monroe,	Taylor,
Dengler,	Jenkins,	Morley,	Thompson,
Dennison,	Jim,	Mullen,	Tompkins,
Donaldson,	Johnson, A. W.,	Munley,	Trusio,
Dougherty,	Jones,	Murphy,	Ujobai,
Doughten,	Kamyk,	Musto,	Varnar,
Down,	Kelly,	O'Dell,	Verona,
Edwards,	Kernaghan,	O'Donnell, J. A.,	Wall,
Eilberg,	Kessler,	O'Donnell, J. P.,	Wargo,
Eshback,	Kistler,	Odoriso,	Weidner,
Eshleman,	Klein,	Parlante,	Welsh,
Ewing,	Knecht,	Pashley,	Wescott,
Fetterolf,	Kooker,	Perry,	Willard,
Filo,	Kornick,	Petrosky,	Willaredt,
Fineman,	Kramer,	Piper,	Williams, A. D.,
Flynn,	Lamb,	Polen,	Wilt,
Foerster,	Lawson,	Prendergast,	Wood,
Frascella,	Lee, A. M.,	Pursley,	Worley,
Gallagher,	Leonard,	Riley,	Yetter,
Gelfand,	Limper,	Rovansek,	Zember,
George,	Lippincott,	Royer,	Andrews,
Gibb,	Long, Wm. Jas.,		Speaker

## NAYS—41

Adams,	Foor,	Johnson, R. P.,	Polaski,
Anderson, J. H.	Fox,	Kelser,	Reibman,
Ashton,	Fry,	King,	Renwick,
Auker,	Fulmer,	Korns,	Rutherford,
Blair,	Galley,	Lee, K. B.,	Shupnik,
Bowman,	Goldstein, M. H.,	McCandless,	Stiteler,
Bush,	Gross,	McDonald,	Walsh,
Crossin,	Holliday,	Meholchick,	Whittaker,
Curwood,	Holman,	Miller,	Williams, E. S.,
Elvey,	Horst,	Ogilvie,	Zimmerman,
Farabaugh,			

## NOT VOTING—7

Capitolo,	Needham,	Reidenbach,	Tomasclik,
Murray,	Price,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 683, entitled:

An Act amending the act of June 1, 1959 (P. L. 350) entitled "An act relating to the retirement of public school employees amending revising consolidating and changing the laws relating thereto" further providing for multiple service credit in the case of certain members.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—181

Adams,	George,	Long, Wm. Jas.,	Rudisill,
Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Rutherford,
Arlene,	Gibbons,	Lutty,	Sakulsky,
Bachman	Goldstein, J. H.,	Magee,	Scarcelli,
Backenstoe,	Goodrich,	Manbeck,	Schaaf,
Blair,	Gramlich,	Markley,	Schuster,
Boies,	Gray,	Marsh,	Seltzer,
Bonner,	Gremminger,	Maxwell,	Shelton,
Bossert,	Gross,	May,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Capitolo,	Haudenshield,	McInroy,	Stimmel,
Cauley,	Heavey,	McKeever,	Stiteler,
Cianfrani,	Heffner,	McLaughlin,	Stone,
Cioffi,	Helm,	McNally,	Strausser,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Comer,	Hocker,	Merry,	Sullivan, T. F.,
Cooley,	Holliday,	Mihm,	Taylor,
Crossin,	Horst,	Mills,	Thompson,
Curwood,	Irvis,	Monroe,	Tomasclik,
Davis,	Isaacs,	Morley,	Tompkins,
Dengler,	Jenkins,	Mullen,	Trusio,
Dennison,	Jim,	Munley,	Ujobai,
Donaldson,	Johnson, A. W.,	Murphy,	Varnar,
Dougherty,	Jones,	Musto,	Verona,
Doughten,	Kamyk,	O'Dell,	Wall,
Down,	Kelly,	O'Donnell, J. A.,	Wargo,
Edwards,	Kernaghan,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kessler,	Odoriso,	Welsh,
Eshleman,	King,	Parlante,	Wescott,
Ewing,	Kistler,	Pashley,	Whittaker,
Fetterolf,	Klein,	Perry,	Willard,
Filo,	Knecht,	Petrosky,	Willaredt,
Fineman,	Kooker,	Piper,	Williams, A. D.,
Flynn,	Kornick,	Polen,	Williams, E. S.,
Foerster,	Korns,	Prendergast,	Wilt,
Foor,	Lamb,	Pursley,	Wood,
Fox,	Lawson,	Renwick,	Worley,
Frascella,	Lee, A. M.,	Riley,	Yetter,
Fry,	Leonard,	Rovansek,	Zember,
Galley,	Limper,	Royer,	Zimmerman,
Gallagher,	Lippincott,	Rubin,	Andrews,
Gelfand,			Speaker

## NAYS—17

Ashton,	Farabaugh,	Johnson, R. P.,	Ogilvie,
Auker,	Fulmer,	Kelser,	Polaski,
Bowman,	Goldstein, M. H.,	Lee, K. B.,	Reibman,
Elvey,	Holman,	Miller,	Walsh,
Eshback,			

## NOT VOTING—8

Anderson, J. H.	Kramer,	Needham,	Reidenbach,
Bower,	Murray,	Price,	Steckel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.



## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 682, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" further providing for retirement of members of the General Assembly.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—161

Anderson, S. A.,	Gibb,	Long, Wm. Jas.,	Royer,
Arlene,	Gibbons,	Long, Wm. Jos.,	Rubin,
Bachman	Goldstein, J. H.,	Lutty,	Rutherford,
Backenstoe,	Goodrich,	Magee.	Sakulsky,
Blair,	Gramlich,	Manbeck,	Scarcelli,
Boies,	Gray,	Markley,	Schaaf,
Bonner,	Gremminger,	Marsh,	Schuster,
Bossert,	Guesman,	Maxwell,	Seltzer,
Bower,	Guthrie,	McCann,	Shelton,
Branca,	Hamilton,	McCormack,	Sherman,
Breth,	Hankins,	McDevitt,	Simmons,
Buchanan,	Hartley,	McDonald,	Slack,
Capano,	Haudenshield,	McInroy,	Snare,
Capitolo,	Heavey,	McKeever,	Stank,
Cauley,	Heffner,	McLaughlin,	Stimmel,
Cianfrani,	Helm,	McNally,	Stone,
Cioffi,	Henzel,	Merry,	Strausser,
Clarke,	Hocker,	Mihm,	Sullivan, J. A.,
Comer,	Irvis,	Mills,	Sullivan, T. F.,
Cooley,	Isaacs,	Monroe,	Taylor,
Curwood,	Jenkins,	Morley,	Thompson,
Davis,	Jim,	Mullen,	Tomasclik,
Dengler,	Johnson, A. W.,	Munley,	Tompkins,
Dennison,	Jones,	Murphy,	Trusio,
Donaldson,	Kamyk,	Musto,	Ujobai,
Dougherty,	Kelly,	O'Dell,	Varnier,
Doughten,	Kernaghan,	O'Donnell, J. A.,	Verona,
Down,	Kessler,	O'Donnell, J. P.,	Wall,
Edwards,	Kistler,	Odorisio,	Wargo,
Elberg,	Klein,	Parlante,	Weidner,
Eshleman,	Knecht,	Pashley,	Welsh,
Ewing,	Kooker,	Perry,	Wescott,
Fetterolf,	Kornick,	Petrosky,	Willard,
Filo,	Kramer,	Piper,	Willaredt,
Flineman,	Lamb,	Polaski,	Williams, A. D.,
Flynn,	Lawson,	Polen,	Wilt,
Foerster,	Lee, A. M.,	Prendergast,	Wood,
Frascella,	Leonard,	Pursley,	Yetter,
Gallagher,	Limper,	Riley,	Zember,
Gelfand,	Lippincott,	Rovansek,	Andrews,
George,			Speaker

## NAYS—40

Adams,	Foor,	Johnson, R. P.,	Reibman,
Anderson, J. H.	Fox,	Keiser,	Renwick,
Ashton,	Fry,	King,	Rudisill,
Auker,	Fulmer,	Korns,	Shupnik,
Bowman,	Galley,	Lee, K. B.,	Stiteler,
Bush,	Goldstein, M. H.,	May,	Walsh,
Crossin,	Gross,	McCandless,	Whittaker,
Elvey,	Holliday,	Meholchick,	Williams, E. S.,
Eshback,	Holman,	Miller,	Worley,
Farabaugh,	Horst,	Ogilvie,	Zimmerman,

## NOT VOTING—5

Murray,	Price,	Reidenbach,	Steckel,
Needham,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 715, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" providing for the creation of a dual coverage group and the right of certain members to elect dual coverage.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—185

Anderson, S. A.,	Gelfand,	Lippincott,	Royer,
Arlene,	George,	Long, Wm. Jas.,	Rubin,
Ashton,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Magee.	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schaaf,
Boies,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Seltzer,
Bossert,	Gremminger,	Maxwell,	Shelton,
Bowman,	Guesman,	May,	Sherman,
Branca,	Guthrie,	McCandless,	Shupnik,
Breth,	Hamilton,	McCann,	Simmons,
Buchanan,	Hankins,	McCormack,	Slack,
Bush,	Hartley,	McDevitt,	Snare,
Capano,	Haudenshield,	McDonald,	Stank,
Capitolo,	Heavey,	McInroy,	Stimmel,
Cauley,	Heffner,	McKeever,	Stiteler,
Cianfrani,	Helm,	McLaughlin,	Stone,
Cioffi,	Henzel,	McNally,	Strausser,
Clarke,	Hocker,	Meholchick,	Sullivan, J. A.,
Comer,	Holman,	Merry,	Sullivan, T. F.,
Cooley,	Horst,	Mihm,	Taylor,
Crossin,	Irvis,	Mills,	Thompson,
Curwood,	Isaacs,	Monroe,	Tomasclik,
Davis,	Jenkins,	Morley,	Trusio,
Dengler,	Jim,	Mullen,	Ujobai,
Dennison,	Johnson, A. W.,	Munley,	Varnier,
Donaldson,	Jones,	Murphy,	Verona,
Dougherty,	Kamyk,	Musto,	Wall,
Doughten,	Kelser,	O'Dell,	Wargo,
Down,	Kelly,	O'Donnell, J. A.,	Weidner,
Edwards,	Kernaghan,	O'Donnell, J. P.,	Welsh,
Elberg,	Kessler,	Odorisio,	Wescott,
Elvey,	King,	Ogilvie,	Whittaker,
Eshback,	Kistler,	Parlante,	Willard,
Eshleman,	Klein,	Pashley,	Willaredt,
Ewing,	Knecht,	Perry,	Williams, A. D.,
Farabaugh,	Kooker,	Petrosky,	Williams, E. S.,
Fetterolf,	Kornick,	Piper,	Wilt,
Filo,	Korns,	Polaski,	Wood,
Fineman,	Kramer,	Polen,	Worley,
Flynn,	Lamb,	Prendergast,	Yetter,
Foerster,	Lawson,	Pursley,	Zember,
Frascella,	Lee, A. M.,	Renwick,	Zimmerman,
Fulmer,	Leonard,	Riley,	Andrews,
Galley,	Limper,	Rovansek,	Speaker
Gallagher,			

## NAYS—14

Adams,	Fox,	Holliday,	Miller,
Anderson, J. H.	Fry,	Johnson, R. P.,	Reibman,
Auker,	Goldstein, M. H.,	Lee, K. B.,	Walsh,
Foor,	Gross,		

## NOT VOTING—7

Bower,	Needham,	Reidenbach,	Steckel,
Murray,	Price,	Rudisill,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 716, entitled:

An Act amending the act of June 1, 1959 (P. L. 350) entitled "An act relating to the retirement of public school employes amending revising consolidating and changing the laws relating thereto" providing for the creation of a dual coverage group and the right of certain members to elect dual coverage.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—191

Adams,	Fry,	Lee, A. M.,	Royer,
Anderson, J. H.	Fulmer,	Limper,	Rubin,
Anderson, S. A.,	Gailey,	Lippincott,	Rudisill,
Arlene,	Gallagher,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Bachman,	George,	Lutty,	Schaaf,
Backenstoe,	Gibb,	Magee,	Schuster,
Blair,	Gibbons,	Manbeck,	Seltzer,
Boies,	Goldstein, J. H.,	Markley,	Shelton,
Bonner,	Goodrich,	Marsh,	Sherman,
Bossert,	Gramlich,	Maxwell,	Shupnik,
Bowman,	Gray,	May,	Simmons,
Branca,	Gremminger,	McCandless,	Slack,
Breth,	Gross,	McCann,	Snare,
Buchanan,	Guesman,	McCormack,	Stank,
Bush,	Guthrie,	McDevitt,	Stimmel,
Capano,	Hamilton,	McDonald,	Stiteler,
Capitolo,	Hankins,	McInroy,	Stone,
Cauley,	Hartley,	McKeever,	Strausser,
Cianfrani,	Haudenschild,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Heavey,	McNally,	Sullivan, T. F.,
Clarke,	Heffner,	Meholchick,	Taylor,
Comer,	Helm,	Merry,	Thompson,
Cooley,	Henzel,	Mihm,	Tomasck,
Crossin,	Hocker,	Mills,	Tompkins,
Curwood,	Holman,	Monroe,	Trusio,
Davis,	Horst,	Morley,	Ujobai,
Dengler,	Irviss,	Mullen,	Varner,
Dennison,	Isaacs,	Munley,	Verona,
Donaldson,	Jenkins,	Murphy,	Wall,
Dougherty,	Jim,	Musto,	Walsh,
Doughten,	Johnson, A. W.,	O'Dell,	Wargo,
Down,	Jones,	O'Donnell, J. A.,	Weidner,
Edwards,	Kamyk,	O'Donnell, J. P.,	Welsh,
Ellberg,	Kelser,	Odorisio,	Wescott,
Elvey,	Kelly,	Ogilvie,	Whittaker,
Eshback,	Kernaghan,	Parlante,	Willard,
Eshleman,	Kessler,	Pashley,	Willaredt,
Ewing,	King,	Perry,	Williams, A. D.,
Farabaugh,	Kistler,	Petrosky,	Williams, E. S.,
Fetterolf,	Klein,	Piper,	Wilt,
Filo,	Knecht,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Worley,
Flynn,	Kornick,	Prendergast,	Yetter,
Foerster,	Korns,	Pursley,	Zember,
Foor,	Kramer,	Renwick,	Zimmerman,
Fox,	Lamb,	Riley,	Andrews,
Frascella,	Lawson,	Rovansek,	Speaker

#### NAYS—7

Auker,	Holliday,	Lee, K. B.,	Reibman,
Goldstein, M. H.,	Johnson, R. P.,	Miller,	

#### NOT VOTING—8

Bower,	Murray,	Price,	Scarcelli,
Leonard,	Needham,	Reidenbach,	Steckel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1252, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" limiting superannuation retirement allowances of members of the General Assembly.

And said bill having been read at length the third time, considered and agree to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—176

Anderson, J. H.	Gallagher,	Long, Wm. Jos.,	Rubin,
Anderson, S. A.,	Gelfand,	Lutty,	Rudisill,
Arlene,	George,	Magee,	Rutherford,
Bachman,	Gibb,	Manbeck,	Sakulsky,
Backenstoe,	Gibbons,	Markley,	Scarcelli,
Blair,	Goldstein, J. H.,	Marsh,	Schaaf,
Boies,	Goodrich,	Maxwell,	Schuster,
Bonner,	Gramlich,	May,	Seltzer,
Bossert,	Gray,	McCann,	Shelton,
Bower,	Gremminger,	McCormack,	Sherman,
Branca,	Gross,	McDevitt,	Shupnik,
Breth,	Guesman,	McDonald,	Simmons,
Buchanan,	Guthrie,	McInroy,	Slack,
Capano,	Hamilton,	McKeever,	Snare,
Capitolo,	Hankins,	McLaughlin,	Stank,
Cauley,	Hartley,	McNally,	Stimmel,
Cianfrani,	Haudenschild,	Meholchick,	Stone,
Cioffi,	Heavey,	Merry,	Strausser,
Clarke,	Heffner,	Mihm,	Sullivan, J. A.,
Comer,	Helm,	Mills,	Sullivan, T. F.,
Crossin,	Henzel,	Monroe,	Taylor,
Curwood,	Hocker,	Morley,	Thompson,
Davis,	Irviss,	Mullen,	Tomasck,
Dengler,	Isaacs,	Munley,	Tompkins,
Dennison,	Jenkins,	Murphy,	Trusio,
Donaldson,	Jim,	Musto,	Ujobai,
Dougherty,	Johnson, A. W.,	O'Dell,	Varner,
Doughten,	Jones,	O'Donnell, J. A.,	Verona,
Down,	Kamyk,	O'Donnell, J. P.,	Wall,
Edwards,	Kernaghan,	Odorisio,	Wargo,
Ellberg,	Kessler,	Ogilvie,	Weidner,
Eshback,	Kistler,	Parlante,	Welsh,
Eshleman,	Klein,	Pashley,	Wescott,
Ewing,	Knecht,	Perry,	Willard,
Farabaugh,	Kooker,	Petrosky,	Willaredt,
Fetterolf,	Kornick,	Piper,	Williams, A. D.,
Filo,	Kramer,	Polaski,	Williams, E. S.,
Fineman,	Lamb,	Polen,	Wilt,
Flynn,	Lawson,	Prendergast,	Wood,
Foerster,	Lee, A. M.,	Pursley,	Worley,
Fox,	Lee, K. B.,	Renwick,	Yetter,
Frascella,	Limper,	Riley,	Zember,
Fulmer,	Lippincott,	Rovansek,	Zimmerman,
Gailey,	Long, Wm. Jas.,	Royer,	Andrews,

Speaker

#### NAYS—21

Adams,	Foor,	Horst,	McCandless,
Ashton,	Fry,	Johnson, R. P.,	Miller,
Auker,	Goldstein, M. H.,	Kelser,	Stiteler,
Bowman,	Holliday,	King,	Walsh,
Bush,	Holman,	Korns,	Whittaker,
Elvey,			

#### NOT VOTING—9

Cooley,	Murray,	Price,	Reidenbach,
Kelly,	Needham,	Reibman,	Steckel,
Leonard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.



## HOUSE RESOLUTION NO. 52

Mr. McCANN. Mr. Speaker, I call up on page 28 of today's calendar, House Resolution No. 52.

The resolution was read by the clerk as follows:

In the House of Representatives, April 5, 1961.

Whereas Under the provisions of the act of November 21, 1959 (P. L. 1573), the members of the General Assembly are to be paid mileage at the rate of ten cents per mile circular between their homes and the State Capitol and

Whereas There are varied opinions as to the computation of this mileage which result in confusion and misinterpretation therefore be it

Resolved That the Chief Clerk of the House of Representatives submit a list of the names and addresses of the members of the House to the Department of Highways and be it further

Resolved That the Department of Highways on or before June 1, 1961 and on or before the first Monday of January of each odd numbered year thereafter compute the circular mileage each member must travel over the usually travelled main highways to come from and return to his home and be it further

Resolved That each member of the House of Representatives shall notify the Chief Clerk of any change of address or in the case of a member elected for an interim term he shall notify the Chief Clerk of his address and in both cases the Chief Clerk shall notify the Department of Highways who shall then compute the mileage as above and be it further

Resolved That the Chief Clerk use the computed mileage as prepared by the Department of Highways as a guide in making the mileage payments to each member and be it further

Resolved That a copy of this resolution be forwarded to the Secretary of Highways

On the question,

Will the House adopt the resolution?

It was adopted.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1200, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court \* \* \* and the salary and expenses of the members of the General Assembly \* \* \*" fixing the allowance of members of the General Assembly for clerical assistance and other expenses.

On the question,

Will the House agree to the bill on third reading?

Mr. M. H. GOLDSTEIN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by inserting after "expenses"; "declaring the office of Senator and member of the House of Representatives to be incompatible with any appointive office under any county, city, borough, town or township; requiring reemployment of members of the Senate and House of Representatives by counties, cities, boroughs, towns and townships by which formerly employed, and defining their State, county, city, borough, town or township retirement rights."

Amend Bill, page 4, by inserting between lines 7 and 8 Section 2. The act is amended by adding, after section 14, two new sections to read:

Section 14.1 No member of the Senate or House of Representatives of Pennsylvania shall, during the time

for which he shall have been elected, be appointed to any office under any county, city, borough, town or township of this Commonwealth.

Section 14.2 Any member of the Senate or House of Representatives of Pennsylvania who at the time of his election to the Senate or House of Representatives was an employe of any county, city, borough, town or township of this Commonwealth, shall be restored to his position or to a position of like seniority, status, pension rights and pay: Provided, That said member of the Senate or House of Representatives shall make application for such reemployment by writing, delivered to the officials of the county, city, borough, town or township within ninety days after the expiration of his service as a member of the Senate or House of Representatives.

Any member of the Senate or House of Representatives of Pennsylvania who, at the time of his election to such Senate or House of Representatives was an employe of any county, city, borough, town or township of the Commonwealth and who then was a member of any pension plan of such county, city, borough, town or township shall have the right to elect to continue as a member of such pension plan during the time that he is a member of the Senate or House of Representatives and for ninety days thereafter. Said election shall be exercised by the member by writing, delivered to the officials of the appropriate pension plan within ninety days after the commencement of his term as a member of the Senate or House of Representatives and he shall continue as a member until ninety days after the termination of his service as a member of the Senate or House of Representatives. If he elects to continue as a member of the pension plan of the county, city, borough, town or township, he shall be entitled to all the privileges and obligated to make all payments as if he were an employe of the county, city, borough, town or township: Provided, That if he so elects, the member of the Senate or House of Representatives shall not be entitled to become a member of the State Employees' Retirement Fund.

Section 3. The provisions of sections 14.1 and 14.2 of this act shall not apply to any person holding the office of Senator or member of the House of Representatives on the effective date of this act until the day following the expiration of the term for which such person was elected.

Amend Sec. 2, page 4, line 8, by striking out "2" and inserting 4.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I will explain the amendments in full.

These amendments are introduced in order to make certain that the standard of the General Assembly would be increased in the public eye.

By House bill 1200 the legislature proposes to re-enact an expense allowance of \$3,000, which will make the take-home pay of the legislators, for all practical purposes, subject to expenses in the sum of \$9,000 annually.

Now, what is the purpose of this amendment? The purpose of this amendment is to provide that in these days of unemployment dual office holding shall be curtailed. If you examine the statute books of the Commonwealth of Pennsylvania, you will find many statutes that provide that certain offices are incompatible with the office of being a House member or a member of the State Senate.

This amendment provides that no member of the General Assembly shall be permitted to have an appointive job under any city, county, borough or township. I sub-



mit that the amendment is in the public interest for these reasons:

Firstly, it provides against dual office holding.

Secondly, it prevents legislators from being the errand boys of the public officials by whom they are employed.

When I say that I want to prevent this, I also want to make it possible that any man who works in public employment, be it city, county, borough, or township, shall have the opportunity of being a member of the State legislature.

So a section of this bill provides that if you are a policeman or a fireman and desire to run for the State legislature and win then you can come down to Harrisburg and serve as long as your constituents say you have done a good job. Then if you retire, voluntarily or otherwise, within 60 days after that separation from the State as a legislator, you have a right to return to your city, county, borough, or township job.

In addition, it protects these members who are elected from city offices in their pension rights.

Now, I have not examined in detail the fiscal amounts which various members on both sides of the aisle obtain by virtue of being employed in two capacities, but I would say that they would run anywhere from six to nine thousand dollars annually. Do you say that it is in the public interest that members of the State legislature should draw from fifteen to twenty thousand dollars each year as salary, which is equal to the salary of cabinet officers?

Therefore, I say if we want to elevate ourselves in the eyes of the public, let us establish standards. We now say we need more money because of the fact that our duties are more onerous and because we have annual sessions. If our duties are so tremendous, then how can we be on two payrolls at the same time?

This particular legislation is something that I did not conceive within the last couple of months. I have been in favor of such legislation for many, many years. This is the first time I have had the opportunity of getting it on the floor of the House so the members of the House, both Republican and Democratic, can be recorded on this issue.

I, therefore, ask for a roll call on these amendments.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gibbons.

Mr. GIBBONS. Mr. Speaker, I request to interrogate the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. M. H. GOLDSTEIN. I shall, Mr. Speaker.

Mr. GIBBONS. According to these amendments, Mr. Speaker, would a member of the House of Representatives be prohibited from serving in a non-paying, appointive office in a township or borough?

Mr. M. H. GOLDSTEIN. In my opinion, he or she would be so prohibited, Mr. Speaker.

Mr. GIBBONS. Would a member of the House of Representatives be, then, prohibited from serving on a zoning board of adjustment?

Mr. GOLDSTEIN. He would.

Mr. GIBBONS. Would he be prohibited from serving on a planning commission?

Mr. M. H. GOLDSTEIN. He would.

Mr. GIBBONS. Would a member of the House of Representatives be prohibited from serving as a solicitor to a township, borough, or county?

Mr. M. H. GOLDSTEIN. In my opinion, he would and

that would be my intent. And I introduce legislation to regulate the squires, and I happen to be an attorney, and we also want to regulate the attorneys.

Now, the most important feature about this item is this, when we are in the legislature we have duties which might involve conflict of interests. Parenthetically, I am asking Mr. McCann and Mr. McCormack to get House bill 330 on the floor so we can carry out the administration program.

Mr. GIBBONS. I thank the gentleman.

Mr. Speaker, in many areas, communities, townships, and boroughs, there is great difficulty in obtaining men to serve on a voluntary basis for both planning commissions and zoning boards of adjustment, men who have skill. We find that members of the House of Representatives serving in our communities very often are men who have had experience in various other capacities. I think this amendment would deprive the communities of a very great wealth of talent by prohibiting these men from serving without any pay in an area where they are very much needed.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, inasmuch as it is the gentleman's intention to have these amendments eliminate conflict of interests, I would also think that he should next prepare and submit amendments that would prevent any attorney from operating a private law office, and any person who works for any firm, corporation, insurance company, who is also a member of this legislature, must also give up his private occupation when he comes here. If he is going to single out persons who want to serve on local school boards, local planning commissions, and so forth, he should also carry it further.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. The argument of the gentleman from Washington, Mr. Murphy, is rather specious. The thing that I am concerned about is the dual job, office-holding in a public capacity. I want to impress upon the gentleman from Washington that I have no objection to voting for a bill which involves conflict of interests on my part as an attorney. I have had many opportunities to appear before the Board of Pardons. I have rejected those opportunities. I think that members of the legislature who are attorneys sometimes have an open door because of the fact that they are in the legislature and pass upon the legislation which affects various departments. This, I believe, is unsound. But if you want to act as a private attorney, there is a great deal of distinction, and I am certain the gentleman from Washington recognizes that.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. M. M. GOLDSTEIN and GEORGE and were as follows:

#### YEAS—50

Adams,	George,	Kooker,	Polaski,
Auker,	Goldstein, M. H.,	Lee, A. M.,	Pursley,
Backenstoe,	Goodrich,	Lee, K. B.,	Seltzer,
Bush,	Gramlich,	Long, Wm. Jos.,	Shupnik,
Cauley,	Haudenshield,	Manbeck,	Simmons,
Cianfrani,	Hocker,	Marsh,	Snare,
Crossin,	Holliday,	May,	Stiteler,



Dennison,	Holman,	McCandless,	Tomasick,
Donaldson,	Horst,	McCormack,	Varner,
Eshback,	Kelser,	McInroy,	Whittaker,
Farabaugh,	Kessler,	Miller,	Wilt,
Foor,	King,	Ogilvie,	Worley,
Fox,	Kistler,		

## NAYS—149

Anderson, J. H.	Galley,	Lippincott,	Royer,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Rubin,
Arlene,	Gelfand,	Lutty,	Rudisill,
Ashton,	Gibb,	Magee,	Rutherford,
Bachman	Gibbons,	Markley,	Sakulsky,
Blair,	Goldstein, J. H.,	Maxwell,	Scarcelli,
Boles,	Gray,	McCann,	Schaaf,
Bonner,	Gremminger,	McDevitt,	Schuster,
Bossert,	Gross,	McDonald	Shelton,
Bower,	Guesman,	McKeever,	Sherman,
Bowman,	Guthrie,	McLaughlin,	Slack,
Branca,	Hamilton,	McNally,	Stank,
Breth,	Hankins,	Meholchick,	Stimmel,
Buchanan,	Hartley,	Merry,	Stone,
Capano,	Heavey,	Mihm,	Strausser,
Capitolo,	Heffner,	Mills,	Sullivan, J. A.,
Cioffi,	Helm,	Monroe,	Sullivan, T. F.,
Clarke,	Henzel,	Morley,	Taylor,
Comer,	Irviss,	Mullen,	Thompson,
Cooley,	Isaacs,	Munley,	Tompkins,
Curwood,	Jenkins,	Murphy,	Trusio,
Davis,	Jim,	O'Dell,	Ujobal,
Dengler,	Johnson, A. W.,	O'Donnell, J. A.,	Verona,
Dougherty,	Johnson, R. P.,	O'Donnell, J. P.,	Wall,
Doughten,	Jones,	Odorisio,	Wargo,
Down,	Kamyk,	Parlante,	Weidner,
Edwards,	Kelly,	Pashley,	Welsh,
Eilberg,	Kernaghan,	Perry,	Wescott,
Eshleman,	Klein,	Petrosky,	Willard,
Ewing,	Knecht,	Piper,	Willaredt,
Fetterolf,	Kornick,	Polen,	Williams, A. D.,
Filo,	Korns,	Prendergast,	Williams, E. S.,
Fineman,	Kramer,	Reibman,	Wood,
Flynn,	Lamb,	Reidenbach,	Yetter,
Foerster,	Lawson,	Renwick,	Zember,
Frascella,	Leonard,	Riley,	Zimmerman,
Fry,	Limper,	Rovansek,	Andrews,
Fulmer,			Speaker

## NOT VOTING—7

Elvey,	Musto,	Price,	Walsh,
Murray,	Needham,	Steckel,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, the membership of this House is going to vote in a minute on House bill 1200. There is no question that there has been considerable discussion of House bill 1200 in various circles and in various publications in this Commonwealth.

The people of Pennsylvania, by proper voting, declared a change in our Constitution which directs annual sessions of this General Assembly shall be held. Beginning with the current year, we have a general session and then a fiscal session in the even-numbered year. There is no question that we, as Representatives, and those who will serve after us in both the House and the Senate, are expected, and certainly will, as we have done in the past, work at this job continually, day in and day out, week in and week out.

In this Commonwealth we have no statutory nor constitutional amendments which limit the length of sessions. In Pennsylvania the only limit to a session is for adjournment when House or Senate complete its work or

upon the first Monday of the following year at 12 o'clock noon when the new session convenes.

There is no question, we are talking about an expense account for the members of the General Assembly. In this United States, there are many States that far exceeds, in both salary and expenses, this great Commonwealth of Pennsylvania, New York, California, and various other states, who by their constitutions or laws limit the length of the sessions of their respective States.

For example, New York's members receive at the present time a salary of \$10,000 per member, plus \$5,000 in expenses, plus other incidentals. Such legislation was passed in the present session of the State of New York, which added an additional \$2,500 to expenses. In the State of California, something that Pennsylvania has long needed and some day hopes to accomplish, they have a salary, a telephone allowance, a postage allowance, allowance for operation of district offices, a secretarial service, an office for every member, a per diem allowance payable weekly during session, per diem allowance during interim periods up to 40 days for attendance at committee meetings, 20 additional days' allowance for attendance at joint committee meetings, adding up to an average of about \$12,000 to \$15,000 per member. These are facts.

In many other States the representative is a part-time representative or senator where by their Constitution they are limited to 60, 90 or 120 days. In that period of time, according to the state involved, they handle the fiscal matters or general budget for the entire program.

Here in Pennsylvania we say, and we are in this legislation proposing to the people of Pennsylvania, that we are representatives and senators elected by the people, both Republican and Democratic, elected by both parties, that we handle and work with the programs dealing with all the people, that we do it in a business-like manner, and that we demand of these representatives and senators that they serve here and serve longer than the mere duration of the session. The session on the floor is the smallest part of a representative's total work. With that we say that we believe this legislation is certainly warranted, that it will help to make better bodies of the House and Senate, representatives who will be able to continue to work on these various legislative problems and to enact the legislation according to the wishes of our constituents.

Mr. Speaker, I do not know if we in Pennsylvania would be in any position to say to anyone, except ourselves, that our form of government and under our Constitution no one can vote for these bills but the elected representatives and the elected senators. We can vote for every piece of legislation which pertains to every other single group, municipality or community, and, yet, when we vote on this, because of our position, only you can vote on these measures that pertain to yourself.

I have tried in a short, humble way to point out to this membership the reasons why you should support this legislation, to enact it and to pass it here in the House today. I hope that the membership will agree with the views and the comments that I have expressed about House bill 1200.

Mr. A. W. JOHNSON. Mr. Speaker, I certainly want to compliment the majority leader on the very able speech that he has made in defense of this expense allowance for the members of the General Assembly.

There is not too much that I can add, only to say that the modern-day General Assembly of Pennsylvania is

virtually a full-time job. It started in 1955 when we had a 17-month session; in 1959 we were in session for the entire year; we were in being during the entire year of 1960. Goodness knows where this session is going to go. Since I am here, of course, as the Minority floor leader, I am here a day or two extra every week. I have observed a large number of members who are here after the session ends. They have many errands to do which they must do for their constituents who keep them in the State Capitol, and generally a day a week or once or twice in the month they stay over.

But the average member is like me, when he gets home over the week end, his phone starts to ring, people worrying about having lost their driver's license, municipalities about to organize an authority that want help with the Secretary of the Commonwealth in organizing the authority, delivering the papers to Harrisburg for them. Maybe your school district should have a new school. The lawyer for the school district in question calls the State representative. "Will you call Captain Bartman for me?" "Will you call Mr. Klinger?" "Will you call Dr. Boehm?" Will you come to Harrisburg with us when we try to get the money or the allocation for the new school? Or, if it is the day that the bids are opened down at the Public School Building Authority, they will ask the legislator to come along with them to help when they open the bids on the new school. When your borough wants some streets taken over and put on the State system, they call up the legislator. "Would you call the district highway office in Clearfield?" "Will you send a man here to come and look over these roads? Or, your township will call you and say "We want roads put on the omnibus bill, we want you to come out and look this road over, we want to convince you why the State should take over this road, or why the State should give us back this or that road."

When it comes time for elections they want to know how the absentee ballot works and you have to call Mr. Eberman over in the Secretary of State's office as to the voting rights of the people. Candidates for office want you to file their nominating petitions in Harrisburg for them, and you might even advance the money for them, which is repaid, of course, but it must be a money order. You deliver the papers for them in Harrisburg.

Really, there is no end to the work that a member of the General Assembly does for his constituents in every conceivable facet of life in this great Commonwealth of ours. We have what you would call "a reservoir of power" that is conferred on us by our Constitution, and we work within that area. We cover practically every phase of human life in this Commonwealth and we are called upon to assist our constituents in that particular phase.

When the session is over you think, well, now I can settle down and take a vacation from my duties. But, no, the work, the business of the Commonwealth goes on, as the gentleman from Delaware said. Matters about voting, matters about highways and schools, doctors having trouble with their licenses with the Department of Public Instruction, undertakers and engineers who want advice on how to process their applications for license to become a qualified engineer. I could go on, but many members of this legislature know that all year long we are called upon to do all these manifold things and to make trips to Harrisburg with our constituents to help them out in that regard.

I say it is becoming a full-time job. I said on television

the other night that I hate to see these young lawyers come to the legislature. It is wonderful that we are attracting such fine young people, young school teachers, people with college degrees, and people who have made a great name for themselves in government back home, it is wonderful that they come here, but those who are in the professions do not realize when they come down here that they are becoming the servants of the people of the Commonwealth and their business will suffer, and after they have been here 8 or 10 years they find that their law practice is confined to representing a few school boards and a few school districts. They will find their law practice is an avocation with them, and being in the General Assembly is a vocation.

Believe me, I can speak from experience. I have been here 16 years and, if it was not for the love of my clients for myself and the people who like me as an individual who have stuck by me all these years, my law practice would not amount to anything. But it is because of that love for me by the people back home, because they wait for me until I get there, that I am able to carry on at all. As I say, it is getting to be a full-time job and in the future it is going to get worse. The problem of education, highways, mental health, and all the things that are being laid in the lap of this General Assembly will grow, and grow and grow, as we go into the future. With the inflationary spiral getting greater, I would say that the members of this great General Assembly are entitled to a decent stipend to the extent of the expenses that they have incurred.

Mr. McCANN. When including New York State expenses, the present bill provides for \$2,500 expenses, I understood that I used an incorrect figure.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Farabaugh.

Mr. FARABAUGH. Well, as I sat here and listened for the last few minutes, I wondered whether we are just possibly errand boys. I am frankly concerned about many things that I see happen here and I wonder why the members of this House should be so opposed to Mr. Goldstein's amendment if they spend so much time here that they have no time to do anything at home. There are several stories here that seem to conflict with one another. It certainly is not any pleasure for me to stand up here and oppose something that so many people here seem to be in favor of, but I feel I would be neglecting my duty if I sat idly by and said nothing. I am just going to mention a few of the things, reasons why I feel that this is a bad bill and uncalled for.

In the first place, we are going to call upon a lot of people to pay more taxes who are not now making a very good living. With the thousands of people throughout this State who are out of work, on relief and without any method by which they can find some relief for themselves and their families, I question that we are here putting more tax on them and still not willing to set it up in such a way that a man may hold two jobs and keep some other person out of work back home.

Now who should have more expense money? The committee members who have the additional work to do, who have the additional meetings to attend. Provision has been made for them to be paid and they are getting it now, and this will be in addition to it. The Members who are in leadership positions throughout this House are getting additional money. What for? To take care of those neces-



sary expenses that they have and, in some cases, to entertain their friends.

I do not see why we have been hurt so badly. In 1960 we had, I believe, 27 days of session. For that we received \$6,000. That is not bad. I think we can stand a few extra chores with those few days of session. And in this session, if we had been working at it instead of coming here on Monday and working about two hours and, in many cases, going home on Tuesday after working a couple of hours, if we had been coming here and working at the job instead of simply putting in time when it cost the taxpayers of this State \$7,000, approximately, each week to come here, we would be finished.

I think some people here ought to search their consciences a little before they vote on this bill. It has been brought out here, I think, from some things that have been said, that if you take inventory of both Houses, you will find that a very large majority of the members in both Houses have their own occupations of some sort, or income, and from some things I see here this one here seems to be secondary. I think it is about time that the members of both Houses start thinking about the people they represent, and I hope and trust that the members of this House will think of their positions of public trust and work for the good of the general public and not merely the means of their own financial gains.

Mr. STITELER. Mr. Speaker, I believe I have the right to be heard. I shall not be intimidated by the gentleman who passed through the aisle saying that someone wants headlines when he speaks his mind, which he has the right to do. I should like to say that I have tremendous respect for the majority leader, for the minority leader, for the caucus chairman, and I should like to say that I believe that the majority leader's office and the minority leader's office should be compensated at least by twice the salary they are now receiving. I am also of the belief that committee chairmen should receive more salary. I have observed, Mr. Speaker, there is never any dearth of candidates. I believe, Mr. Speaker, that this is a patriotic service. I believe that patriotism has no price and that is the reason I must vote "no."

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—148

Anderson, S. A.,	Gallagher,	Limper,	Rovansek,
Arlene,	Gelfand,	Lippincott,	Royer,
Bachman	George,	Long, Wm. Jas.,	Rubin,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goodrich,	Magee,	Schaaf,
Bonner,	Gramlich,	Manbeck,	Schuster,
Bossert,	Gray,	Markley,	Seltzer,
Bower,	Gremminger,	Marsh,	Shelton,
Branca,	Guesman,	Maxwell,	Sherman,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Capano,	Hankins,	McDevitt,	Snare,
Capitolo,	Hartley,	McDonald,	Stank,
Cauley,	Haudenshield,	McInroy,	Stimmel,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Heffner,	McLaughlin,	Strausser,
Clarke,	Helm,	Merry,	Sullivan, J. A.,
Comer,	Henzel,	Mihm,	Sullivan, T. F.,
Cooley,	Irviss,	Mills,	Taylor,
Davis,	Isaacs,	Monroe,	Tompson,
Dengler,	Jenkins,	Morley,	Tompkins,
Dennison,	Jim,	Mullen,	Trusio,
Donaldson,	Johnson, A. W.,	Murphy,	Varner,

Dougherty,	Jones,	Musto,	Verona,
Doughten,	Kamyk,	O'Dell,	Wall,
Down,	Kelly,	O'Donnell, J. A.,	Weidner,
Ellberg,	Kernaghan,	O'Donnell, J. P.,	Welsh,
Eshleman,	Kistler,	Odorisio,	Wescott,
Ewing,	Klein,	Parlante,	Willard,
Fexteroif,	Knecht,	Pashley,	Willaredt,
Filo,	Kooker,	Perry,	Williams, A. D.,
Fineman,	Kornick,	Petrosky,	Wilt,
Flynn,	Kramer,	Polen,	Wood,
Foerster,	Lamb,	Prendergast,	Yetter,
Frascella,	Lawson,	Reidenbach,	Zember,
Gailey,	Leonard,	Riley,	Andrews,

Speaker

## NAYS—52

Adams,	Fry,	Korns,	Reibman,
Anderson, J. H.	Fulmer,	Lee, A. M.,	Renwick,
Ashton,	Goldstein, J. H.,	Lee, K. B.,	Rudisill,
Auker,	Goldstein, M. H.,	May,	Rutherford,
Bowman,	Gross,	McCandless,	Shupnik,
Bush,	Hocker,	McNally,	Stiteler,
Crossin,	Holliday,	Meholchick,	Ujobai,
Curwood,	Holman,	Miller,	Walsh,
Edwards,	Horst,	Munley,	Wargo,
Elvey,	Johnson, R. P.,	Ogilvie,	Whittaker,
Farabaugh,	Keiser,	Piper,	Williams, E. S.,
Foor,	Kessler,	Polaski,	Worley,
Fox,	King,	Pursley,	Zimmerman,

## NOT VOTING—6

Eshback,	Needham,	Steckel,	Tomasclik,
Murray,	Price,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 18 of the calendar, House bill No. 994.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 994, entitled:

An Act relating to the uniform rendition of prisoners as witnesses in criminal proceedings.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams,	Fry,	Lamb,	Renwick,
Anderson, J. H.	Fulmer,	Lawson,	Riley,
Anderson, S. A.,	Gailey,	Lee, A. M.,	Rovansek,
Arlene,	Gallagher,	Lee, K. B.,	Royer,
Ashton,	Gelfand,	Leonard,	Rubin,
Auker,	George,	Limper,	Rudisill,
Bachman	Gibb,	Lippincott,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Boles,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Bonner,	Goldstein, M. H.,	Lutty,	Schaaf,
Bossert,	Goodrich,	Magee,	Schuster,
Bower,	Gramlich,	Manbeck,	Seltzer,
Bowman,	Gray,	Markley,	Shelton,
Branca,	Gremminger,	Marsh,	Sherman,
Breth,	Gross,	Maxwell,	Shupnik,
Buchanan,	Guesman,	May,	Simmons,
Bush,	Guthrie,	McCandless,	Slack,
Capano,	Hamilton,	McCann,	Snare,
Capitolo,	Hankins,	McCormack,	Stimmel,
Cauley,	Hartley,	McDevitt,	Stiteler,
Cianfrani,	Haudenshield,	McDonald,	Stone,
Cioffi,	Heavey,	McInroy,	Strausser,
Clarke,	Heffner,	McKeever,	Sullivan, J. A.,
	Helm,	McLaughlin,	Sullivan, T. F.,

Comer,	Henzel,	McNally,	Taylor,
Cooley,	Hocker,	Meholchick,	Thompson,
Crossin,	Holliday,	Merry,	Tompkins,
Curwood,	Holman,	Mihm,	Ujobai,
Davis,	Horst,	Miller,	Varner,
Dengler,	Irviss,	Monroe,	Verona,
Dennison,	Isaacs,	Morley,	Wall,
Donaldson,	Jenkins,	Mullen,	Walsh,
Dougherty,	Jim,	Munley,	Wargo,
Doughten,	Johnson, A. W.,	Murphy,	Weldner,
Down,	Johnson, R. P.,	Musto,	Welsh,
Edwards,	Jones,	O'Dell,	Wescott,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Elvey,	Keiser,	Ogilvie,	Willard,
Eshleman,	Kelly,	Parlante,	Willaredt,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrofsky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Klein,	Polaski,	Worley,
Flynn,	Knecht,	Polen,	Yetter,
Foerster,	Kooker,	Prendergast,	Zimmer,
Foor,	Kornick,	Fursley,	Zimmerman,
Fox,	Korns,	Reibman,	Andrews,
Frascella,	Kramer,	Reidenbach,	Speaker

### NAYS—2

Mills, O'Donnell, J. A.,

### NOT VOTING—9

Eshback,	Odorisio,	Stank,	Tomascik,
Murray,	Price,	Steckel,	Trusio,
Needham,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

### COMMUNICATION

The SPEAKER. At this time, the Chair desires to read a communication from the International Roll Call Corporation. It shall be entered upon the record and then referred to the Rules Committee. I will read the whole thing:

#### Legislative Roll-Call and Sound Systems

International  
ROLL-CALL  
Corporation  
3114 W. Marshall Street  
RICHMOND 21, VIRGINIA

April 14, 1961.

Hon. Hiram G. Andrews, Speaker,  
House of Representatives  
Capitol Building  
Harrisburg, Pa.

Dear Mr. Speaker:

We feel that some of the difficulties experienced there with our equipment are operational rather than mechanical, and can be traced back to excessive use of the functions of CONTINUOUS TOTALS and CONTINUOUS RECORDS.

Most States using our system, except on highly controversial bills, do not use CONTINUOUS TOTALS at all, unless asked for; and make only one Record, unless additional copies are asked for. This method is much faster, saves wear and tear, and brings to a minimum the possibility of errors and faults of the human equation.

If the functions of CONTINUOUS TOTALS and CONTINUOUS RECORDS are to be used at all, we suggest that the following instructions be read to the Members, and then printed in the Journal:

- 1: Between votes, a Member may push his toggle handle to either side, and hold it there, for the purpose of seeking Recognition.
- 2: When the switch is used as a voting switch

however,—and especially during the functions of CONTINUOUS TOTALS and CONTINUOUS RECORDS,—the Member must not hold the toggle handle at all. To do so may cause lost reset impulses, or even lost voting impulses.

The proper procedure for voting is, when the bell rings, for the Member to push the toggle handle to the YEA or NAY side firmly to the limit of travel, whereupon the handle is automatically latched and locked in that position, and the vote will be properly tabulated. The Member must however always push the handle to the limit of travel, and then remove his hand immediately, and let the machine take care of the recording of the vote.

In addition to here recommending that these instructions be read and printed in the Journal; we further hope that it will be found possible to give some consideration to reducing the use of the functions of CONTINUOUS TOTALS and CONTINUOUS RECORDS, to conform with standard operating procedure, wherein these functions are used only when asked for.

MFT.1s

Sincerely,

cc:  
Mr. Ominsky

INTERNATIONAL ROLL-CALL  
CORPORATION,  
Marshall F. Thompson

The SPEAKER. This communication will be recorded in the Journal and referred to the Rules Committee.

The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I would like to have permission of the House to change our schedule here. We were going to caucus at a certain point here. It is 10 after 4. We have approximately 40 more bills that we can vote on today in order on the calendar, cleared. If we vote on bills steadily from now and debate them until 6, at 6 o'clock we will roughly cease to have roll calls, but finish up our amendments and recommitments that are agreed to. That would give us an opportunity to change our schedule tomorrow, if this would be agreeable. Both sides would caucus before we come to session and then tomorrow work on the other heavy items, because there are a considerable number of bills coming out of committee today and bills that came out and that also will be considered by committees tomorrow. It will place us in a position also to carry through and get much more done here than breaking for caucus today. If this is acceptable with the minority, although we had talked about going to caucus roughly at 4:30, I will ask that we change our plans and go steadily on the 40 bills in order.

### Mr. HELM IN THE CHAIR

Mr. A. W. JOHNSON. Mr. Speaker, that arrangement is perfectly agreeable to us. We had a full and complete caucus on Monday for two hours. We caucused on practically every bill remaining on the calendar from this point on, and, therefore, I would like to suggest that on the Republican side we caucus tomorrow between the hours of 1 and 2, if you are going to call the session at 2 o'clock.

### LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. ODORISIO of remainder of today's session.



## PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. GOODRICH asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 995, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by clarifying and redefining the crime of prison breach.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Adams,	Fry,	Lee, A. M.,	Rovansek,
Anderson, J. H.	Fulmer,	es. K. B.,	Royer,
Anderson, S. A.,	Galley,	Leonard,	Rubin,
Arlene,	Gallagher,	Limper,	Rudisill,
Ashton,	Gelfand,	Lippincott,	Rutherford,
Auker,	George,	Long, Wm. Jas.,	Sakulsky,
Bachman	Gibb,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Gibbons,	Lutty,	Schaaf,
Blair,	Goldstein, J. H.,	Magee,	Schuster,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Guthrie,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenschild,	McInroy,	Stone,
Cioffi,	Heavey,	McKeever,	Strausser,
Clarke,	Heffner,	McLaughlin,	Sullivan, J. A.,
Comer,	Heim,	McNally,	Sullivan, T. F.,
Cooley,	Hocker,	Meholchick,	Taylor,
Crossin,	Holliday,	Merry,	Thompson,
Curwood,	Holman,	Miller,	Tomasick,
Davis,	Horst,	Mills,	Tompkins,
Dengler,	Irvie,	Monroe,	Trusio,
Dennison,	Isaacs,	Morley,	Ujobai,
Donaldson,	Jenkins,	Mullen,	Varner,
Dougherty,	Jim,	Munley,	Verona,
Doughten,	Johnson, A. W.,	Murphy,	Wall,
Down,	Johnson, R. P.,	Musto,	Walsh,
Edwards,	Jones,	O'Dell,	Wargo,
Ellberg,	Kamyk,	Ogilvie,	Weidner,
Elvey,	Keiser,	Parlante,	Welsh,
Eshleman,	Kelly,	Pashley,	Wescott,
Ewing,	Kernaghan,	Perry,	Whittaker,
Farabaugh,	Kessler,	Petrosky,	Willard,
Fetterolf,	Kistler,	Piper,	Williams, A. D.,
Filo,	Klein,	Polaski,	Williams, E. S.,
Fineman,	Kooker,	Polen,	Wilt,
Flynn,	Kornick,	Pursley,	Wood,
Foerster,	Korns,	Reibman,	Worley,
Foor,	Kramer,	Reidenbach,	Yetter,
Fox,	Lamb,	Renwick,	Zember,
Frascella,	Lawson,		Zimmerman,

## NAYS—2

Cianfrani, Worley,

## NOT VOTING—18

Boies,	Knecht,	O'Donnell, J. P.,	Riley,
Eshback,	Mihm,	Odoriso,	Steckel,
Hamilton,	Murray,	Prendergast,	Willaredt,
Henzel,	Needham,	Price,	Andrews,
King,	O'Donnell, J. A.,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1005, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) giving State Colleges powers to cooperate with and accept grants and assistance to prosecute projects and programs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams,	Frascella,	Lee, A. M.,	Royer,
Anderson, J. H.	Fry,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Fulmer,	Leonard,	Rudisill,
Arlene,	Galley,	Limper,	Rutherford,
Ashton,	Gallagher,	Lippincott,	Sakulsky,
Auker,	Gelfand,	Long, Wm. Jas.,	Scarcelli,
Bachman	George,	Long, Wm. Jos.,	Schaaf,
Backenstoe,	Gibb,	Lutty,	Schuster,
Blair,	Gibbons,	Magee,	Seltzer,
Bonner,	Goldstein, J. H.,	Manbeck,	Shelton,
Bossert,	Goldstein, M. H.,	Markley,	Sherman,
Bower,	Goodrich,	Marsh,	Shupnik,
Bowman,	Gramlich,	Maxwell,	Simmons,
Branca,	Gray,	May,	Slack,
Breth,	Gremminger,	McCandless,	Snare,
Buchanan,	Gross,	McCann,	Stank,
Bush,	Guesman,	McCormack,	Stimmel,
Capano,	Guthrie,	McDevitt,	Stiteler,
Capitolo,	Hamilton,	McDonald,	Stone,
Cauley,	Hankins,	McInroy,	Strausser,
Cianfrani,	Hartley,	McKeever,	Sullivan, J. A.,
Cioffi,	Haudenschild,	McLaughlin,	Sullivan, T. F.,
Clarke,	Heavey,	McNally,	Taylor,
Comer,	Heffner,	Meholchick,	Thompson,
Cooley,	Heim,	Merry,	Tomasick,
Crossin,	Hocker,	Miller,	Tompkins,
Curwood,	Holliday,	Mills,	Trusio,
Davis,	Holman,	Morley,	Ujobai,
Dengler,	Horst,	Mullen,	Varner,
Dennison,	Irvie,	Munley,	Verona,
Donaldson,	Isaacs,	Murphy,	Wall,
Dougherty,	Jenkins,	Musto,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	Ogilvie,	Weidner,
Edwards,	Johnson, R. P.,	Parlante,	Welsh,
Ellberg,	Keiser,	Pashley,	Wescott,
Elvey,	Kelly,	Perry,	Whittaker,
Eshleman,	Kernaghan,	Petrosky,	Willard,
Ewing,	Kessler,	Piper,	Willaredt,
Farabaugh,	Kistler,	Polaski,	Williams, A. D.,
Fetterolf,	Klein,	Polen,	Williams, E. S.,
Filo,	Kooker,	Prendergast,	Wilt,
Fineman,	Kornick,	Pursley,	Wood,
Flynn,	Korns,	Reibman,	Worley,
Foerster,	Kramer,	Reidenbach,	Yetter,
Foor,	Lamb,	Renwick,	Zember,
Fox,	Lawson,	Rovansek,	Zimmerman,

## NAYS—0

## NOT VOTING—18

Boies,	King,	Needham,	Price,
Eshback,	Knecht,	O'Donnell, J. A.,	Riley,
Henzel,	Mihm,	O'Donnell, J. P.,	Steckel,
Jones,	Monroe,	Odoriso,	Andrews,
Kamyk,	Murray,		Speaker

The majority required by the Constitution having

voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1006, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), authorizing the purchase of preferred and common stock for investment purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—193

Adams,	Fulmer,	Lee, A. M.,	Riley,
Anderson, J. H.	Gailey,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gallagher,	Leonard,	Royer,
Arlene,	Gelfand,	Limper,	Rubin,
Ashton,	George,	Lippincott,	Rudisill,
Auker,	Gibb,	Long, Wm. Jas.,	Rutherford,
Eachman	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcelli,
Blair,	Goldstein, M. H.,	Magee,	Schaaf,
Bonner,	Goodrich,	Manbeck,	Schuster,
Bossert,	Gramlich,	Markley,	Seltzer,
Bower,	Gray,	Marsh,	Shelton,
Eowman,	Gremminger,	Maxwell,	Sherman,
Branca,	Gross,	May,	Shupnik,
Breth,	Guesman,	McCandless,	Simmons,
Buchanan,	Guthrie,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McInroy,	Stone,
Cianfrani,	Heavey,	McKeever,	Strausser,
Cioffi,	Heffner,	McLaughlin,	Sullivan, J. A.,
Clarke,	Helm,	McNally,	Sullivan, T. F.,
Comer,	Hocker,	Meholchick,	Taylor,
Cooley,	Holliday,	Merry,	Thompson,
Crossin,	Holman,	Mihm,	Tomasck,
Curwood,	Horst,	Miller,	Tompkins,
Davis,	Irvis,	Mills,	Trusio,
Dengler,	Isaacs,	Morley,	Ujobai,
Dennison,	Jenkins,	Mullen,	Varner,
Donaldson,	Jim,	Munley,	Verona,
Dougherty,	Johnson, A. W.,	Murphy,	Wall,
Doughten,	Johnson, R. P.,	Musto,	Walsh,
Down,	Jones,	O'Dell,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kelser,	O'Donnell, J. P.,	Welsh,
Elvey,	Kelly,	Ogilvie,	Wescott,
Eshleman,	Kernaghan,	Parlante,	Whittaker,
Ewing,	Kessler,	Pashley,	Willard,
Farabaugh,	Kistler,	Perry,	Willaredt,
Fetterolf,	Klein,	Petrosky,	Williams, A. D.,
Filo,	Knecht,	Piper,	Williams, E. S.,
Fineman,	Kooker,	Polaski,	Wilt,
Flynn,	Kornick,	Polen,	Wood,
Foerster,	Korns,	Pursley,	Worley,
Foor,	Kramer,	Reibman,	Yetter,
Fox,	Lamb,	Reidenbach,	Zember,
Frascella,	Lawson,	Renwick,	Zimmerman,
Fry,			

#### NAYS—0

#### NOT VOTING—13

Boies,	Monroe,	Odoorisio,	Steckel,
Eshback,	Murray,	Prendergast,	Stimmel,
Henzel,	Needham,	Price,	Andrews,
King,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1007, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), authorizing the purchase of preferred and common stock for investment purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—190

Adams,	George,	Limper,	Royer,
Anderson, J. H.	Gibb,	Lippincott,	Rubin,
Anderson, S. A.,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Arlene,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Ashton,	Goldstein, M. H.,	Lutty,	Sakulsky,
Auker,	Goodrich,	Magee,	Scarcelli,
Bachman,	Gramlich,	Manbeck,	Schaaf,
Backenstoe,	Gray,	Markley,	Schuster,
Blair,	Gremminger,	Marsh,	Seltzer,
Bonner,	Gross,	Maxwell,	Shelton,
Bossert,	Guesman,	May,	Sherman,
Bowman,	Guthrie,	McCandless,	Shupnik,
Branca,	Hamilton,	McCann,	Simmons,
Breth,	Hankins,	McCormack,	Slack,
Buchanan,	Hartley,	McDevitt,	Snare,
Bush,	Haudenshield,	McDonald,	Stank,
Capano,	Heavey,	McInroy,	Stimmel,
Capitolo,	Heffner,	McKeever,	Stiteler,
Cauley,	Helm,	McLaughlin,	Stone,
Cianfrani,	Henzel,	McNally,	Strausser,
Cioffi,	Hocker,	Meholchick,	Sullivan, J. A.,
Clarke,	Holliday,	Merry,	Sullivan, T. F.,
Comer,	Holman,	Mihm,	Taylor,
Cooley,	Horst,	Miller,	Thompson,
Crossin,	Irvis,	Mills,	Tomasck,
Davis,	Isaacs,	Morley,	Trusio,
Dengler,	Jenkins,	Mullen,	Ujobai,
Dennison,	Jim,	Munley,	Varner,
Donaldson,	Johnson, A. W.,	Murphy,	Verona,
Dougherty,	Johnson, R. P.,	Musto,	Wall,
Doughten,	Jones,	O'Dell,	Walsh,
Down,	Kamyk,	O'Donnell, J. A.,	Wargo,
Edwards,	Keiser,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kelly,	Ogilvie,	Welsh,
Elvey,	Kernaghan,	Parlante,	Wescott,
Eshleman,	Kessler,	Pashley,	Whittaker,
Ewing,	King,	Perry,	Willard,
Farabaugh,	Kistler,	Petrosky,	Willaredt,
Fetterolf,	Klein,	Polaski,	Williams, A. D.,
Filo,	Knecht,	Polen,	Williams, E. S.,
Fineman,	Kooker,	Prendergast,	Wilt,
Flynn,	Kornick,	Pursley,	Wood,
Foerster,	Korns,	Reibman,	Worley,
Foor,	Kramer,	Reidenbach,	Yetter,
Fox,	Lamb,	Renwick,	Zember,
Frascella,	Lawson,	Riley,	Zimmerman,
Fry,	Lee, A. M.,	Rovansek,	Andrews,
	Lee, K. B.,		Speaker

#### NAYS—0

#### NOT VOTING—16

Boies,	Ewing,	Monroe,	Piper,
Bower,	Farabaugh,	Murray,	Price,
Curwood,	Fineman,	Needham,	Steckel,
Eshback,	Leonard,	Odoorisio,	Tompkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.



Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 1010, entitled:

An Act amending the "Pennsylvania Public Lands Act" approved July 9, 1959 (P. L. 510), further providing for vacant or unappropriated, unimproved land and eliminating the approval of the Water and Resources Board in certain cases.

On the question,  
Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. CURWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Conservation.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 1029, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), extending provisions for special permits to certain disabled persons.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—195

Adams,	Galley,	Lee, A. M.,	Riley,
Anderson, J. H.	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gelfand,	Leonard,	Royer,
Arlene,	George,	Limper,	Rubin,
Auker,	Gibb,	Lippincott,	Rudisill,
Bachman	Gibbons,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, M. H.,	Lutty,	Scarcelli,
Bonner,	Goodrich,	Magee,	Schaaf,
Bossert,	Gramlich,	Manbeck,	Schuster,
Bower,	Gray,	Markley,	Seltzer,
Bowman,	Gremminger,	Marsh,	Sheiton,
Branca,	Gross,	Maxwell,	Sherman,
Breth,	Guesman,	May,	Shupnik,
Buchanan,	Guthrie,	McCandless,	Simmons,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McCormack,	Stank,
Capitolo,	Hartley,	McDevitt,	Stimmel,
Cauley,	Haudenshield,	McDonald	Stone,
Cianfrani,	Heavey,	McInroy,	Strausser,
Cioffi,	Heffner,	McKeever,	Sullivan, J. A.,
Clarke,	Helm,	McNally,	Sullivan, T. F.,
Comer,	Henzel,	Meholchick,	Taylor,
Cooley,	Hocker,	Merry,	Thompson,
Crossin,	Holliday,	Mihm,	Tomascik,
Curwood,	Holman,	Miller,	Tompkins,
Davis,	Horst,	Mills,	Trusio,
Dengler,	Irvis,	Monroe,	Ujohal,
Dennison,	Isaacs,	Morley,	Varnar,
Donaldson,	Jenkins,	Mullen,	Verona,
Dougherty,	Jim,	Munley,	Wall,
Doughten,	Johnson, A. W.,	Murphy,	Wall,
Down,	Johnson, R. P.,	Musto,	Williams, A. D.,
Edwards,	Jones,	O'Dell,	Williams, E. S.,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Wood,
Elvey,	Keiser,	O'Donnell, J. P.,	Worley,
Eshleman,	Kelly,	Ogilvie,	Yetter,
Ewing,	Kernaghan,	Parlante,	Zember,
Farabaugh,	Kessler,	Pashley,	Zimmerman,
Fetterolf,	King,	Perry,	
Filo,	Kistler,	Petrosky,	
Fineman,	Klein,	Piper,	
Flynn,	Knecht,	Polaski,	
Foerster,	Kooker,	Polen,	
Foor,	Kornick,	Prendergast,	
Fox,	Korns,	Pursley,	

Frascella,  
Fry,  
Fulmer,

Kramer,  
Lamb,  
Lawson,

Reibman,  
Reidenbach,  
Renwick,

Zimmerman,  
Andrews,  
Speaker

#### NAYS—2

Ashton,

Slack,

#### NOT VOTING—9

Boies,  
Eshback,  
McLaughlin,

Murray,  
Needham,

Odorisio,  
Price,

Steckel,  
Stiteler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 1045, entitled:

An Act amending the act of June 12, 1923 (P. L. 692) entitled as amended "An act fixing the salary of city commissioners of Philadelphia formerly known as county commissioners in counties of the first class" increasing annual salaries of city commissioners of Philadelphia.

And said bill having been read at length the third time, considered and agreed to,

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—149

Anderson, S. A.,	George,	Markley,	Rubin,
Arlene,	Gibb,	Marsh,	Rudisill,
Bachman	Gramlich,	Maxwell,	Sakulsky,
Blair,	Gray,	May,	Scarcelli,
Bonner,	Gremminger,	McCann,	Schaaf,
Bossert,	Guesman,	McCormack,	Schuster,
Bower,	Guthrie,	McDevitt,	Seltzer,
Bowman,	Hamilton,	McDonald	Shelton,
Branca,	Hankins,	McInroy,	Sherman,
Breth,	Hartley,	McKeever,	Shupnik,
Buchanan,	Haudenshield,	McLaughlin,	Simmons,
Bush,	Heavey,	Meholchick,	Snare,
Capano,	Helm,	Merry,	Stank,
Capitolo,	Holliday,	Mihm,	Stimmel,
Cauley,	Holman,	Mills,	Stone,
Cianfrani,	Irvis,	Monroe,	Strausser,
Cioffi,	Jenkins,	Morley,	Sullivan, J. A.,
Clarke,	Jim,	Mullen,	Sullivan, T. F.,
Comer,	Johnson, A. W.,	Munley,	Taylor,
Cooley,	Jones,	Murphy,	Wall,
Crossin,	Kamyk,	Musto,	Tomascik,
Curwood,	Kelly,	O'Dell,	Tompkins,
Davis,	Kessler,	O'Donnell, J. A.,	Trusio,
Dengler,	Kistler,	O'Donnell, J. P.,	Varnar,
Dennison,	Klein,	Parlante,	Verona,
Donaldson,	Knecht,	Pashley,	Wall,
Dougherty,	Kooker,	Perry,	Wargo,
Doughten,	Kornick,	Petrosky,	Welsh,
Down,	Kramer,	Piper,	Wescott,
Edwards,	Lawson,	Polaski,	Willard,
Eilberg,	Lee, A. M.,	Polen,	Williams, A. D.,
Elvey,	Lee, K. B.,	Prendergast,	Williams, E. S.,
Eshleman,	Limper,	Pursley,	Wood,
Ewing,	Long, Wm. Jas.,	Reibman,	Worley,
Farabaugh,	Long, Wm. Jos.,	Renwick,	Yetter,
Fetterolf,	Lutty,	Riley,	Zember,
Filo,	Magee,	Royer,	Zimmerman,
Fineman,			

#### NAYS—43

Adams,  
Anderson, J. H.  
Ashton,  
Auker,

Farabaugh,  
Fetterolf,  
Foor,  
Fox,

Horst,  
Isaacs,  
Johnson, R. P.,  
Keiser,

Ogilvie,  
Rovansek,  
Rutherford,  
Slack,

Backenstoe,	Gibbons,	Kernaghan,	Stiteler,
Bossert,	Goldstein, J. H.,	King,	Thompson,
Bowman,	Goldstein, M. H.,	Korns,	Ujobai,
Bush,	Goodrich,	Lippincott,	Weidner,
Davis,	Gross,	Manbeck,	Whittaker,
Dengler,	Henzel,	McCandless,	Wilt,
Eshleman,	Hocker,	Miller,	

## NOT VOTING—14

Boies,	Leonard,	Odorislo,	Steckel,
Eshback,	McNally,	Price,	Walsh,
Heffner,	Murray,	Reidenbach,	Andrews,
Lamb,	Needham,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1048, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the procedure for the revocation and suspension of licenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, I would like to have one of the sponsors explain this bill.

The SPEAKER pro tempore. The gentleman from McKean, Mr. Johnson, desires to interrogate one of the sponsors to explain the bill. The Chair will recognize the gentleman from Erie, Mr. Schaaf.

Mr. McCANN. Mr. Speaker, either Mr. Schaaf or Mr. Tomascik.

The SPEAKER pro tempore. Will the gentleman from Erie, Mr. Schaaf, permit himself to be interrogated?

Mr. SCHAAF. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. I believe the only change in the bill is on page 3, where you cross out the first "nor more than fifteen" days, is that correct?

Mr. SCHAAF. That is correct.

Mr. A. W. JOHNSON. What does that do now to the procedure for hearings in the event of a citation for violation of your liquor laws?

Mr. SCHAAF. As I understand it, Mr. Speaker, under existing law the hearing must be held not less than ten days following issuance of the citation nor more than fifteen days following issuance of the citation. This, I think, would enlarge the rights of the licensee because, while there is no change in the requirements that the hearing be held sooner than ten days, the board could give a longer period following issuance of the citation during which the hearing on the citation could be heard. It would give, I would think, the licensee a more adequate and fuller time to prepare his defense to the citation, if such he had.

Mr. A. W. JOHNSON. In other words, you cannot have a hearing sooner than ten days, but the hearing could be held into the future in practically an interminable period, depending on the whim of the liquor board and depending on who the licensee might be, for instance?

Mr. SCHAAF. Well, Mr. Speaker, I do not think that is the intention of the liquor board.

Mr. A. W. JOHNSON. But, Mr. Speaker, that could be the intention, could it not? Would the bill not be better if it fixed a time limit rather than making it unlimited, rather than taking out the 15-day limitation, that they say in 30 days or 35 days or 40 days?

Mr. SCHAAF. Mr. Speaker, I can conceive of cases where a much longer time than even 30 or 35 days following issuance of the citation would be necessary in order to compile records and information sufficient to make a defense to such a charge.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. Speaker, many of us on this side of the House feel that by removing the 15-day limitation it opens the door to possible chicanery—not that any would occur—but the present law is a pretty good safeguard that the hearings are held promptly and expeditiously, and I ask the members on this side to vote against the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—99

Anderson, S. A.,	Gray,	Maxwell,	Renwick,
Arlene,	Gremminger,	McCormack,	Riley,
Bachman	Guesman,	McDevitt,	Rovanske,
Boles,	Hamilton,	McDonald,	Rubin,
Bonner,	Hankins,	McKeever,	Rudisill,
Branca,	Hartley,	McLaughlin,	Sakulsky,
Capano,	Heavey,	McNally,	Scarselli,
Capitolo,	Irvis,	Meholchick,	Schaaf,
Cauley,	Isaacs,	Mihm,	Schuster,
Cianfrani,	Jenkins,	Mills,	Shelton,
Cioffi,	Jim,	Monroe,	Shupnik,
Clarke,	Jones,	Monley,	Stank,
Comer,	Kamyk,	Munley,	Stone,
Cooley,	Kelly,	Murphy,	Sullivan, J. A.,
Crossin,	King,	Musto,	Sullivan, T. F.,
Curwood,	Klein,	O'Donnell, J. A.,	Taylor,
Doughten,	Kornick,	O'Donnell, J. P.,	Tomascik,
Eilberg,	Kramer,	Parlante,	Trusio,
Farabaugh,	Lamb,	Pashley,	Verona,
Filo,	Lawson,	Perry,	Walsh,
Flynn,	Leonard,	Polaski,	Wargo,
Foerster,	Limper,	Polen,	Welsh,
Frascella,	Long, Wm. Jas.,	Prendergast,	Yetter,
Galley,	Long, Wm. Jos.,	Reibman,	Andrews,
Gallagher,	Lutty,	Reidenbach,	Speaker

## NAYS—100

Adams,	Fox,	Kessler,	Seltzer,
Anderson, J. H.	Fry,	Kistler,	Sherman,
Ashton,	Fulmer,	Knecht,	Simmons,
Auker,	Gelfand,	Kooker,	Slack,
Backenstoe,	George,	Korns,	Snare,
Blair,	Gibb,	Lee, A. M.,	Stimmel,
Bossert,	Gibbons,	Lee, K. B.,	Stiteler,
Bower,	Goldstein, J. H.,	Lippincott,	Strausser,
Bowman,	Goldstein, M. H.,	Magee,	Thompson,
Breth,	Goodrich,	Manbeck,	Tompkins,
Buchanan,	Gramlich,	Markley,	Ujobai,
Bush,	Gross,	Marsh,	Varner,
Davis,	Guthrie,	May,	Wall,
Dengler,	Haudenbield,	McCandless,	Weidner,
Dennison,	Heffner,	McCann,	Wescott,
Donaldson,	Helm,	McInroy,	Whittaker,
Dougherty,	Henzel,	Merry,	Willard,
Down,	Hocker,	Miller,	Willaredt,
Edwards,	Holliday,	O'Dell,	Williams, A. D.,
Elvey,	Holman,	Ogilvie,	Williams, E. S.,
Eshleman,	Horst,	Petrosky,	Wilt,
Ewing,	Johnson, A. W.,	Piper,	Wood,
Fetterolf,	Johnson, R. P.,	Pursley,	Worley,
Fineman,	Keiser,	Royce,	Zember,
For,	Kernaghan,	Rutherford,	Zimmerman,



## NOT VOTING—7

Eshback, Mullen,	Murray, Needham,	Odooriso, Price,	Steckel,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1049, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) exempting airport restaurants on State owned or operated airports from quota law.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. I wonder if the membership knows that this bill applies to Philipsburg and Harrisburg only.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—107

Anderson, S. A.,	Frascella,	Long, Wm. Jas.,	Prendergast,
Arlene,	Fry,	Long, Wm. Jos.,	Reibman,
Bachman	Fulmer,	Lutty,	Renwick,
Backenstoe,	Galley,	Marsh,	Riley,
Blair,	Gallagher,	Maxwell,	Rovansek,
Boles,	Geltand,	McCann,	Rubin,
Bonner,	Gibbons,	McCormack,	Rudisill,
Branca,	Gray,	McDevitt,	Sakulsky,
Capano,	Gremminger,	McDonald	Scarcelli,
Capitolo,	Guesman,	McKeever,	Schaaf,
Cauley,	Hamilton,	McLaughlin,	Schuster,
Cianfrani,	Hankins,	McNally,	Shelton,
Cioffi,	Hartley,	Meholchick,	Sherman,
Clarke,	Irviss,	Mihm,	Shupnik,
Comer,	Jenkins,	Mills,	Stank,
Cooley,	Jim,	Monroe,	Stimmel,
Crossin,	Jones,	Mo'ley,	Stone,
Dougherty,	Kamyk,	Munley,	Sullivan, J. A.,
Doughten,	Kelly,	Musto,	Sullivan, T. F.,
Eilberg,	Klein,	O'Dell,	Taylor,
Farabaugh,	Kornick,	O'Donnell, J. A.,	Tomascik,
Fetterolf,	Kramer,	O'Donnell, J. P.,	Trusio,
Filo,	Lamb,	Parlante,	Verona,
Fineman,	Lawson,	Pashley,	Walsh,
Flynn,	Leonard,	Perry,	Wargo,
Foerster,	Limper,	Petrosky,	Welsh,
	Lippincott,	Polaski,	Yetter,

## NAYS—87

Adams,	George,	King,	Simmons,
Ashton,	Gibb,	Kistler,	Slack,
Auker,	Goldstein, J. H.,	Knecht,	Snare,
Bossert,	Goldstein, M. H.,	Kooker,	Stiteler,
Bower,	Goodrich,	Korns,	Strausser,
Bowman,	Gross,	Lee, A. M.,	Thompson,
Breth,	Guthrie,	Lee, K. B.,	Tompkins,
Buchanan,	Haudenshield,	Magee,	Ujobal,
Bush,	Heavey,	Manbeck,	Varner,
Curwood,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	McInroy,	Wescott,
Dennison,	Hocker,	Merry,	Whittaker,
Donaldson,	Holliday,	Miller,	Willard,
Down,	Holman,	Murphy,	Willaredt,
Edwards,	Horst,	Ogilvie,	Williams, A. D.,
Elvey,	Isaacs,	Piper,	Williams, E. S.,
Eshleman,	Johnson, A. W.,	Polen,	Wilt,
Ewing,	Johnson, R. P.,	Pursley,	Wood,
Foor,	Keiser,	Royer,	Worley,
Fox,	Kernaghan,	Rutherford,	Zember,
	Kessler,	Seltzer,	Zimmerman,

## NOT VOTING—12

Anderson, J. H.	Markley,	Needham,	Reidenbach,
Eshback,	Mullen,	Odooriso,	Steckel,
Gramlich,	Murray,	Price,	Andrews,
			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1060, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) providing for the transportation of poultry in crates.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—138

Adams,	Fox,	Lee, A. M.,	Royer,
Anderson, J. H.	Fry,	Lee, K. B.,	Rubin,
Ashton,	Fulmer,	Leonard,	Rudisill,
Auker,	George,	Limper,	Rutherford,
Backenstoe,	Gibb,	Lippincott,	Sakulsky,
Blair,	Gibbons,	Long, Wm. Jas.,	Schaaf,
Bonner,	Goldstein, J. H.,	Long, Wm. Jos.,	Seltzer,
Bossert,	Goodrich,	Lutty,	Simmons,
Bower,	Gramlich,	Magee,	Slack,
Bowman,	Gray,	Manbeck,	Snare,
Breth,	Gross,	Markley,	Stank,
Buchanan,	Guthrie,	Marsh,	Stimmel,
Bush,	Hamilton,	McCann,	Stiteler,
Capano,	Haudenshield,	McCandless,	Strausser,
Cauley,	Heffner,	McCann,	Tompkins,
Cianfrani,	Henzel,	McCormack,	Ujobal,
Cioffi,	Hocker,	McInroy,	Verona,
Clarke,	Holliday,	McLaughlin,	Wall,
Cooley,	Holman,	McNally,	Walsh,
Crossin,	Horst,	Merry,	Wargo,
Davis,	Isaacs,	Mihm,	Weidner,
Dengler,	Jim,	Miller,	Wescott,
Dennison,	Johnson, A. W.,	Munley,	Whittaker,
Donaldson,	Johnson, R. P.,	O'Dell,	Willard,
Dougherty,	Kamyk,	Ogilvie,	Willaredt,
Down,	Keiser,	Perry,	Williams, E. S.,
Edwards,	Kernaghan,	Petrosky,	Wilt,
Eilberg,	Kessler,	Piper,	Wood,
Elvey,	King,	Polaski,	Worley,
Eshleman,	Kistler,	Polen,	Yetter,
Ewing,	Knecht,	Prendergast,	Zember,
Farabaugh,	Kooker,	Pursley,	Zimmerman,
Fetterolf,	Korns,	Reibman,	Andrews,
Flynn,	Kramer,	Renwick,	Speaker
Foor,	Lamb,	Rovansek,	

## NAYS—58

Anderson, S. A.,	Goldstein, M. H.,	McDevitt,	Scarcelli,
Arlene,	Gremminger,	McDonald	Schuster,
Bachman	Guesman,	McKeever,	Shelton,
Boles,	Hankins,	Meholchick,	Sherman,
Branca,	Hartley,	Monroe,	Shupnik,
Capitolo,	Heavey,	Morley,	Stone,
Comer,	Helm,	Murphy,	Sullivan, J. A.,
Curwood,	Irviss,	Musto,	Sullivan, T. F.,
Doughten,	Jenkins,	O'Donnell, J. A.,	Taylor,
Filo,	Jones,	O'Donnell, J. P.,	Thompson,
Fineman,	Kelly,	Parlante,	Tomascik,
Foerster,	Klein,	Pashley,	Varner,
Frascella,	Kornick,	Riley,	Welsh,
Gallagher,	Lawson,		Williams, A. D.,
Geifand,	Maxwell,		

## NOT VOTING—10

Eshback, Galley, Mullen,	Murray, Needham, Odorisio,	Price, Reidenbach,	Steckel, Trusio,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded at the third reading and consideration of House bill No. 1086, entitled:

An Act amending the "Public Assistance Act" approved June 24, 1937 (P. L. 2051) making editorial changes removing certain functions vested in the State Board of Public Assistance providing for work relief projects and the establishment of county boards and their powers and duties and further providing for the disposition of federal contributions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Adams, Anderson, J. H. Anderson, S. A., Arler, Ashton, Auker, Backman Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Fulmer, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Hefner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Munley, Murphy, Musto, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, King, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schuster, Seitzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—10

Eshback, Galley, May,	Mullen, Murray, Needham,	Odorisio, Price,	Steckel, Trusio,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1091, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) requiring auditors to elect a chairman and a secretary.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Eshleman, Ewing, Fetterolf, Filo, Flynn, Foerster, Foor, Fox, Frascella, Lawson,	Fry, Fulmer, Galley, Gallagher, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Hefner, Helm, Henzel, Hocker, Holliday, Holman, Hols, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Lee, A. M., Lee, K. B., Leonard, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Dell, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Riley, Rovansek,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schuster, Seitzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—7

Fineman, Gelfand,	Gross, Horst,	O'Donnell, J. A., Schaa,	Yetter,
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## NOT VOTING—13

Elvey, Eshback, Farabaugh, Goldstein, M. H.,	Limper, Long, Wm. Jas., Murray,	Needham, O'Donnell, J. P., Odorisio,	Price, Renwick, Steckel,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House bill No. 1098, printer's No. 1215,

House bill No. 1099, printer's No. 1216,

House bill No. 1100, printer's No. 1217 and

House bill No. 1101, printer's No. 1218

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1102, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) requiring all mutual insurance companies other than mutual life insurance companies to maintain a surplus over all liabilities.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—172

Anderson, J. H.	Gallagher,	Limper,	Riley,
Arlene,	Gelfand,	Lippincott,	Rovansek,
Ashton,	George,	Long, Wm. Jas.,	Royer,
Auker,	Gibb,	Long, Wm. Jos.,	Rubin,
Bachman,	Gibbons,	Magee,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Blair,	Goldstein, M. H.,	Markley,	Scarcelli,
Boles,	Gramlich,	Marsh,	Schuster,
Bonner,	Gray,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Guesman,	McCann,	Shupnik,
Branca,	Guthrie,	McCormack,	Simmons,
Breth,	Hamilton,	McDevitt,	Slack,
Bush,	Hankins,	McDonald,	Snare,
Capano,	Hartley,	McInroy,	Stank,
Capitolo,	Haudenshield,	McKeever,	Stimmel,
Cauley,	Heavey,	McLaughlin,	Stone,
Cianfrani,	Heffner,	McNally,	Strausser,
Cioffi,	Helm,	Meholchick,	Sullivan, J. A.,
Clarke,	Henzel,	Merry,	Sullivan, T. F.,
Comer,	Holliday,	Mihm,	Taylor,
Crossin,	Holman,	Miller,	Thompson,
Curwood,	Irviss,	Mills,	Tomasick,
Davis,	Isaacs,	Monroe,	Tompkins,
Dengler,	Jenkins,	Morley,	Trusio,
Dennison,	Jim,	Mullen,	Ujobai,
Donaldson,	Johnson, A. W.,	Munley,	Varner,
Dougherty,	Johnson, R. P.,	Murphy,	Verona,
Doughten,	Jones,	O'Dell,	Walsh,
Down,	Kamyk,	O'Donnell, J. P.,	Wargo,
Ellberg,	Kelly,	Ogilvie,	Weidner,
Eshleman,	Kernaghan,	Parlante,	Welsh,
Ewing,	Kessler,	Pashley,	Whittaker,
Farabaugh,	Klein,	Perry,	Willard,
Fetterolf,	Knecht,	Petrosky,	Willaredt,
Fineman,	Kooker,	Piper,	Williams, E. S.,
Flynn,	Kornick,	Polaski,	Wilt,
Foerster,	Korns,	Wood,	Worley,
For,	Kramer,	Prendergast,	

Fox,  
Fry,  
Fulmer,  
Galley,

Lamb,  
Lawson,  
Lee, A. M.,  
Lee, K. B.,

Pursley,  
Reibman,  
Reidenbach,  
Renwick,

Yetter,  
Zember,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—19

Adams,  
Bossert,  
Buchanan,  
Edwards,  
Elvey,

Goodrich,  
Gross,  
Hocker,  
Horst,  
Kelser,

King,  
Kistler,  
McCandless,  
O'Donnell, J. A.,  
Schaaf,

Stiteler,  
Wall,  
Wescott,  
Williams, A. D.,

## NOT VOTING—15

Anderson, S. A.  
Cooley,  
Eshback,  
Filo,

Frascella,  
Leonard,  
Lutty,  
Murray,

Musto,  
Needham,  
Odorisio,  
Price,

Rudisill,  
Seltzer,  
Steckel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House bill No. 1105, printer's No. 1222 and

House bill No. 1106, printer's No. 1236

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1124, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) changing the limitation on appropriations which may be made for agricultural extension work.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—155

Adams,	Fry,	Kornick,	Pursley,
Anderson, J. H.	Fulmer,	Kramer,	Reibman,
Anderson, S. A.,	Galley,	Lawson,	Renwick,
Arlene,	Gallagher,	Lee, A. M.,	Rovansek,
Ashton,	Gelfand,	Lee, K. B.,	Royer,
Backenstoe,	George,	Leonard,	Rubin,
Bonner,	Gibb,	Limper,	Rudisill,
Bower,	Gibbons,	Lippincott,	Sakulsky,
Bowman,	Goldstein, J. H.,	Long, Wm. Jas.,	Scarcelli,
Branca,	Goldstein, M. H.,	Lutty,	Schaaf,
Breth,	Goodrich,	Markley,	Shelton,
Buchanan,	Gramlich,	Marsh,	Shupnik,
Bush,	Gray,	Maxwell,	Snare,
Capano,	Guesman,	May,	Stank,
Capitolo,	Guthrie,	McCann,	Stimmel,
Cauley,	Hamilton,	McCormack,	Stiteler,
Cianfrani,	Hankins,	McDevitt,	Strausser,
Cioffi,	Haudenshield,	McDonald,	Sullivan, T. F.,
Clarke,	Heavey,	McInroy,	Taylor,
Comer,	Heffner,	McLaughlin,	Thompson,
Cooley,	Helm,	McNally,	Trusio,
Crossin,	Henzel,	Meholchick,	Ujobai,
Curwood,	Holliday,	Merry,	Varner,
Dengler,	Holman,	Mihm,	Verona,
Dennison,	Horst,	Mills,	Wall,
Donaldson,	Isaacs,	Monroe,	Walsh,
Dougherty,	Jenkins,	Morley,	Wargo,
Doughten,	Jim,	Mullen,	Wescott,
Down,	Johnson, A. W.,	Munley,	Whittaker,
Edwards,	Johnson, R. P.,	Musto,	Willard,

Eilberg,	Jones,	O'Donnell, J. P.,	Willaredt,
Elvey,	Kamyk,	Parlante,	Williams, A. D.,
Eshleman,	Kelser,	Pashley,	Wilt,
Ewing,	Kelly,	Perry,	Wood,
Farabaugh,	Kernaghan,	Petrosky,	Worley,
Fetterolf,	Kessler,	Piper,	Yetter,
Fineman,	Kistler,	Polaski,	Zember,
Flynn,	Knecht,	Polen,	Zimmerman,
Frascella,	Kooker,	Prendergast,	

## NAYS—41

Auker,	Gremminger,	Manbeck,	Sherman,
Bachman	Gross,	McCandless,	Simmons,
Blair,	Hartley,	McKeever,	Slack,
Boles,	Hocker,	Murphy,	Stone,
Bossert,	Irvis,	O'Dell,	Tomasclck,
Davis,	King,	O'Donnell, J. A.,	Tompkins,
Filo,	Klein,	Ogilvie,	Weldner,
Foerster,	Korns,	Reidenbach,	Welsh,
Foor,	Long, Wm. Jos.,	Riley,	Williams, E. S.,
Fox,	Magee,	Rutherford,	Andrews,
		Schuster,	Speaker

## NOT VOTING—10

Eshback,	Murray,	Price,	Steckel,
Lamb,	Needham,	Seitzer,	Sullivan, J. A.,
Miller,	Odorisio,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1125, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) increasing the limitations on appropriations which may be made for agricultural extension work.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—153

Adams,	Fry,	Kooker,	Reidenbach,
Anderson, J. E.	Fulmer,	Kornick,	Renwick,
Anderson, S. A.,	Galley,	Kramer,	Riley,
Arlene,	Gallagher,	Lawson,	Rovansek,
Ashton,	Gelfand,	Lee, A. M.,	Royer,
Backenstoe,	George,	Lee, K. B.,	Rubin,
Bonner,	Gibb,	Leonard,	Rudisill,
Bower,	Gibbons,	Limper,	Rutherford,
Bowman,	Goldstein, J. H.,	Lippincott,	Sakulsky,
Branca,	Goldstein, M. H.,	Long, Wm. Jas.,	Scarcelli,
Breth,	Goodrich,	Long, Wm. Jos.,	Schaaf,
Buchanan,	Gray,	Lutty,	Shelton,
Bush,	Gremminger,	Markley,	Simmons,
Capano,	Guesman,	Marsh,	Snare,
Capitolo,	Guthrie,	Maxwell,	Stank,
Cauley,	Hamilton,	May,	Stimmel,
Cianfrani,	Hankins,	McCann,	Stiteler,
Cioffi,	Hartley,	McCormack,	Strausser,
Clarke,	Haudenschild,	McDevitt,	Taylor,
Comer,	Heavey,	McDonald,	Thompson,
Cooley,	Heffner,	McInroy,	Tomasclck,
Crossin,	Helm,	McLaughlin,	Trusto,
Dengler,	Henzel,	McNally,	Varnier,
Dennison,	Holliday,	Merry,	Verona,
Donaldson,	Holman,	Mihm,	Wall,
Dougherty,	Horst,	Mills,	Walsh,
Doughten,	Isaacs,	Monroe,	Wescott,
Down,	Jim,	Morley,	Whittaker,
Edwards,	Johnson, A. W.,	Mullen,	Willard,
Eilberg,	Johnson, R. P.,	Parlante,	Willaredt,

Elvey,	Jones,	Perry,	Williams, A. D.,
Eshleman,	Kamyk,	Petrosky,	Williams, E. S.,
Ewing,	Kelser,	Piper,	Wilt,
Farabaugh,	Kelly,	Polaski,	Wood,
Fetterolf,	Kernaghan,	Polen,	Worley,
Fineman,	Kessler,	Prendergast,	Yetter,
Flynn,	Kistler,	Pursley,	Zember,
Fox,	Knecht,	Reibman,	Zimmerman,
Frascella,			

## NAYS—43

Auker,	Gross,	Meholchick,	Shupnik,
Bachman	Hocker,	Munley,	Slack,
Blair,	Irvis,	Murphy,	Stone,
Boles,	Jenkins,	Musto,	Sullivan, T. F.,
Bossert,	King,	O'Dell,	Tompkins,
Curwood,	Klein,	O'Donnell, J. A.,	Ujobai,
Davis,	Korns,	O'Donnell, J. P.,	Wargo,
Filo,	Magee,	Ogilvie,	Weldner,
Foerster,	Manbeck,	Pashley,	Welsh,
Foor,	McCandless,	Schuster,	Andrews,
Gramlich,	McKeever,	Sherman,	Speaker

## NOT VOTING—10

Eshback,	Murray,	Price,	Steckel,
Lamb,	Needham,	Seltzer,	Sullivan, J. A.,
Miller,	Odorisio,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, we have four bills dealing with a piece of land. Could we take those bills in order on one roll call and carry it right through? Is there any objection? I refer to House bills 1130, 1131, 1135 and 1137, skipping 1136 at the request of the gentleman from Somerset County.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1130, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to lease under certain conditions real property now under the jurisdiction of the Department of Public Welfare and located at the Dixmont State Hospital Allegheny County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams,	Galley,	Lee, K. B.,	Riley,
Anderson, J. H.	Gallagher,	Leonard,	Rovansek,
Anderson, S. A.,	Gelfand,	Limper,	Royer,
Arlene,	George,	Lippincott,	Rubin,
Ashton,	Gibb,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bachman	Goldstein, J. H.,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schaaf,
Boles,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Gremminger,	Maxwell,	Sherman,
Bower,	Gross,	May,	Shupnik,
Bowman,	Guesman,	McCandless,	Simmons,
Branca,	Guthrie,	McCann,	Slack,
Breth,	Hamilton,	McCormack,	Snare,
Buchanan,	Hankins,	McDevitt,	Stank,
Bush,	Hartley,	McDonald,	Stimmel,



Capano,	Haudenshield,	McInroy,	Stiteler,
Capitolo,	Heavey,	McKeever,	Stone,
Cauley,	Heffner,	McLaughlin,	Strausser.
Cianfrani,	Helm,	McNally,	Sullivan, J. A.,
Cioffi,	Henzel,	Meholchick,	Sullivan, T. F.,
Clarke,	Hocker,	Merry,	Taylor,
Comer,	Holliday,	Mihm,	Thompson,
Crossin,	Holman,	Miller,	Tomascik,
Curwood,	Horst,	Mills,	Tompkins,
Davis,	Irviss,	Monroe,	Trusio,
Dengler,	Isaacs,	Morley,	Ujobal,
Dennison,	Jenkins,	Mullen,	Varnier,
Donaldson,	Jim,	Munley,	Verona,
Dougherty,	Johnson, A. W.,	Murphy,	Wall,
Doughten,	Johnson, R. P.,	Musto,	Wargo,
Down,	Jones,	O'Dell,	Weidner,
Edwards,	Kamyk,	O'Donnell, J. A.,	Welsh,
Eilberg,	Keiser,	O'Donnell, J. P.,	Wescott,
Elvey,	Kelly,	Ogilvie,	Whittaker,
Eshleman,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Pashley,	Willardt,
Farabaugh,	King,	Perry,	Williams, A. D.,
Fetterolf,	Kistler,	Petrosky,	Williams, E. S.,
Filo,	Klein,	Piper,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	Kooker,	Polen,	Worley,
Foerster,	Kornick,	Prendergast,	Yetter,
Foor,	Korns,	Pursley,	Zember,
Fox,	Kramer,	Reibman,	Zimmerman,
Frascella,	Lamb,	Reidenbach,	Andrews,
Fry,	Lawson,	Renwick,	Speaker
Fulmer,	Lee, A. M.,		

## NAYS—0

## NOT VOTING—9

Cooley,	Murray,	Odorisio,	Seltzer,
Eshback,	Needham,	Price,	Steckel,
			Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. Without objection the Chair will take the same roll call on the next three bills, except for those who might want to change their vote. House bill 1131, printer's No. 1263.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1131, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 98.918 acres more or less of land situate in Kilbuck Township, Allegheny County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams,	Galley,	Lee, K. B.,	Riley,
Anderson, J. H.	Gallagher,	Leonard,	Rovansek,
Anderson, S. A.,	Gelfand,	Limper,	Royer,
Arlene,	George,	Lippincott,	Rubin,
Ashton,	Gibb,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goldstein, J. H.,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schuster,
Boies,	Gramlich,	Markley,	Shelton,
Bonner,	Gray,	Marsh,	Sherman,
Bossert,	Gremminger,	Maxwell,	

Bower,	Gross,	May,	Shupnik,
Bowman,	Guesman,	McCandless,	Simmons,
Branca,	Guthrie,	McCann,	Slack,
Breth,	Hamilton,	McCormack,	Snare,
Buchanan,	Hankins,	McDevitt,	Stank,
Bush,	Hartley,	McDonald,	Stimmel,
Capano,	Haudenshield,	McInroy,	Stiteler,
Capitolo,	Heavey,	McKeever,	Stone,
Cauley,	Heffner,	McLaughlin,	Strausser,
Cianfrani,	Helm,	McNally,	Sullivan, J. A.,
Cioffi,	Henzel,	Meholchick,	Sullivan, T. F.,
Clarke,	Hocker,	Merry,	Taylor,
Comer,	Holliday,	Mihm,	Thompson,
Crossin,	Holman,	Miller,	Tomascik,
Curwood,	Horst,	Mills,	Tompkins,
Davis,	Irviss,	Monroe,	Trusio,
Dengler,	Isaacs,	Morley,	Ujobal,
Dennison,	Jenkins,	Mullen,	Varnier,
Donaldson,	Jim,	Munley,	Verona,
Dougherty,	Johnson, A. W.,	Murphy,	Wall,
Doughten,	Johnson, R. P.,	Musto,	Wargo,
Down,	Jones,	O'Dell,	Weidner,
Edwards,	Kamyk,	O'Donnell, J. A.,	Welsh,
Eilberg,	Keiser,	O'Donnell, J. P.,	Wescott,
Elvey,	Kelly,	Ogilvie,	Whittaker,
Eshleman,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Pashley,	Willardt,
Farabaugh,	King,	Perry,	Williams, A. D.,
Fetterolf,	Kistler,	Petrosky,	Williams, E. S.,
Filo,	Klein,	Piper,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	Kooker,	Polen,	Worley,
Foerster,	Kornick,	Prendergast,	Yetter,
Foor,	Korns,	Pursley,	Zember,
Fox,	Kramer,	Reibman,	Zimmerman,
Frascella,	Lamb,	Reidenbach,	Andrews,
Fry,	Lawson,	Renwick,	Speaker
Fulmer,	Lee, A. M.,		

## NAYS—0

## NOT VOTING—9

Cooley,	Needham,	Price,	Steckel,
Eshback,	Odorisio,	Seltzer,	Walsh,
Murray,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1135, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey land situate in the borough of Polk, Venango County, Pennsylvania with the approval of the Governor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams,	Galley,	Lee, K. B.,	Riley,
Anderson, J. H.	Gallagher,	Leonard,	Rovansek,
Anderson, S. A.,	Gelfand,	Limper,	Royer,
Arlene,	George,	Lippincott,	Rubin,
Ashton,	Gibb,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goldstein, J. H.,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schuster,
Boies,	Gramlich,	Markley,	Shelton,
Bonner,	Gray,	Marsh,	Sherman,
Bossert,	Gremminger,	Maxwell,	Shupnik,
Bower,	Gross,	May,	

Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Dennison, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick,	Simmons, Slack, Snare, Stank, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—9

Cooley, Eshback, Murray,	Needham, Odorisio,	Price, Seltzer,	Steckel, Walsh,
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The majority required by the Constition having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House bill No. 1136, printer's No. 1268 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1137, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Public Welfare to sell and convey certain lots or tract of ground with improvements thereon in Mill-creek Township, Erie County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams, Anderson, J. H. Anderson, S. A., Arlene,	Galley, Gallagher, Gelfand, George,	Lee, K. B., Leonard, Limper, Lippincott,	Riley, Rovanseck, Royer, Rubin,
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Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick,	Rudisill, Rutherford, Sakulsky, Scarpelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—9

Cooley, Eshback, Murray,	Needham, Odorisio,	Price, Seltzer,	Steckel, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1144, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) providing for the appointment of additional clerks at polling places in counties of the third class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton,	Fulmer, Gallagher, Gelfand, Gibb, Gibbons,	Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos.,	Riley, Rovanseck, Royer, Rubin, Rudisill,
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Auker, Bachman Backenstoe, Blair, Boies, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Hefner, Helm, Henzel, Hocker, Holliday, Holman, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick,	Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Williams, A. D., Williams, E. S., Wood, Worley, Yetter, Zember, Andrews, Speaker
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## NAYS—3

Fineman,	Galley,	Wilt,
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## NOT VOTING—10

Eshback, George, Horst,	Murray, Needham, Odoriso,	Price, Steckel,	Trusio, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1154, entitled:

An Act transferring inheritance tax commissions of the Register of Wills of Philadelphia County to the Department of Revenue.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Schaaf,
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Backenstoe, Blair, Boies, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Hefner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley,	Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—5

Cianfrani, Davis,	Goldstein, M. H., Korns,	Wilt,
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## NOT VOTING—8

Kornick, Leonard,	Murray, Needham,	Odoriso, Price,	Scarcelli, Steckel,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

## STATEMENT BY SPEAKER

Mr. ANDREWS. A number of years ago, quite a good many years ago, a small group of members of this House, the gentleman from Armstrong, Mrs. Helm, the gentleman from McKean, Mr. Johnson, the gentleman from Allegheny, Mr. Mihm, the gentleman from Greene, Mr. McCann, the gentleman from Washington, Mr. Polen, the gentleman from Northumberland, Mr. Bower, and the gentleman from Lancaster, Mr. Wood, committed themselves to the accomplishment of a program. That program included the remodeling of this chamber, part of which has been done; the installation of an electric roll call, which has been done; better retirement provisions for the members of this House, which today, as far as the House is concerned, has been done; adequate compensation for the members of this House, which, as far as the members of this House are concerned, has been done; adequate space and proper recognition of our committees, a project upon which we are working. When we have activated the committee on space allocation, the program outlined will have been completed.

So far as your Speaker is concerned, he can say, let your servant depart in peace.

### BIRTHDAY

The SPEAKER pro tempore. The Chair has also been informed that we are celebrating today the birthday of a very prominent member of the minority side of the House, the gentleman from Montgomery, Mr. Fetterolf. Today is his natal day and we will recognize the music master of the House.

Dr. DENGLER. Mr. Speaker, let's all sing "Happy Birthday, dear Morton."

The SPEAKER pro tempore. The Chair extends happy birthday wishes to the gentleman and recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, members of the House, thank you very much. I want to bring to your attention the fact that today is the fifth time that I have celebrated my 35th birthday here in the House. I have become one year older than my compatriot from Montgomery, the Honorable Evelyn Henzel. Thank you very much.

### BILLS ON THIRD READING

#### BILLS PASSED OVER

There being no objection

House bill No. 1167, printer's no 1314  
House bill No. 1169, printer's No. 1316  
House bill No. 1173, printer's No. 1320  
House bill No. 1179, printer's No. 1326  
House bill No. 1184, printer's No. 1331  
House bill No. 1191, printer's No. 1355  
Senate bill No. 79, printer's No. 543, and  
Senate bill No. 104, printer's No. 483

were passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 138, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" validating certain actions of boroughs heretofore taken with respect to the appointment of policemen.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—186

Adams,	Fry,	Leonard,	Rovansek,
Anderson, J. H.	Fulmer,	Limper,	Royer,
Anderson, S. A.,	Galley,	Lippincott,	Rubin,
Arlene,	Gallagher,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gelfand,	Long, Wm. Jos.,	Rutherford,
Auker,	George,	Lutty,	Scarcelli,
Bachman	Gibb,	Magee,	Schaaf,
Backenstoe,	Gibbons,	Manbeck,	Schuster,
Blair,	Goldstein, J. H.,	Marsh,	Seltzer,
Boies,	Goldstein, M. H.,	Maxwell,	Shelton,
Bonner,	Goodrich,	May,	Sherman,
Bossert,	Gramlich,	McCandless,	Shupnik,
Bower,	Gray,	McCann,	Simmons,
Bowman,	Gremminger,	McCormack,	Slack,
Branca,	Guesman,	McDevitt,	Snare,
Buchanan,	Guthrie,	McDonald,	Stank,
Bush,	Hamilton,	McInroy,	Stimmel,

Capano,	Hankins,	McKeever,	Stiteler,
Cauley,	Hartley,	McLaughlin,	Stone,
Cianfrani,	Heavey,	McNally,	Strausser,
Cloffi,	Heffner,	Meholchick,	Sullivan, J. A.,
Clarke,	Helm,	Merry,	Sullivan, T. F.,
Comer,	Henzel,	Mihm,	Taylor,
Cooley,	Hocker,	Miller,	Thompson,
Crossin,	Holliday,	Mills,	Tomascek,
Curwood,	Holman,	Monroe,	Ujobal,
Davis,	Irviss,	Morley,	Varner,
Dengler,	Jenkins,	Mullen,	Verona,
Dennison,	Jim,	Munley,	Wall,
Donaldson,	Johnson, A. W.,	Murphy,	Walsh,
Dougherty,	Johnson, R. P.,	Musto,	Wargo,
Doughten,	Jones,	O'Dell,	Welsh,
Down,	Kamyk,	O'Donnell, J. A.,	Wescott,
Edwards,	Kelser,	O'Donnell, J. P.,	Whittaker,
Ellberg,	Kernaghan,	Ogilvie,	Willard,
Elvey,	Kessler,	Parlante,	Willaredt,
Eshleman,	King,	Pashley,	Williams, A. D.,
Ewing,	Kistler,	Perry,	Williams, E. S.,
Farabaugh,	Klein,	Petrosky,	Wilt,
Fetterolf,	Knecht,	Piper,	Wood,
Filo,	Kooker,	Polaski,	Worley,
Fineman,	Kornick,	Polen,	Yetter,
Flynn,	Korns,	Pursley,	Zember,
Foerster,	Kramer,	Reibman,	Zimmerman,
Foor,	Lawson,	Reidenbach,	Andrews,
Fox,	Lee, A. M.,	Renwick,	Speaker
Frascella,	Lee, K. B.,	Riley,	

#### NAYS—0

#### NOT VOTING—20

Breth,	Horst,	Murray,	Sakulsky,
Capitolo,	Isaacs,	Needham,	Steckel,
Eshback,	Kelly,	Odorisio,	Tompkins,
Gross,	Lamb,	Prendergast,	Trusio,
Haudenschild,	Markley,	Price,	Weidner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 139, entitled:

An Act amending the act of June 15, 1951 (P. L. 586) entitled "An act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" validating certain actions of townships and boroughs heretofore taken with respect to the appointment of policemen.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—192

Adams,	Frascella,	Lawson,	Royer,
Anderson, J. H.	Fry,	Lee, A. M.,	Rubin,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Rudisill,
Arlene,	Galley,	Leonard,	Rutherford,
Ashton,	Gallagher,	Limper,	Sakulsky,
Auker,	Gelfand,	Lippincott,	Scarcelli,
Bachman	Gibb,	Long, Wm. Jas.,	Schaaf,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Schuster,
Blair,	Goldstein, J. H.,	Lutty,	Seltzer,
Boies,	Goldstein, M. H.,	Magee,	Shelton,
Bonner,	Goodrich,	Manbeck,	Sherman,
Bossert,	Gramlich,	Maxwell,	Shupnik,
Bower,	Gray,	McCandless,	Simmons,



Bowman,	Gremminger,	McCann,	Slack,
Branca,	Guesman,	McCormack,	Snare,
Breth,	Guthrie,	McDevitt,	Stank,
Buchanan,	Hamilton,	McDonald,	Stimmel,
Bush,	Hankins,	McKeever,	Stiteler,
Capano,	Hartley,	McLaughlin,	Stone,
Cauley,	Haudenshield,	McNally,	Strausser,
Cianfrani,	Heavy,	Meholchick,	Sullivan, J. A.,
Cloffi,	Heffner,	Merry,	Sullivan, T. F.,
Clarke,	Helm,	Mihm,	Taylor,
Comer,	Henzel,	Miller,	Thompson,
Cooley,	Hocker,	Mills,	Tomascik,
Crossin,	Holliday,	Monroe,	Tompkins,
Curwood,	Holman,	Morley,	Truslo,
Davis,	Irvis,	Mullen,	Ujobai,
Dengler,	Isaacs,	Munley,	Varnier,
Dennison,	Jenkins,	Murphy,	Verona,
Donaldson,	Jim,	Musto,	Wall,
Dougherty,	Johnson, A. W.,	O'Dell,	Walsh,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Down,	Jones,	O'Donnell, J. P.,	Weldner,
Edwards,	Kamyk,	Ogilvie,	Welsh,
Ellberg,	Keiser,	Parlante,	Wescott,
Elvey,	Kelly,	Pashley,	Whittaker,
Eshback,	Kernaghan,	Perry,	Willard,
Eshleman,	Kessler,	Petrosky,	Willaredt,
Ewing,	King,	Piper,	Williams, A. D.,
Farabaugh,	Kistler,	Polaski,	Williams, E. S.,
Fetterolf,	Klein,	Polen,	Wilt,
Filo,	Knecht,	Prendergast,	Wood,
Fineman,	Kooker,	Pursley,	Worley,
Flynn,	Kornick,	Reidenbach,	Yetter,
Foerster,	Korns,	Renwick,	Zember,
Foor,	Kramer,	Riley,	Zimmerman,
Fox,	Lamb,	Rovansek,	Andrews,

## NAYS—0

## NOT VOTING—14

Capitolo,	Markley,	Murray,	Price,
George,	Marsh,	Needham,	Reibman,
Gross,	May,	Odorisio,	Steckel,
Horst,	McInroy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 174, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the time within which copies of budget ordinances shall be filed in the office of the Department of Internal Affairs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Adams,	Frascella,	Lee, K. B.,	Rubin,
Anderson, J. H.,	Fry,	Leonard,	Rudisill,
Anderson, S. A.,	Fulmer,	Limper,	Rutherford,
Arlene,	Galley,	Lippincott,	Sakulsky,
Ashton,	Gallagher,	Long, Wm. Jas.,	Scarcelli,
Auker,	Gelfand,	Long, Wm. Jos.,	Schaaf,
Bachman,	George,	Lutty,	Schuster,
Backenstoe,	Gibb,	Magee,	Seltzer,
Blair,	Gibbons,	Manbeck,	Shelton,
Boles,	Goldstein, J. H.,	Marsh,	Sherman,
Bonner,	Goodrich,	Maxwell,	Shupnik,
Bossert,	Gray,	May,	Simmons,
Bower,	Gremminger,	McCandless,	Slack,
Bowman,	Guesman,	McCormack,	Snare,

Branca,	Guthrie,	McDevitt,	Stank,
Breth,	Hamilton,	McDonald,	Stimmel,
Buchanan,	Hankins,	McInroy,	Stiteler,
Bush,	Hartley,	McKeever,	Stone,
Capano,	Haudenshield,	McLaughlin,	Strausser,
Capitolo,	Heavy,	McNally,	Sullivan, J. A.,
Cauley,	Heffner,	Merry,	Sullivan, T. F.,
Cloffi,	Helm,	Mihm,	Taylor,
Clarke,	Henzel,	Miller,	Thompson,
Comer,	Hocker,	Mills,	Tomascik,
Cooley,	Holliday,	Monroe,	Tompkins,
Crossin,	Holman,	Morley,	Truslo,
Curwood,	Irvis,	Mullen,	Ujobai,
Davis,	Isaacs,	Munley,	Varnier,
Dengler,	Jenkins,	Murphy,	Verona,
Dennison,	Johnson, A. W.,	Musto,	Wall,
Donaldson,	Johnson, R. P.,	O'Dell,	Walsh,
Dougherty,	Jones,	O'Donnell, J. A.,	Wargo,
Doughten,	Kamyk,	Ogilvie,	Weldner,
Down,	Keiser,	Parlante,	Welsh,
Edwards,	Kelly,	Pashley,	Wescott,
Ellberg,	Kernaghan,	Perry,	Whittaker,
Elvey,	Kessler,	Petrosky,	Willard,
Eshback,	King,	Piper,	Willaredt,
Eshleman,	Kistler,	Polaski,	Williams, A. D.,
Ewing,	Klein,	Polen,	Williams, E. S.,
Farabaugh,	Knecht,	Prendergast,	Wilt,
Fetterolf,	Kooker,	Pursley,	Wood,
Filo,	Kornick,	Reibman,	Worley,
Fineman,	Korns,	Reidenbach,	Yetter,
Flynn,	Kramer,	Renwick,	Zember,
Foerster,	Lamb,	Riley,	Zimmerman,
Foor,	Lawson,	Rovansek,	Andrews,
Fox,	Lee, A. M.,	Royer,	Speaker

## NAYS—0

## NOT VOTING—15

Cianfrani,	Horst,	Meholchick,	Odorisio,
Goldstein, M. H.,	Jim,	Murray,	Price,
Gramlich,	Markley,	Needham,	Steckel,
Gross,	McCann,	O'Donnell, J. P.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 185, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for a vice-president of council and specifying certain duties of the president and vice-president of Council.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams,	Frascella,	Lee, A. M.,	Royer,
Anderson, J. H.,	Fry,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Fulmer,	Leonard,	Rudisill,
Arlene,	Galley,	Limper,	Rutherford,
Ashton,	Gallagher,	Lippincott,	Sakulsky,
Auker,	Gelfand,	Long, Wm. Jas.,	Scarcelli,
Bachman,	George,	Long, Wm. Jos.,	Schaaf,
Backenstoe,	Gibb,	Lutty,	Schuster,
Blair,	Gibbons,	Magee,	Seltzer,
Boles,	Goldstein, J. H.,	Manbeck,	Shelton,
Bonner,	Goodrich,	Marsh,	Sherman,
Bossert,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	May,	Simmons,
Bowman,	Gray,	McCandless,	Slack,

Branca,	Gremminger,	McCann,	Snare,
Breth,	Guesman,	McCormack,	Stank,
Buchanan,	Guthrie,	McDevitt,	Stimmel,
Bush,	Hamilton,	McDonald,	Stiteler,
Capano,	Hankins,	McInroy,	Stone,
Capitolo,	Hartley,	McKeever,	Strausser,
Caulley,	Haudenshield,	McLaughlin,	Sullivan, J. A.,
Cianfrani,	Heavey,	McNally,	Sullivan, T. F.,
Cioffi,	Heffner,	Merry,	Taylor,
Clarke,	Helm,	Mihm,	Thompson,
Comer,	Henzel,	Miller,	Tomasck,
Cooley,	Hocker,	Mills,	Tompkins,
Crossin,	Holman,	Monroe,	Trusio,
Curwood,	Irvs,	Morley,	Ujobai,
Davis,	Isaacs,	Mullen,	Varner,
Dengler,	Jenkins,	Munley,	Verona,
Dennison,	Jim,	Murphy,	Wall,
Donaldson,	Johnson, A. W.,	Musto,	Walsh,
Dougherty,	Johnson, R. P.,	O'Dell,	Wargo,
Doughten,	Jones,	O'Donnell, J. A.,	Weidner,
Down,	Kamyk,	Ogilvie,	Welsh,
Edwards,	Keiser,	Parlante,	Wescott,
Ellberg,	Kelly,	Pashley,	Whittaker,
Elvey,	Kernaghan,	Perry,	Willard,
Eshback,	Kessler,	Petrosky,	Willaredt,
Eshleman,	King,	Piper,	Williams, A. D.,
Ewing,	Kistler,	Polaski,	Williams, E. S.,
Farabaugh,	Klein,	Polen,	Wilt,
Fetterolf,	Knecht,	Prendergast,	Wood,
Filo,	Kooker,	Pursley,	Worley,
Fineman,	Kornick,	Reibman,	Yetter,
Flynn,	Korns,	Reidenbach,	Zemmer,
Foerster,	Kramer,	Renwick,	Zimmerman,
Foor,	Lamb,	Riley,	Andrews,
Fox,	Lawson,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—11

Gross,	Markley,	Needham,	Price,
Holliday,	Meholchick,	O'Donnell, J. P.,	Steckel,
Horst,	Murray,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 188, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" changing provisions relating to election of city charter commissioners.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Adams,	Frascella,	Lawson,	Royer,
Anderson, J. H.,	Fry,	Lee, A. M.,	Rubin,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Rudisill,
Arlene,	Galley,	Lippincott,	Rutherford,
Ashton,	Gallagher,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Gelfand,	Long, Wm. Jos.,	Scarcelll,
Backenstoe,	Gibb,	Lutty,	Schaaf,
Blair,	Gibbons,	Magee,	Schuster,
Boles,	Goldstein, J. H.,	Manbeck,	Seltzer,
Bonner,	Goodrich,	Markley,	Shelton,
Bossert,	Gramlich,	Marsh,	Sherman,
Bower,	Gray,	Maxwell,	Shupnik,
Bowman,	Gremminger,	May,	Simmons,
Branca,	Guesman,	McCandless,	Slack,
Breth,	Guthrie,	McCann,	Snare,

Buchanan,	Hamilton,	McCormack,	Stank,
Bush,	Hankins,	McDevitt,	Stimmel,
Capano,	Hartley,	McDonald,	Stiteler,
Capitolo,	Haudenshield,	McInroy,	Stone,
Caulley,	Heavey,	McKeever,	Strausser,
Cianfrani,	Heffner,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Helm,	McNally,	Sullivan, T. F.,
Clarke,	Henzel,	Meholchick,	Taylor,
Comer,	Hocker,	Merry,	Thompson,
Crossin,	Holman,	Mihm,	Tomasck,
Curwood,	Horst,	Mills,	Tompkins,
Davis,	Irvs,	Monroe,	Trusio,
Dengler,	Isaacs,	Morley,	Ujobai,
Dennison,	Jenkins,	Mullen,	Varner,
Donaldson,	Jim,	Munley,	Verona,
Dougherty,	Johnson, A. W.,	Murphy,	Wall,
Doughten,	Johnson, R. P.,	Musto,	Walsh,
Down,	Jones,	O'Dell,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. A.,	Weidner,
Ellberg,	Keiser,	Ogilvie,	Welsh,
Elvey,	Kelly,	Parlante,	Wescott,
Eshback,	Kernaghan,	Pashley,	Willard,
Eshleman,	Kessler,	Perry,	Willaredt,
Ewing,	King,	Petrosky,	Williams, A. D.,
Farabaugh,	Kistler,	Piper,	Williams, E. S.,
Fetterolf,	Klein,	Polaski,	Wilt,
Filo,	Knecht,	Polen,	Wood,
Fineman,	Kooker,	Prendergast,	Worley,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Korns,	Reibman,	Zemmer,
Foor,	Kramer,	Reidenbach,	Zimmerman,
Fox,	Lamb,	Riley,	Andrews,
		Rovansek,	Speaker

## NAYS—3

Auker,	Holliday,	Miller,
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## NOT VOTING—14

Cooley,	Leonard,	O'Donnell, J. P.,	Renwick,
George,	Limper,	Odorisio,	Steckel,
Goldstein, M. H.,	Murray,	Price,	Whittaker,
Gross,	Needham,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 189, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" permitting council to appeal from findings of the Civil Service Commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—192

Adams,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Galley,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Lippincott,	Rudisill,
Ashton,	George,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibbons,	Lutty,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Magee,	Schuster,
Blair,	Goodrich,	Manbeck,	Seltzer,
Boles,	Gramlich,	Markley,	Shelton,
Bonner,	Gray,	Marsh,	Sherman,
Bossert,	Gremminger,	Maxwell,	Shupnik,
Bower,	Guesman,	May,	Simmons,
Bowman,	Guthrie,	McCandless,	Slack,
Branca,	Hamilton,	McCann,	Snare,
Breth,	Hankins,	McDevitt,	Stank,



Buchanan,	Hartley,	McDonald	Stimmel,
Bush,	Haudenshield,	McInroy,	Stiteler,
Capano,	Heavey,	McKeever,	Stone,
Capitolo,	Heffner,	McLaughlin,	Strausser,
Cauley,	Helm,	McNally,	Sullivan, J. A.,
Cianfrani,	Henzel,	Meholchick,	Sullivan, T. F.,
Cioffi,	Hocker,	Merry,	Taylor,
Clarke,	Hollday,	Mihm,	Thompson,
Comer,	Holman,	Miller,	Tomascik,
Cooley,	Horst,	Mills,	Tompkins,
Crossin,	Irviss,	Monroe,	Trusio,
Curwood,	Jenkins,	Morley,	Ujobal,
Davis,	Jim,	Mullen,	Varnier,
Dengler,	Johnson, A. W.,	Munley,	Verona,
Dennison,	Johnson, R. P.,	Murphy,	Wall,
Donaldson,	Jones,	Musto,	Walsh,
Dougherty,	Kamyk,	O'Dell,	Wargo,
Doughten,	Keiser,	O'Donnell, J. A.,	Weidner,
Down,	Kelly,	O'Donnell, J. P.,	Welsh,
Edwards,	Kernaghan,	Ogilvie,	Wescott,
Ellberg,	Kessler,	Parlante,	Whittaker,
Elvey,	King,	Pashley,	Willard,
Eshleman,	Kistler,	Perry,	Willaredt,
Ewing,	Klein,	Petrosky,	Williams, A. D.,
Farabaugh,	Knecht,	Piper,	Williams, E. S.,
Fetterolf,	Kooker,	Polaski,	Wilt,
Fineman,	Kornick,	Polen,	Wood,
Flynn,	Korns,	Prendergast,	Worley,
Foor,	Kramer,	Pursley,	Yetter,
Fox,	Lamb,	Reibman,	Zemmer,
Frascella,	Lawson,	Reidenbach,	Zimmerman,
Fry,	Lee, A. M.,	Riley,	Andrews,
			Speaker

## NAYS—2

Eshback, Isaacs,

## NOT VOTING—12

Filo,	Gross,	Needham,	Renwick,
Foerster,	McCormack,	Odorisio,	Scarcelll,
Goldstein, M. H.,	Murray,	Price,	Steckel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 292, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" extending the hours for hunting woodchucks to include the month of June.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMENDED

Mr. CURWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Conservation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 314, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" permitting unnaturalized foreign-born residents to possess or control dogs.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate Mr. Curwood or somebody familiar with this bill.

The SPEAKER pro tempore. Will the gentleman from Luzerne, Mr. Curwood, permit himself to be interrogated?

Mr. CURWOOD. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, this bill provides that they strike out the right of a foreign-born person to own dogs, is that right?

Mr. CURWOOD. That is right.

Mr. TOMPKINS. That leaves a meaning in the bill then that all shotguns, rifles, pistols, and firearms found in the possession or under control of an unnaturalized, foreign-born resident shall, upon conviction, and so forth, be forfeited to the Commonwealth. My inquiry is, how do we square this bill against one previously passed by this House granting hunting licenses to non-residents of the United States?

Mr. CURWOOD. Mr. Speaker, what do you mean, how do you square it with that bill?

Mr. TOMPKINS. I didn't hear the answer, I'm sorry.

Mr. CURWOOD. Mr. Speaker, this bill, I am not going back on any other bill, but this bill gives the foreigner a chance to have a dog and own a dog and can run a dog and hunt with a dog. That is all this bill does.

Mr. TOMPKINS. The copy of the bill I have has brackets around "dog," which means a strike-out, an elimination, in printer's No. 331.

Mr. CURWOOD. That is right. All this does is strike the dogs out.

Mr. TOMPKINS. But it still leaves as a part of the law the fact that unnaturalized, foreign-born residents must forfeit, dare not possess, firearms.

Mr. CURWOOD. Mr. Speaker, the last bill struck out that they dare not to have firearms, and they did not dare to have dogs before but now they dare.

Mr. TOMPKINS. I do not think the gentleman understands. How can we pass a law authorizing a person to hunt, which gives them the right to possess a firearm, then we turn around here and re-enact a bill forbidding them to do so?

Mr. BRETH. Mr. Speaker, may I ask the gentleman from Luzerne to yield while I explain the bill?

Mr. CURWOOD. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Luzerne, Mr. Curwood, yields to the gentleman from Clearfield, Mr. Breth, for the purpose of answering the interrogation.

Mr. BRETH. Mr. Speaker, would the gentleman from Cameron permit me to say a few words, or does he want to ask questions. He asked for clarification on the bill.

Mr. TOMPKINS. That is right. That is what I am asking for, Mr. Speaker.

Mr. BRETH. Mr. Speaker, back in 1957 the game code was amended in Section 1002 which permitted aliens to own dogs. However, that bill failed to amend Sections 1003, 1004, and 1005, and to be consistent and avoid confusion, Senate bill 314 now, by eliminating dogs from Section 1005, will make the game law consistent with the amendment passed in 1957 amending 1002. There is nothing to it.

Mr. TOMPKINS. I agree with the gentleman in connection with the particular amendment to this bill. I merely

raise the inconsistency of legislation to pass a bill of this kind after we have previously passed a bill authorizing aliens to possess firearms.

Mr. BRETH. Will you thank the gentleman for me, Mr. Speaker?

Mr. LAMB. Mr. Speaker, I think the inconsistency can be answered this way. This bill applies to foreign-born residents, whereas the bill we passed a few weeks ago did not apply to residents. It only allowed people who were in the country for a short time on visits the right to go hunting. I think that is the answer for the gentleman.

Mr. WILLARD. Mr. Speaker, Mr. Lamb, the gentleman from Allegheny County, brought out the point that I wanted to get across to Mr. Tompkins and exactly as I saw the bill.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—198

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Galley,	Leonard,	Royer,
Arlene,	Gallagher,	Limper,	Rubin,
Ashton,	Gelfand,	Lippincott,	Rudisill,
Auker,	Gibb,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcell,
Blair,	Goldstein, M. H.,	Magee,	Schaaf,
Boles,	Goodrich,	Manbeck,	Schuster,
Bonner,	Gramlich,	Markley,	Seltzer,
Bossert,	Gray,	Marsh,	Shelton,
Bower,	Gremminger,	Maxwell,	Sherman,
Bowman,	Gross,	May,	Shupnik,
Branca,	Guesman,	McCandless,	Simmons,
Breth,	Guthrie,	McCann,	Slack,
Buchanan,	Hamilton,	McCormack,	Snare,
Bush,	Hankins,	McDevitt,	Stank,
Capano,	Hartley,	McDonald,	Stimmel,
Capitolo,	Haudenshield,	McInroy,	Stiteler,
Cauley,	Heavey,	McKeever,	Stone,
Cianfrani,	Hefner,	McLaughlin,	Strausser,
Cioffi,	Helm,	McNally,	Sullivan, J. A.,
Clarke,	Henzel,	Meholchick,	Sullivan, T. F.,
Comer,	Hocker,	Merry,	Taylor,
Cooley,	Holliday,	Mihm,	Thompson,
Crossin,	Holman,	Miller,	Tomascik,
Curwood,	Horst,	Mills,	Tompkins,
Davis,	Irvis,	Monroe,	Ujobai,
Dengler,	Isaacs,	Morley,	Varnier,
Dennison,	Jenkins,	Mullen,	Verona,
Donaldson,	Jim,	Munley,	Wall,
Dougherty,	Johnson, A. W.,	Murphy,	Wargo,
Doughten,	Johnson, R. P.,	Musto,	Weidner,
Down,	Jones,	O'Dell,	Welsh,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wescott,
Ellberg,	Keiser,	O'Donnell, J. P.,	Whittaker,
Elvey,	Kelly,	Ogilvie,	Willard,
Eshback,	Kernaghan,	Parlante,	Willaredt,
Eshleman,	Kessler,	Pashley,	Williams, A. D.,
Ewing,	King,	Perry,	Williams, E. S.,
Farabaugh,	Kistler,	Petrosky,	Wilt,
Fetterolf,	Klein,	Piper,	Wood,
Filo,	Knecht,	Polaski,	Worley,
Fineman,	Kooker,	Polen,	Yetter,
Flynn,	Kornick,	Prendergast,	Zember,
Foerster,	Korns,	Pursley,	Zimmerman,
Foor,	Kramer,	Reibman,	Andrews,
Fox,	Lamb,	Reidenbach,	Speaker
Frascella,	Lawson,	Renwick,	

## NAYS—0

## NOT VOTING—8

George,	Needham,	Price,	Trusio,
Murray,	Odorisio,	Steckel,	Walsh,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 372, entitled

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" changing provisions relating to shooting restrictions on regulated grounds.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. CURWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Conservation.

The motion was agreed to.

The SPEAKER pro tempore. The Chair recognizes the majority leader, Mr. McCANN.

Mr. McCANN. Mr. Speaker, we have a total, I believe, of four bills before we go to the concurrences. On page 4, bills on final passage, House bill 141, printer's No. 1431, was caucused on by both caucuses about two weeks ago.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 141, entitled:

An Act amending the act of September 29, 1951 (P. L. 1645) entitled "An act authorizing the orphans' courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings \* \* \*" extending the provisions of the act to the recorder of deeds the clerk of courts and the prothonotary and imposing duties on the court of common pleas.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Galley,	Leonard,	Royer,
Arlene,	Gallagher,	Limper,	Rubin,
Ashton,	Gelfand,	Lippincott,	Rudisill,
Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcell,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Marsh,	Seltzer,
Bossert,	Gray,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Gross,	McCandless,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Stimmel,
Capitolo,	Haudenshield,	McKeever,	Stiteler,
Cauley,	Heavey,	McLaughlin,	Stone,
Cianfrani,	Hefner,	McNally,	Strausser,
Cioffi,	Helm,	Meholchick,	Sullivan, J. A.,
Clarke,	Henzel,	Merry,	Sullivan, T. F.,
Comer,	Hocker,	Mihm,	Taylor,



Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Holliday, Holman, Horst, Irvls, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Korns, Kramer, Lamb, Lawson,	Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Deli, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick,	Thompson, Tompkins, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Curwood, Eshback, George,	Jenkins, Kornick, Long, Wm. Jas.,	Murray, Needham, Odoristo,	Price, Steckel, Tomascik, Trusio,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 31, entitled:

An Act authorizing the licensing of public weighmasters defining their powers and duties providing for the collection and disposition of license fees and imposing penalties for violations.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—127

Adams, Anderson, S. A., Arlene, Auker, Bachman, Boies, Bonner, Bower, Bowman, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Ellberg, Elvey, Eshback, Farabaugh, Filo, Fineman, Flynn, Foerster, Frascella,	Fry, Gailey, Gallagher, Gelfand, Gramlich, Gray, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Heffner, Holliday, Holman, Irvls, Jenkins, Jim, Jones, Kamyk, Kelly, Kessler, Kistler, Klein, Knecht, Kooker, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Marsh, Maxwell, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Mihm, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast,	Reibman, Reidenbach, Riley, Rovanssek, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Verona, Wargo, Weidner, Welsh, Williams, A. D., Williams, E. S., Wilt, Yetter, Zember, Andrews, Speaker
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## NAYS—71

Anderson, J. H., Ashton, Backenstoe, Blair, Bossert, Buchanan, Bush, Davis, Dengler, Dennison, Donaldson, Down, Edwards, Eshleman, Ewing, Fetterolf, Foor, Fox,	Fulmer, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gross, Guthrie, Haudenschild, Helm, Henzel, Hocker, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Keiser, Kernaghan,	King, Korns, Lippincott, Magee, Manbeck, Markley, May, McCandless, McInroy, Merry, Miller, O'Deli, Ogilvie, Pursley, Renwick, Royer, Rutherford, Simmons,	Slack, Snare, Stimmel, Stiteler, Strausser, Thompson, Tompkins, Ujobal, Varner, Wall, Wescott, Whittaker, Willard, Willaredt, Wood, Worley, Zimmerman,
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## NOT VOTING—8

George, Kornick,	Murray, Needham,	Odoristo, Price,	Steckel, Trusio,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 934, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for a vote of the majority of electors to enlarge or form union districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—117

Anderson, S. A., Arlene, Bachman, Boies, Bonner, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Donaldson, Dougherty, Doughten, Ellberg, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Frascella, Fry, Gailey,	Gallagher, Gelfand, Gibb, Gibbons, Goldstein, M. H., Gray, Gremminger, Guesman, Hankins, Hartley, Heavey, Henzel, Irvls, Jenkins, Jim, Johnson, R. P., Jones, Kamyk, Kelly, King, Klein, Knecht, Korns, Kramer, Lamb, Lawson, Lee, A. M., Leonard, Limper, Long, Wm. Jas.,	Long, Wm. Jos., Lutty, Magee, Manbeck, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, Meholchick, Merry, Mihm, Mills, Monroe, Morley, Mullen, Munley, Musto, O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen,	Prendergast, Reibman, Reidenbach, Renwick, Riley, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Snare, Stiteler, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Verona, Wargo, Welsh, Willard, Williams, E. S., Wilt, Yetter, Andrews, Speaker
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## NAYS—79

Adams,	Farabaugh,	Kessler,	Slack,
Anderson, J. H.	Fox,	Kistler,	Stank,
Ashton,	Fulmer,	Kooker,	Stimmel,
Auker,	Goldstein, J. H.,	Lee, K. B.,	Stone,
Backenstoe,	Goodrich,	Lippincott,	Strausser,
Blair,	Gramlich,	Markley,	Thompson,
Bossert,	Gross,	May,	Tompkins,
Bower,	Guthrie,	McInroy,	Ujobal,
Bowman,	Hamilton,	McNally,	Varner,
Buchanan,	Haudenschild,	Miller,	Wall,
Bush,	Heffner,	Murphy,	Weidner,
Davis,	Helm,	O'Dell,	Wescott,
Dengler,	Hocker,	O'Donnell, J. A.,	Whittaker,
Dennison,	Holliday,	Ogilvie,	Willaredt,
Down,	Holman,	Piper,	Williams, A. D.,
Edwards,	Horst,	Pursley,	Wood,
Elvey,	Isaacs,	Rovanseck,	Worley,
Eshback,	Johnson, A. W.,	Royer,	Zember,
Eshleman,	Kelser,	Rutherford,	Zimmerman,
Ewing,	Kernaghan,	Simmons,	

## NOT VOTING—10

George,	Needham,	Rubin,	Trusio,
Kornick,	Odorisio,	Steckel,	Walsh,
Murray,	Price,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 388.

An Act amending the act of May 29, 1945 (P. L. 1134), entitled "An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia, the Commonwealth of Virginia and the District of Columbia to authorize the Governor of the State to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylvania and their terms of office and providing an appropriation" providing for the appointment of alternate members and conferring additional powers upon the commission.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments. The clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by inserting after the word and number "Section 1," the word and number "Section 1"; Section 2, page 16, line 4, by striking out after the word and number "Section 2" the words "This Act" and inserting in lieu thereof the words and figures "The Act of May 29, 1945 (P. L. 1134)"; Section 3, page

16, line 19, by striking out after the word "section" the numerals "1.1" and inserting in lieu thereof the numeral "2".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams,	Fulmer,	Leonard,	Royer,
Anderson, J. H.,	Galley,	Limper,	Rubin,
Anderson, S. A.,	Gallagher,	Lippincott,	Rudisill,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Auker,	Gibbons,	Lutty,	Scarcell,
Bachman,	Goldstein, J. H.,	Magee,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Schuster,
Blair,	Goodrich,	Markley,	Seltzer,
Boles,	Gramlich,	Marsh,	Shelton,
Bonner,	Gray,	Maxwell,	Sherman,
Bossert,	Gremminger,	May,	Shupnik,
Bower,	Gross,	McCandless,	Simmons,
Bowman,	Guesman,	McCann,	Slack,
Branca,	Guthrie,	McDevitt,	Snare,
Breth,	Hamilton,	McDonald,	Stank,
Buchanan,	Hankins,	McInroy,	Stimmel,
Bush,	Hartley,	McKeever,	Stiteler,
Capano,	Haudenschild,	McLaughlin,	Stone,
Capitolo,	Heavey,	McNally,	Strausser,
Cauley,	Heffner,	Meholchick,	Sullivan, J. A.,
Cianfrani,	Helm,	Merry,	Sullivan, T. F.,
Cioffi,	Henzel,	Mihm,	Taylor,
Clarke,	Hocker,	Miller,	Thompson,
Comer,	Holliday,	Mills,	Tomasick,
Cooley,	Holman,	Monroe,	Tompkins,
Crossin,	Horst,	Morley,	Trusio,
Curwood,	Irvls,	Mullen,	Ujobal,
Davis,	Isaacs,	Munley,	Varner,
Dengler,	Jenkins,	Murphy,	Verona,
Dennison,	Jim,	Musto,	Wall,
Donaldson,	Johnson, A. W.,	O'Dell,	Walsh,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Doughten,	Jones,	O'Donnell, J. P.,	Weidner,
Down,	Kamyk,	Ogilvie,	Welsh,
Edwards,	Kelser,	Parlante,	Wescott,
Ellberg,	Kelly,	Pashley,	Whittaker,
Elvey,	Kernaghan,	Perry,	Willard,
Eshback,	Kessler,	Petrosky,	Willaredt,
Eshleman,	King,	Piper,	Williams, A. D.,
Ewing,	Kistler,	Polaski,	Williams, E. S.,
Farabaugh,	Klein,	Polen,	Wilt,
Fetterolf,	Knecht,	Prendergast,	Wood,
Filo,	Kooker,	Pursley,	Worley,
Fineman,	Korns,	Reibman,	Yetter,
Flynn,	Kramer,	Reidenbach,	Zember,
Foor,	Lamb,	Renwick,	Zimmerman,
Fox,	Lawson,	Riley,	Andrews,
Frascella,	Lee, A. M.,	Rovanseck,	Speaker
Fry,	Lee, K. B.,		

## NAYS—0

## NOT VOTING—9

Foerster,	McCormack,	Needham,	Price,
George,	Murray,	Odorisio,	Steckel,
Kornick,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

## ANNOUNCEMENTS

Mr. McCANN. There will be a caucus from 1 until 2 o'clock, promptly tomorrow. Then we will be on the floor from 2 to 6. There will be a caucus and I ask everyone to come to the caucus promptly at 1 o'clock because committee announcements will be made of committee meet-



ings that will be held the following morning.

Mr. A. W. JOHNSON. Mr. Speaker, since we only covered from pages 16 on today and there are pages 1 to 16 on the calendar, I do not know how many bills there are, and so that we can cover a lot of ground in the Republican Caucus, I would like our members to start arriving about 12:45 so at promptly 1 o'clock we can get started and have a full hour for our caucus.

Mr. McCANN. Mr. Speaker, I will ask that no committee meetings be announced for after 12 o'clock tomorrow so that the entire membership will have an opportunity to be at the caucus.

The SPEAKER pro tempore. The Chair will call that to the attention of the secretary when he makes the committee announcements.

The SPEAKER pro tempore. The Chair would like to advise the members that we are going to make committee announcements very shortly. It is important that the members hear these committee announcements.

### REPORTS FROM COMMITTEE

Mr. TRUSIO from the Committee on Liquor Control, reported as committed, House bill No. 1036, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance and transfer of malt and brewed beverage licenses.

Mr. GELFAND from the Committee on Appropriations, reported as committed, House bill No. 1113, entitled:

An Act making an appropriation to the Department of Commerce for defraying the expenses of the Commonwealth as host to the 1962 National Governor's Conference.

Mr. McNALLY from the Committee on Counties, reported as committed, House bill No. 1290, entitled:

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017), regulating taxation for institution district purposes.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1036, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance and transfer of malt and brewed beverage licenses.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1113, entitled:

An Act making an appropriation to the Department of Commerce for defraying the expenses of the Commonwealth as host to the 1962 National Governors' Conference.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1290, entitled:

An Act amending the "County Institution District Law,"

approved June 24, 1937 (P. L. 2017), regulating taxation for institution district purposes.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Resolution returned for concurrence No. 16.

### COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, chairman, Room 131-E, Wednesday, April 19, at 11 a.m.

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Wednesday, April 19, at 11 a.m.

CITIES—COUNTIES FIRST CLASS, Mr. Dougherty, chairman, Room 521, Wednesday, April 19, at 11:30 a.m.

CITIES—COUNTIES SECOND CLASS and SECOND CLASS A, Mr. Luty, chairman, Room 121-A, Wednesday, April 19, at 10 a.m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Wednesday, April 19, at 10:30 a.m.

LABOR RELATIONS, Mr. Wargo, chairman, Room 131-G, Wednesday, April 19, at 11:30 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Wednesday, April 19, at 11 a.m.

### RECONSIDERATION OF VOTE ON HOUSE BILL NO. 203

Mr. FARABAUGH. Mr. Speaker, I move that the vote by which House bill No. 203, printer's No. 1339, entitled:

"An Act amending 'The Administrative Code of 1929,' approved April 9, 1929 (P. L. 177) establishing the State Auctioneer's Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on the commission."

was defeated on Final Passage Wednesday, April 12, 1961, be reconsidered.

Mr. McNALLY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Cambria, Mr. Farabaugh vote on the final passage of this bill?

Mr. FARABAUGH. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Cambria, Mr. McNally vote on the final passage of this bill?

Mr. McNALLY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

### BILL POSTPONED

Mr. FARABAUGH. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 413, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes \*\*\*" providing for and regulating appeals from valuations and assessments of real property the first year any county makes a complete reassessment of real property in conjunction with a permanent system of records.

On the question,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, last three lines of Title, by striking out "and imposing cer-" in third from last line and last two lines of title.

Amend Sec. 2, page 4, lines 12 to 19; page 5, lines 1 to 14 by striking out all of said lines.

Amend Sec. 3, page 5, line 15, by striking out "3" and inserting 2.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 454, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) waiving the requirement of competitive bidding for contracts and leases for mining or removal of minerals under State forest land when the Commonwealth owns only a fractional interest in such minerals.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, next to last line of Title, by inserting after "of" oil, natural gas, and other.

Amend Sec. 1 (Sec. 1802), page 4, line 8, by inserting after "the" oil, natural gas, and other.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 695, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing a residence requirement for officers teachers and employees of school districts of the first class.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. J. P. O'DONNELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

## BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I move that all other bills on today's calendar not acted on be passed over in order.

The SPEAKER pro tempore. Without objection, all remaining bills on today's calendar, which have not been acted upon will be passed over. The Chair hears no objection.

## REPORT FROM COMMITTEE

Mr. KELLY from the Committee on Motor Vehicles, reported as committed, Senate bill No. 77, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" imposing duties on the secretary relating to lights on certain vehicles tractors and machinery making it illegal to operate them during certain hours and providing penalties.

## BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 77, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" imposing duties on the secretary relating to lights on certain vehicles tractors and machinery making it illegal to operate them during certain hours and providing penalties.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 976, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing the minimum requirements for retirement of firemen and permitting the city to determine when a fireman is to retire.

## RECONSIDERATION OF VOTE

Mr. McNALLY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FARABAUGH. Mr. Speaker, I second the motion.

The motion was agreed to.



On the question recurring,

Will the House agree to the bill on third reading?

Mr. McNALLY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, third to sixth lines of Title, by striking out "changing the minimum require-" in third line and all of fourth to sixth lines of Title, and inserting changing provisions relating to the retirement of firemen

Amend Sec. 1 (Sec. 4321), page 2, lines 5 to 8, by striking out "[twenty-" in line 5, all of lines 6 and 7 "TION OF THE CITY be retired [or elect to be retired]" in line 8, and inserting twenty-five years and a minimum age not less than fifty-five years after which members of the department may [be retired or] elect to be retired

Amend Sec. 1 (Sec. 4321), page 2, line 9, by inserting after "duty" or members may be retired at the discretion of the city at age fifty after twenty years of continuous service

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 308, entitled:

An Act amending the act of July 25, 1917 (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" further providing for the paying of premiums imposing powers and duties on the Secretary of Agriculture further determining what associations are to receive money from the Commonwealth and deleting certain war time and obsolete provisions.

On the question,

Will the House agree to the bill on third reading?

Mr. FARABAUGH asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 14, by inserting after "determined" to be eligible for premiums

Amend Sec. 1 (Sec. 1), page 2, lines 14 and 15, by striking out "to be eligible for premiums" and inserting whose determination shall be made after considering the premium list prepared by the State Farm Products Show Commission

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. A. W. JOHNSON. Mr. Speaker, we will not object to these amendments if they do not kill the bill, as we have suggested, but I will object to these amendments going in. This bill will have to be amended further, I believe, as far as our caucus is concerned.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### HOUSE BILL No. 388.

An Act amending the act of May 29, 1945 (P. L. 1134) entitled "An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia, the Commonwealth of Virginia, and the District of Columbia; to authorize the Governor of the State to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylvania and their terms of office; and providing an appropriation" providing for the appointment of alternate members and conferring additional powers upon the Commission.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 19, 1961, at 2 p. m.

The motion was agreed to, and (at 5:58 p. m., e. s. t.) the House adjourned.





# Legislative Journal.

Session 1961.

145th of the General Assembly.

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HARRISBURG, PA., WEDNESDAY, APRIL 19, 1961.

No. 39.

## SENATE

WEDNESDAY, APRIL 19, 1961.

The Senate met at 9:30 a.m., Eastern Standard Time.

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

## PRAYER

The following prayer was offered by the gentleman from Potter, Mr. BERGER:

Let us pray.

Give us Thy grace, our Father, that we may reach out helping hands of love and service to those who walk life's way with us.

In the name of the compassionate Christ, we pray. Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and HAYS, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to **HB 388**.

### SENATE BILLS RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 31** and **188**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bills, as amended, will be placed on the Calendar.

### HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 138**, **139**, **174**, **185**, **189** and **314**, with the information that the House has passed the same without amendments.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 141**, **979**, **994** and **995**, which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 681**, **682**, **683**, **715**, **716**, **1045**, **1091**, **1124**, **1125**, **1154**, **1200** and **1252**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 934**, **1005** and **1006**, which were referred to the Committee on Education.

He also presented for concurrence **HB 983**, which was referred to the Committee on Appropriations.

He also presented for concurrence **HB 992**, **1007**, **1130**, **1131**, **1135** and **1137**, which were referred to the Committee on State Government.

He also presented for concurrence **HB 1029**, which was referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 1049**, which was referred to the Committee on Law and Order.

He also presented for concurrence **HB 1060**, which was referred to the Committee on Agriculture.

He also presented for concurrence **HB 1086**, which was referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1102**, which was referred to the Committee on Insurance.

He also presented for concurrence **HB 1144**, which was referred to the Committee on Elections.

## REPORT FROM COMMITTEE

Mr. HAYS, from the Committee on Education, reported, as committed, **HB 568**.

## REPORT OF SENATE COMMITTEE TO INVESTIGATE ALLEGED ELECTION IRREGULARITIES

Mr. SCOTT. Mr. President, during the 1960 Session of the General Assembly, a bipartisan committee of this Senate was appointed to investigate certain alleged election irregularities in the city of Philadelphia.

This committee has made that investigation and is now prepared to present its report to the Senate of Pennsylvania.

I realize, Mr. President, that there has been some criticism on the delay in presenting this report to the Senate. However, I would like to point out to the Members of the Senate, and to the citizens of Pennsylvania at large, that this Senate Committee has operated under very difficult handicaps.

First of all, during the course of its investigation last fall, the committee was retarded in carrying out this investigation by certain court proceedings. Those court proceedings delayed for a few months the conduct of the investigation, and resulted in a legal case going all the

way to the Supreme Court of Pennsylvania before the issue was decided.

I would also like to point out, Mr. President, that this committee has been handicapped because of the lack of staff of any nature whatsoever, and that the committee has had to do the work completely by itself.

I want to assure the Members of the Senate, and the citizens of Pennsylvania, that there has been absolutely no stalling in the preparation and the presentation of this report. This has been a very hard Session of the Legislature. We all have been working on many, many problems. It has been a time consuming Session of the General Assembly. This is the first possible opportunity this committee has had to make this report.

I would further like to point out to our colleagues in the Senate of Pennsylvania, Mr. President, the very fine spirit of cooperation which was given to me as Chairman of this Committee by all of the members of this very fine Investigating Committee. I particularly want to commend Senator Fleming and Senator Van Sant, on this side of the aisle, and Senator Mahady and Senator Lane, on the other side of the aisle, for the bipartisan spirit with which they entered into this investigation, the way we conducted the investigation, and the spirit entered into in actually writing the report.

Therefore, Mr. President, I would like at this time to present the notes of transcript of the hearings that were conducted by this committee and also the Report of the Investigating Committee.

I would like to say, Mr. President, that there are a number of recommendations in this report, and those recommendations will be followed by actual legislation to be introduced to the Senate of Pennsylvania the beginning of next week. I have copies of the Committee's Report for all of the Members of the Senate.

The PRESIDING OFFICER. The report of the committee will be noted in the Journal and printed in the Appendix thereto.

### INTERROGATION

Mr. HAYS. Mr. President, under the order of business of Committee Reports, I would like to interrogate the Majority Whip.

The PRESIDING OFFICER. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. HAYS. Senator Lane, yesterday what I considered a rather important resolution was introduced on the floor of this Senate and referred to the Rules Committee. Since the Majority Leader, I note, is not present at this particular time, I wonder if you could inform the Senate whether the Rules Committee has acted on this resolution.

Mr. LANE. In reply to the gentleman's question, Mr. President, the committee has not met and has not acted on the resolution, although we anticipate action on it next week.

Mr. HAYS. Thank you, Senator Lane.

Mr. President, may I have unanimous consent to make a very brief statement?

The PRESIDING OFFICER. The Chair hears no objection. The gentleman will proceed.

Mr. HAYS. Mr. President, I wish to urge upon the members of the Rules Committee early action on this resolution. A committee of thirty-two citizens of Pennsyl-

vania worked for a year studying Pennsylvania education and, while they had hoped to complete the report sooner than they did, I think each of these people senses a great urgency in these problems. Many of them feel that we should have faced up to them five or ten years ago.

Therefore, I am hoping that the members of the Rules Committee will act soon on this resolution so that we may know the direction that we should take as far as the Report of the Governor's Committee is concerned.

### SENATE RESOLUTION

REQUESTING THE GOVERNOR TO NAME STATE HIGHWAY No. 104 AS THE 104TH INFANTRY "TIMBERWOLF" DIVISION HIGHWAY

Messrs. WADE, BELL, WARE and DiSILVESTRO offered the following resolution (Serial No. 44), which was read and referred to the Committee on Military Affairs and Aeronautics:

In the Senate, April 19, 1961.

Approximately 4,000 men from Pennsylvania were members of the 104th Infantry Division of the United States Army during World War II. This division became known as the "Timberwolf" Division because the shoulder patch denotes a howling wolf. Many young men from Pennsylvania died while members of this division during World War II.

It seems fitting and proper that a State highway should be named in honor of those who made the supreme sacrifice and gave their lives in defense of our Country and also as a memorial to those who served in this division during World War II from the State of Pennsylvania; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania request the Governor of Pennsylvania to name State Highway No. 104, which runs from Mifflinburg, Pennsylvania to its intersection with U. S. Highways Nos. 11 and 15 as the 104th Infantry "Timberwolf" Division Highway; and be it further

RESOLVED, That the Department of Highways shall erect along this highway suitable tablets and markers but shall not replace the officially designated route number of the highway, hereby designated as the 104th Infantry "Timberwolf" Division Highway; and be it further

RESOLVED, That copies of this resolution be sent to the Governor and the Secretary of the Highway Department.

### CALENDAR

#### FINAL PASSAGE CALENDAR

##### BILLS OVER IN ORDER

**HB 70 and SB 4091**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

#### THIRD READING CALENDAR

##### BILLS OVER IN ORDER

**HB 63, 95, 132, SB 190, 209, HB 276 and SB 294**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

##### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 429**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarrafa,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Yatron,
Haluska,	McMenamin,	Staisey,	Seyler,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 463**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarrafa,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Yatron,
Haluska,	McMenamin,	Staisey,	Seyler,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 479**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 485**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarrafa,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Yatron,
Haluska,	McMenamin,	Staisey,	Seyler,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**HB 558**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## SECOND READING CALENDAR

## BILLS OVER IN ORDER

**SB 30, 73 and 96**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

**SB 99**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 112 and 115**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 140**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILL ON SECOND READING

**SB 156**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 191 and 197**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

## BILL ON SECOND READING

**SB 203**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 204**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILL ON SECOND READING

**SB 223**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 251**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILLS ON SECOND READING

**HB 306, SB 307 and HB 307**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 315 and HB 315**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

## BILL ON SECOND READING

**HB 321**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 326**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILLS ON SECOND READING

**SB 332, HB 333 and 334**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 354, 360, HB 366 and 369**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

**SB 371**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON SECOND READING

**SB 378**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 381**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILL ON SECOND READING

**SB 385**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 401, HB 416, 418 and 419**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

## BILL ON SECOND READING

**HB 425**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 431**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 432**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILLS ON SECOND READING

**SB 433 and 437**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 446, 466, HB 474, SB 481, 482, 483, 484, 486, 487, 493 and 495**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

## BILL ON SECOND READING

**SB 518**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 529, SB 533, 534 and HB 542**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

## BILL ON SECOND READING

**HB 556**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 571**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILLS ON SECOND READING

**HB 597, 600 and 631**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 635, 636 and 649**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

**HB 678**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 690 and 730**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILL ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The bill was as follows: **HB 568.**

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

## SENATE RESOLUTION

## COMMENDING THE BELL TELEPHONE COMPANY OF PENNSYLVANIA

Messrs. STEVENSON, PROPERT, CONFAIR, DiSILVESTRO, WEINER and KROMER, by unanimous consent, offered the following resolution (**Serial No. 45**), which was read, considered and adopted:

In the Senate, April 19, 1961.

Whereas, The economic welfare of the Commonwealth is a matter of continuing concern to industry, labor and government alike;

Whereas, Ways must be found to provide more and better job opportunities so that the vast reservoir of skill and man-power represented by Pennsylvania workers can be fully utilized, to the end that the standard of living—material and non-material—of all Pennsylvanians can be continuously bettered and shared by all areas of the Commonwealth.

Whereas, Pennsylvania stands second to no State in the advantages it has for business and industry, and the promise it holds for its people;

Whereas, These advantages must be made known to industry and business both without and within the State so that they will become influential factors in location decisions, providing wider opportunities for the people of Pennsylvania to grow and prosper;

Whereas, The Bell Telephone Company of Pennsylvania vividly depicts the economic, social, cultural and physical advantages of the Commonwealth in a color motion picture titled "Pennsylvania—Keystone of the Nation";



Whereas, The image of Pennsylvania projected by this motion picture will lend powerful support to the Commonwealth's and Local Governments' efforts to persuade new industry to settle here and existing industry to expand within the State rather than elsewhere; therefore, be it

Resolved, That the Senate of Pennsylvania expresses its appreciation to The Bell Telephone Company of Pennsylvania for an outstanding act in the public interest, characteristic of the best in corporate citizenship; and be it further

Resolved, That the Honorable David L. Lawrence, Governor of the Commonwealth of Pennsylvania, and Mr. W. D. Gillen, President of The Bell Telephone Company of Pennsylvania be sent copies of this resolution.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

### BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills: **SB 138, 139, 174, 185, 189, 314 and HB 388.**

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

### PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President, this is neither a petition nor a remonstrance. However, I would like to report to the Membership of the Senate and to the people of Pennsylvania that the bipartisan committee appointed by the House and Senate, under the provisions of Senate Concurrent Resolution, Serial No. 109, of the 1960 Session, has completed its assignment. We will have a complete and comprehensive report on the activities of this committee, and our findings, with reference to this grave problem of unemployment in Pennsylvania. We will have this information available probably next Tuesday or next Wednesday.

I wish at this time to publicly thank the membership of the committee for the outstanding job they have performed. I feel the committee has acquitted itself quite admirably and that our report will be very informative to the population of our great State.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

MONDAY, APRIL 24, 1961

REPUBLICAN CAUCUS .....1:00 P. M.  
DEMOCRATIC CAUCUS .....1:00 P. M.

### NOTICE

The Senate Committee on State Government will hold Public Hearings on Senate Bill 249, 252 and 253 in the Senate Majority Caucus Room at Harrisburg, on Tuesday, April 25, 1961 at 9:00 a. m.

### STUDENTS WELCOMED TO THE SENATE

Mr. BERGER. Mr. President, I ask unanimous consent to make a request of the Chair.

The PRESIDING OFFICER. The Chair hears no objection. The gentleman will proceed.

Mr. BERGER. Mr. President, I note in the balcony a group of young people who are visiting the Senate. Although I cannot identify the members of the group, I believe the Chair might welcome them and tell them that we are glad to have them visit during our proceedings.

The PRESIDING OFFICER. The Chair is indeed happy to welcome to the Senate the group of young people in the balcony. The Chair is equally unable to say what school they represent. However, it is a very fine looking group of young people, and we hope you have profited by your experience here.

The Chair asks the visitors in the gallery to rise so that the Senators may welcome them in their usual way.

### ADJOURNMENT

Mr. LANE. Mr. President, I move that the Senate do now adjourn until Monday, April 24, 1961, at 2:00 p. m.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:27 a. m.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, April 19, 1961

The House met at 2 p.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

Reverend Truman A. Crist, D.D., president of the Lancaster Synod of the United Church of Christ, Harrisburg, Dauphin County, guest Chaplain and guest of the House Chaplain, offered the following prayer:

O Lord, our God, how excellent is Thy name in all the earth, how wonderful are Thy ways with men, how bountiful the supply of all Thy good gifts to Thy people. Make us truly grateful for the goodness with which Thou dost visit us, and help us to show forth our praise, not only with our lips, but with lives dedicated to Thy purposes. We thank Thee that Thou hast called these Thy servants to special places of privilege and power. Remind them daily of the importance of the work they do; how in their keeping Thou hast placed the welfare of the people of this Commonwealth; how Thou hast made them to be the guardian of Democracy, the agents of the people in maintaining order and equity, respect and decency. Let them be guided as they do their work, not by considerations of what is expedient or mercenary, but by loyalty to goodness and right.

We pray Thy blessing upon the President of our beloved Country, and on the Governor of our great State, and upon all who are in positions of privileged leadership and responsibility. Protect with Thy might the frontiers of faith and freedom, and inspire all the citizens of State and Nation to true patriotism, noble charity, and dedicated purpose, so that, keeping to the road of high ideals, we fail not man or Thee. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, March 22, 1961? If not, and without objection, the Journal is approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, April 18, 1961 will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. HARTLEY and DOUGHTEN.

HOUSE BILL No. 1311.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), prohibiting the imposition of a double penalty as a result of a summary conviction relating to the use and operation of a motor vehicle or tractor, and providing that the imposition of a fine and the suspension of an operator's license or learner's permit shall constitute separate penalties.

Referred to the Committee on Rules.

By Messrs. McLAUGHLIN, FILO, WILT  
and FOERSTER.

HOUSE BILL No. 1312.

An Act amending the "Public Utility Law," approved

May 28, 1937 (P. L. 1053), further providing for a method of valuating property of a public utility.

Referred to the Committee on State Government.

By Messrs. A. D. WILLIAMS, JR., and EILBERG.

HOUSE BILL No. 1313.

An Act providing that marriage counselors shall not be compelled or allowed to testify to communications made to them in the course of their duties.

Referred to the Committee on Judiciary.

By Mr. STRAUSSER.

HOUSE BILL No. 1314.

An Act amending "The Second Class Township Code," approved May 1, 193 (P. L. 103), providing for the collection of unpaid annual assessments for lighting in the same manner as unpaid township taxes.

Referred to the Committee on Townships.

By Mr. STRAUSSER.

HOUSE BILL No. 1315.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing reimbursement of subcontractors for costs of certain additional liquid fuels taxes.

Referred to the Committee on Highways.

By Mr. MAY.

HOUSE BILL No. 1316.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring motor vehicles to be equipped with speed indicators which shall be mounted on the right side of the windshield.

Referred to the Committee on Motor Vehicles.

By Messrs. CAPANO, FLYNN, T. F. SULLIVAN  
and J. A. SULLIVAN.

HOUSE BILL No. 1317.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing for the payment of compensation to the spouse or certain dependents of deceased employees dying prior to receiving payment of total benefits in certain cases.

Referred to the Committee on Workmen's Compensation.

By Messrs. CAPANO, FLYNN, T. F. SULLIVAN  
and J. A. SULLIVAN.

HOUSE BILL No. 1318.

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566), providing for the payment of compensation to the spouse or certain dependents of deceased employees dying prior to receiving payment of total benefits in certain cases.

Referred to the Committee on Workmen's Compensation.

By Messrs. LAMB, CAPANO and BONNER.

HOUSE BILL No. 1319.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), defining "resident" and prescribing certain benefits for nonresident indigents.

Referred to the Committee on Welfare.

By Messrs. MURRAY, GUESMAN, JENKINS,  
DOWN and VARNER.

HOUSE BILL No. 1320.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing payment of salaries of professional and other employees.

Referred to the Committee on Education.



By Messrs. McDEVITT, J. A. SULLIVAN, GUESMAN  
and T. F. SULLIVAN. HOUSE BILL No. 1321.

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), requiring the city, county and school district to pay social security taxes on the salaries of the city treasurer and his staff.

Referred to the Committee on Education.

By Messrs. DONALDSON and CLARKE.  
HOUSE BILL No. 1322.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), further regulating the collection of borough sewer rentals and charges and certain delinquent sewer rentals and charges assigned to boroughs.

Referred to the Committee on Boroughs.

By Messrs. DONALDSON, IRVIS  
and RUTHERFORD. HOUSE BILL No. 1323.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating the reinstatement of suspended employees.

Referred to the Committee on Education.

By Messrs. DONALDSON and CLARKE.  
HOUSE BILL No. 1324.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), further regulating the collection of township sewer rentals and charges and certain delinquent sewer rentals and charges assigned to townships.

Referred to the Committee on Townships.

By Messrs. DONALDSON and CLARKE.  
HOUSE BILL No. 1325.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating the collection of township sewer rentals and charges and certain delinquent sewer rentals and charges assigned to townships.

Referred to the Committee on Townships.

By Mr. MURPHY and Mrs. MUNLEY.  
HOUSE BILL No. 1326.

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919, (P. L. 521), including Federal Savings and Loan Associations within the provisions relating to reports to the Department of Revenue and requiring reports in case of the death of certain trustees.

Referred to the Committee on Ways and Means.

By Messrs. CURWOOD, LEONARD, GRAMLICH  
and GEORGE. HOUSE BILL No. 1327.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the expiration date of permits issued by the Commission.

Referred to the Committee on Game and Conservation.

By Messrs. YETTER, FINEMAN, ESHBACK  
and DENNISON. HOUSE BILL No. 1328.

An Act amending the "Legal Holiday Law," approved May 31, 1893 (P. L. 188), providing that certain holidays shall be observed on Monday.

Referred to the Committee on State Government.

By Mr. A. D. WILLIAMS and Mrs. MARKLEY.  
HOUSE BILL No. 1329.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for credit against periods of suspension or revocation in certain cases when operating privileges have previously been suspended by the secretary for the same incident or series of incidents.

Referred to the Committee on Rules.

By Messrs. GOODRICH, CAPANO, HAMILTON,  
K. B. LEE, E. S. WILLIAMS and RENWICK.  
HOUSE BILL No. 1330.

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts \* \* \*," providing for the calculation of an average market value of taxable real property.

Referred to the Committee on Education.

By Mr. FRY. HOUSE BILL No. 1331.

An Act authorizing the Department of Highways, with the approval of the Governor, to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County.

Referred to the Committee on Highways.

By Messrs. TRUSIO and MURPHY.  
HOUSE BILL No. 1332.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring at least two members of the Pennsylvania State Police jointly perform all assigned duties.

Referred to the Committee on Rules.

By Messrs. HORST and ELVEY.  
HOUSE BILL No. 1333.

An Act authorizing the Department of Forests and Waters to grant a right of way or easement across certain lands of the Commonwealth of Pennsylvania in Todd Township, Fulton County, Pennsylvania.

Referred to the Committee on State Government.

By Mr. STRAUSSER. HOUSE BILL No. 1334.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the election of school directors in school districts of the third and fourth classes by nonpartisan ballots.

Referred to the Committee on Education.

By Mr. POLEN. HOUSE BILL No. 1335.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

Referred to the Committee on Rules.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 138.

An Act amending the act of May 4, 1927 (P. L. 519)

entitled "The Borough Code" validating certain actions of boroughs heretofore taken with respect to the appointment of policemen.

#### SENATE BILL No. 139.

An Act amending the act of June 15, 1951 (P. L. 586) entitled, "An act regulating the suspension, removal, furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class"; validating certain actions of townships and boroughs heretofore taken with respect to the appointment of policemen.

#### SENATE BILL No. 174.

An Act amending the act of June 23, 1931 (P. L. 932) entitled, "The Third Class City Code" changing the time within which copies of budget ordinances shall be filed in the office of the Department of Internal Affairs.

#### SENATE BILL No. 185.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for a vice-president of council and specifying certain duties of the president and vice-president of council.

#### SENATE BILL No. 189.

An Act amending the act of May 4, 1927 (P. L. 519) entitled, "The Borough Code," permitting council to appeal from findings of the Civil Service Commission.

#### SENATE BILL No. 314.

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" permitting unnaturalized foreign-born residents to possess or control dogs.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 195.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) authorizing appropriations for mosquito control programs.

#### HOUSE BILL No. 346.

An Act amending the "Intangible Personal Property Tax Law" approved June 17, 1913 (P. L. 507), authorizing assessment of decedent's property for five years prior to the date in which death occurs.

#### HOUSE BILL No. 365.

An Act authorizing political subdivisions of the Commonwealth to avail themselves of services offered by the State Civil Service Commission in connection with the employment of personnel for civil defense purposes.

#### HOUSE BILL No. 394.

An Act amending the "Uniform Acknowledgment Act" approved July 24, 1941 (P. L. 490), deleting reference to the Philippine Islands from the specification of domestic jurisdictions in which acknowledgements of written instruments may be made before certain officers \* \* \*.

#### HOUSE BILL No. 560.

An Act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways providing for the acquisition of such devices and property use in connection with such devices by the Secretary of Highways and providing penalties for violations.

#### HOUSE BILL No. 620.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) authorizing boroughs to have a recreation board of either five or seven members.

#### HOUSE BILL No. 648.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two tracts of land consisting of 29.60 acres, more or less, and 26.30 acres, respectively, situate in Woodbury Township, Blair County.

With the information that the Senate has passed the same without amendment.

### REPORTS FROM COMMITTEE

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 257, entitled:

An Act prohibiting and making unlawful the employment of professional strikebreakers in place of employees involved in a labor dispute; prohibiting and making unlawful recruitment and furnishing of employees to replace employees involved in a labor dispute, by a person or agency not directly involved in the labor dispute, and the employment of persons so recruited or furnished; \*\*\*.

Mr. WOOD from the Committee on State Government, reported as committed, House bill No. 371, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), providing for registration at shopping centers.

Mr. LUTTY from the Committee on State Government, reported as committed House bill No. 827, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, and the regulation and maintenance thereof; \*\*\*" further providing for the compensation of pension or retirement benefits.

Mr. FLYNN from the Committee on Labor Relations, reported as committed, House bill No. 836, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled as amended, "An Act to provide for the safety and to protect the health and morals of persons while employed; \*\*\*" requiring employers to furnish personal protective devices free of charge.

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 840, entitled:

An Act prohibiting the sale, transfer, ownership, possession and use of tear and noxious gas and tear gas guns; providing for certain exemptions and providing penalties.

Mr. ROVANSEK from the Committee on Labor Relations, reported as committed, House bill No. 863, entitled:

An Act amending the "Labor Anti-Injunction Act," approved June 2, 1937 (P. L. 1193), by removing certain restrictions on the application of the act.



Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 895, entitled:

An Act confirming the right of persons in the service of the Commonwealth to accept election to and serve in certain elective offices of political subdivisions without affecting civil service status or protection.

Mr. DONALDSON from the Committee on State Government, reported as committed, House bill No. 1220, entitled:

An Act amending the act of October 21, 1959 (P. L. 1345), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey 153.91 acres, more or less, of land in Bensalem Township, Bucks County, \*\*\*" authorizing the conveyance of four appurtenant easements, authorizing the sale of less than all of the said tracts; \*\*\*.

Mr. KRAMER from the Committee on State Government, reported as committed, House bill No. 1248, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing the provisions relating to leaves for certain State employees.

Mr. PURSLEY from the Committee on Counties, reported as committed, House bill No. 1275, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing for the assessment, valuation and taxation of certain mobilehomes or house trailers.

Mr. McCANDLESS from the Committee on Counties, reported as committed, House bill No. 1276, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), providing for the assessment, valuation and taxation of mobilehomes or house trailers.

Mr. GIBBONS from the Committee on Counties, reported as committed, House bill No. 1277, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), limiting the taxation of mobilehomes and house trailers and abolishing the use and occupancy tax on mobilehomes and house trailers.

Mr. DOWN from the Committee on Counties, reported as committed, House bill No. 1278, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), providing for the sale of mobilehomes or house trailers taxes as real estate.

Mr. McCANDLESS from the Committee on Counties, reported as committed, House bill No. 1280, entitled:

An Act amending the "Local Delinquent Tax Return Law," approved May 29, 1931 (P. L. 280), providing for the sale as real estate of certain mobilehomes and house trailers subject to tax lien, and providing for notice to the encumbrance holders of record.

Mr. COOLEY from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 1286, entitled:

An Act directing the Department of Agriculture to study methods of controlling tent caterpillars and to undertake a program of control and eradication of such insects and making an appropriation.

Mr. PERRY from the Committee on State Government, reported as committed, House bill No. 1017, entitled:

An Act amending "The General County Assessment

Law," approved May 22, 1933 (P. L. 853), exempting in certain cases and to a certain extent concert music halls maintained by public or private charities from taxation.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 1025, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

Mr. PERRY from the Committee on State Government, reported as committed, House bill No. 1032, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring meetings of the Pennsylvania Fish Commission to be open to the public.

Mr. McCORMACK from the Committee on State Government, reported as committed, House bill No. 1038, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey all of its right, title and interest that it may have in a tract of land in the borough of Canonsburg, Washington County, Pennsylvania.

Mr. WOOD from the Committee on State Government, reported as committed, House bill No. 1085, entitled:

An Act providing that the Commonwealth of Pennsylvania may enter into a compact with such states as may join, relating to the procedures for the interstate placement of children, when such placement is for foster care or as a preliminary to a possible adoption or for the placement of delinquents in institutions.

Mr. GELFAND from the Committee on Appropriations, reported as committed, House bill No. 1112, entitled:

An Act making an appropriation to the joint committee appointed by the House of Representatives and the Senate to act as host to the National Legislative Conference for expenses incurred by said committee for that purpose.

Mr. FOERSTER from the Committee on State Government, reported as committed, House bill No. 1146, entitled:

An Act amending the act of May 16, 1919 (P. L. 193), entitled, "An act to provide for the licensing and regulation of public dance halls and ball rooms, and for the regulation, supervision of public dances and balls in cities of the first, second, and third class," increasing license fees.

Mr. HARTLEY from the Committee on Labor Relations, reported as committed House bill No. 1174, entitled:

An Act relating to public works contracts; providing for prevailing wages; imposing duties upon the Secretary of Labor and Industry; providing remedies, penalties and repealing existing laws.

Mr. J. A. O'DONNELL from the Committee on Counties, reported reported as committed, House bill No. 1185, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), further providing for the keeping of records and papers at the county seat.

Mrs. ANDERSON from the Committee on State Government, reported as committed, House bill No. 1186, entitled:

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary, medical and hospital expenses of members of the State Police Force

and of policemen, firemen and park guards by the Comm. of Penna.; \*\*\*" extending the provisions thereof to members of the Delaware River Port Authority Police.

Mr. LUTTY from the Committee on Cities—Counties Second and Second Class A, reported as committed, Senate bill No. 134, entitled:

An Act amending the act of May 5, 1911 (P. L. 198), entitled, "An act to establish a county court for the county of Allegheny and prescribing its powers and duties . . ." increasing the jurisdiction of the County Court of Allegheny County.

Mr. DONALDSON from the Committee on Cities—Counties Second Class, reported as committed, Senate bill No. 303, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" authorizing the Civil Service Commission to certify persons for appointments as police from examinations held within a two year period.

Mr. GIBB from the Committee on Cities—Counties Second and Second Class A, reported as amended, House bill No. 530, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing the adoption of rules and regulations concerning inflammable or combustible substances, certain fire hazards, fire preventive equipment, reports of fires and explosions, authorizing permits to be required, and fixing penalties.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as amended, House bill No. 1204, entitled:

An Act providing for the abatement of nuisances arising out of unsafe buildings or premises in cities of the first class and providing for the service or posting of notices relating to the work necessary to abate such nuisances.

Mr. McCANDLESS from the Committee on Counties, reported as amended, House bill No. 1279, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the removal of mobile-homes or house trailers to evade certain taxes, and penalizing mobilehome or house trailer court operators for failure to make certain reports.

Mr. FINEMAN from the Committee on State Government, reported as amended, House bill No. 911, entitled:

A Supplement to the act of May 27, 1937 (P. L. 917), entitled "An act for protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers; providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry; \*\* exempting certain persons from the provisions of this act and providing penalties" concerning minimum wages; providing for a minimum wage for employes in the Commonwealth; \*\*\* defining the powers and duties of the Department of Labor and Industry.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 56, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing departments, boards and commissions to train personnel.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 980, entitled:

An Act relating to the payment of wages or compensa-

tion for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages; providing civil and criminal penalties for violations of the act; providing for additional civil damages.

Mr. RUBIN from the Committee on Agriculture and Dairy Industries, reported as amended, House bill No. 169, entitled:

An Act to regulate and control the distribution, sale or offering for sale of ice cream and related frozen products.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 257, entitled:

An Act prohibiting and making unlawful the employment of professional strikebreakers in place of employes involved in a labor dispute; prohibiting and making unlawful recruitment and furnishing of employes to replace employes involved in a labor dispute, by a person or agency not directly involved in the labor dispute, and the employment of persons so recruited or furnished; \*\*\*.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 371, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), providing for registration at shopping centers.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 827, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled, "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, and the regulation and maintenance thereof; \*\*\*" further providing for the compensation of pension or retirement benefits.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 836, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; \*\*\*" requiring employers to furnish personal protective devices free of charge.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 840, entitled:

An Act prohibiting the sale, transfer, ownership, pos-



session and use of tear and noxious gas and tear gas guns; providing for certain exemptions and providing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 863, entitled:

An Act amending the "Labor Anti-Injunction Act," approved June 2, 1937 (P. L. 1198), by removing certain restrictions on the application of the act.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 895, entitled:

An Act confirming the right of persons in the service of the Commonwealth to accept election to and serve in certain elective offices of political subdivisions without affecting civil service status or protection.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1220, entitled:

An Act amending the act of October 21, 1959 (P. L. 1345), entitled, "An act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey 153.91 acres, more or less, of land in Bensalem Township, Bucks County, \*\*\*" authorizing the conveyance of four appurtenant easements, authorizing the sale of less than all of the said tracts; \*\*\*.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1248, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing the provisions relating to leaves for certain State employees.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1275, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing for the assessment, valuation and taxation of certain mobilehomes or house trailers.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1276, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), providing for the assessment, valuation and taxation of mobilehomes or house trailers.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1277, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), limiting the taxation of mobilehomes and house trailers and abolishing the use occupancy tax on mobilehomes and house trailers.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1278, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), providing for the sale of mobilehomes or house trailers taxes as real estate.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1280, entitled:

An Act amending the "Local Delinquent Tax Return Law," approved May 29, 1931 (P. L. 280), providing for the sale as real estate of certain mobilehomes and house trailers subject to tax lien, and providing for notice to the encumbrance holders of record.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1286, entitled:

An Act directing the Department of Agriculture to study methods of controlling tent caterpillars and to undertake a program of control and eradication of such insects and making an appropriation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1017, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), exempting in certain cases and to a certain extent concert music halls maintained by public or private charities from taxation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1025, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1032, entitled:

An Act amending "The Administrative Code of 1929,"

approved April 9, 1929 (P. L. 177), requiring meetings of the Pennsylvania Fish Commission to be open to the public.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1038, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey all of its right, title and interest that it may have in a tract of land in the borough of Canonsburg, Washington County, Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1085, entitled:

An Act providing that the Commonwealth of Pennsylvania may enter into a compact with such states as may join, relating to the procedures for the interstate placement of children, when such placement is for foster care or as a preliminary to a possible adoption or for the placement of delinquents in institutions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1112, entitled:

An Act making an appropriation to the joint committee appointed by the House of Representatives and the Senate to act as host to the National Legislative Conference for expenses incurred by said committee for that purpose.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1146, entitled:

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms, and for the regulation, supervision of public dances and balls in cities of the first, second, and third class," increasing license fees.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1174, entitled:

An Act relating to public works contracts; providing for prevailing wages; imposing duties upon the Secretary of Labor and Industry; providing remedies, penalties and repealing existing laws.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1185, entitled:

An Act amending "The County Code" approved August

9, 1955 (P. L. 323), further providing for the keeping of records and papers at the county seat.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1186, entitled:

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary, medical and hospital expenses of members of the State Police Force and of policemen, firemen and park guards by the Comm. of Penna.; \*\*\*" extending the provisions thereof to members of the Delaware River Port Authority Police.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 134, entitled:

An Act amending the act of May 5, 1911 (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties . . .," increasing the jurisdiction of the County Court of Allegheny County.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 303, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" authorizing the Civil Service Commission to certify persons for appointments as police from examinations held within a two year period.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

The SPEAKER. Will the gentleman from Beaver, Mr. Hamilton, come to the desk?

The Chair asks the gentleman from Beaver, Mr. Hamilton, to preside over the first and second reading calendar after the calendar is marked.

Mr. HAMILTON IN THE CHAIR.

## RESOLUTION INTRODUCED AND REFERRED

By Messrs. UJOBAL and WILLAREDT.

RESOLUTION (Not Printed)

In the House of Representatives, April 18, 1961.

The Phoenixville Marian Youth Club was formed in 1956 for the purpose of promoting and encouraging sports and physical culture for the borough of Phoenixville and vicinity. This club is conducted for the benefit of and to entertainment, exercise and social diversion for the youth of Phoenixville and vicinity irrespective of race, color, creed, sex or origin. The club became a corporation in 1957.

The organization receives its entire financial support from the United Fund. The group sponsors football for boys whose ages are eight to thirteen and basketball for boys from nine to twelve years of age. One hundred seventy-five boys participated in the football program and one hundred forty-five in basketball in leagues and otherwise.

The P.M.Y.C. won the Pennsylvania State Title during the seasons 1959-1960 and 1960-1961. In 1961 they played Homestead and Wilkes-Barre to win the State Championship which was played in Phoenixville. They drew a bye



in the district playoffs and in Gary, Indiana were beaten in the quarter finals by Wichita, Kansas All Stars.

The Wilkes-Barre team was supported by the Catholic Youth Organization and were known as the Wilkes-Barre C.Y.O. All Stars. Homestead played under the banner of St. Marys of Homestead.

Phoenixville is proud of this organization and these athletic teams. It is proud of the management of this organization and the coaches who have made possible these athletic achievements; therefore be it

Resolved, That the House of Representatives commends and congratulates the Phoenixville Marian Youth Club for the wonderful work it is doing in this field. The people of Phoenixville are also to be commended for their unstinting support of this club and we wish them much good fortune in the future operation of this organization; and be it further

Resolved, That copies of this resolution be mailed to the Phoenixville Marian Youth Club and the United Fund of Phoenixville.

Referred to the Committee on Rules.

### NINTH GRADE STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House 120 students of the 9th grade Civics Group of the Lampeter-Strasburg High School, Lancaster County, and their teachers Mr. John Silknetter, Mr. Robert Yates, Miss Olga Cvizic, Mr. John Barnes, and Mr. Tom Ostapuck. They are the guests of the gentlemen from Lancaster, Messrs. Eshleman, Royer, and Wood. Will the delegation rise in their places?

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair presents his apologies to the gentlemen of the press. They sent the Chair a communication about their annual Gridiron Dinner and I mislaid it and did not read it as I should. The secretaries were hiding it on me, apparently. I asked them to write me another one but they were too busy, so I wrote one myself.

The Pennsylvania Legislative Correspondents' biennial gridiron dinner and show will be held May 3 at the Penn-Harris Hotel in the ballroom and from past experience I can tell you it will be a very good show. All the people you do not like will get roasted, and all the people you like will get roasted. It is something to turn out for, to look forward to. Tickets are available through the newsroom supervisor, Mr. Morris Swartz, Room 524 on E Floor, at a cost of \$13 each. The tickets include the dinner, a souvenir program, and the show, and I guarantee it will be a very good show.

Mr. HAMILTON IN THE CHAIR.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 665, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) authorizing licenses manufacturers and their employes and agents to sponsor support or contribute to certain athletic contests or tournaments.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 942, entitled:

An Act amending the act of March 20, 1810 (P. L. 208)

entitled "An act to amend and consolidate with its Supplements the Act entitled 'An act for the recovery of debts and demands not exceeding one hundred dollars \* \* \*'" providing for service of writs issued for violations of municipal ordinances by any justice by registered or certified mail.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 193, entitled:

An Act amending "The Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the tuition and maintenance of certain handicapped children.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 246, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death imposing additional taxes to equal Federal Estate Tax Credits \* \* \*.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 398, entitled:

An Act amending "The Vehicle Code" approved April 20, 1959 (P. L. 58) providing for the revocation of operating privilege for operating a motor vehicle while under suspension.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 616, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 626, entitled:

An Act amending the "Liquor Code" approved April

12, 1951 (P. L. 90), authorizing the transfer of club licenses from one municipality to another under certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 721, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the appointment of educational specialists in lieu of assistant county superintendents.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 723, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for special education classes for certain detained children and providing for homebound instruction of children who are legally detained by court order in an institution directly and solely operated by the county.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 856, entitled:

An Act amending the act of May 25, 1933 (P. L. 1933 (P. L. 1050) entitled, "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class \*\*\*" providing for payments to dependent parents.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 893, entitled:

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145), placing a limitation on occupation taxes levied by any political subdivision.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 929, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) deleting certain limitations with respect to aids and services to the blind.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 970, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) providing for certain payments to dependent parents when there is no widow or no surviving children.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1036, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance and transfer of malt and brewed beverage licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1043, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) clarifying the Department of Public Welfare's powers and duties concerning plans for institution over which it has supervision.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1075, entitled:

An Act amending the act of June 1, 1915 (P. L. 661), entitled, "An act relating to the maintenance of insane, feeble-minded and other persons confined in the various institutions of the Commonwealth; fixing liability for their support \*\*\*" further defining the liability of relatives and estates by the entireties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1107, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), creating the Bedding Advisory Board within the Department of Labor and Industry and prescribing its powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1113, entitled:

An Act making an appropriation to the Department of Commerce for defraying the expenses of the Commonwealth as host to the 1962 National Governors' Conference.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1115, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the retention of seniority upon a merger jointure or union of districts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1122, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) increasing the annual license fees on milk dealers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1139, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land in the Borough of Norristown, Montgomery County, Pennsylvania, for the use of Norristown State Hospital.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1149, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township, Snyder County, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1163, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) requiring that policies of fire insurance issued by stock and mutual insurance companies, associations, and exchanges contain standard policy provisions herein prescribed.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1165, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events under certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1166, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire ninety acres of land more or less in Canaan Township Wayne County for use of Farview State Hospital.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1172, entitled:

An Act amending the act of September 26, 1951 (P. L. 1536) entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged \* \* \*" redefining certain terms imposing powers and duties on the Department of Public Welfare and providing for provisional licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1178, entitled:

An Act fixing the salaries and Compensation of members of certain boards and commissions and repealing inconsistent acts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1190, entitled:

An Act reenacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act" approved June 11, 1947 (P. L. 551) including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act and providing for a uniform classification of accounts and records.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1216, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the General Fund and certain funds and subsequent transfers of

equal sums between such funds and making appropriations necessary to effect such transfers.

The first section was read.

On the question,

Will the House agree to the section?

Mr. PETROSKY offered the following amendment:

Amend Sec. 1, page 2, line 1 by striking out "Game Fund Fish Fund."

It was agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1222, entitled:

An Act relating to bituminous coal mines amending revising consolidating and changing the laws relating thereto providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith \* \* \*.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1290, entitled:

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017), regulating taxation for institution district purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 77, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" imposing duties on the secretary relating to lights on certain vehicles tractors and machinery making it illegal to operate them during certain hours and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

**THE SPEAKER (Hiram G. Andrews) IN THE CHAIR.**

The SPEAKER. The Chair thanks the gentleman from Beaver, Mr. Hamilton, for presiding over the first- and second-reading calendar.

Will the gentleman from Armstrong, Mr. Helm, come to the desk and preside temporarily?

**Mr. HELM IN THE CHAIR.**

Mr. McCANN. Mr. Speaker, would you explain to the membership that some of us are working with an early print calendar and some are working with the new calendars which are reprints and the pages will be different as we work.

The SPEAKER pro tempore. The old calendar is page 7; the new calendar, which is marked on the front of the calendar with the word "reprint," is the proper calendar to use for the session now. On page 8 of that calendar, bills on final passage, House bill 147, printer's No. 1491. This is the first roll call of the day.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 147, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368) further regulating notice given to delinquent taxables.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Adams,	Fry,	Lamb,	Renwick,
Anderson, J. H.,	Fulmer,	Lawson,	Riley,
Anderson, S. A.,	Gailey,	Lee, A. M.,	Rovansek,
Arlene,	Gallagher,	Lee, K. B.,	Royer,
Ashton,	Gelfand,	Leonard,	Rubin,
Auker,	George,	Limper,	Rudisill,
Bachman,	Gibb,	Lippincott,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Boles,	Goldstein, M. H.,	Lutty,	Schaaf,
Bonner,	Goodrich,	Magee,	Schuster,
Bossert,	Gramlich,	Manbeck,	Seltzer,
Bower,	Gray,	Markley,	Shelton,
Bowman,	Gremminger,	Maxwell,	Sherman,
Branca,	Gross,	May,	Shupnik,
Breth,	Guesman,	McCandless,	Simmons,
Buchanan,	Guthrie,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Heffner,	McLaughlin,	Strausser,
Clarke,	Helm,	McNally,	Sullivan, J. A.,
Comer,	Henzel,	Meholchick,	Sullivan, T. F.,
Cooley,	Hocker,	Merry,	Taylor,
Crossin,	Holliday,	Miller,	Thompson,
Davis,	Holman,	Mills,	Tomascik,
Dengler,	Horst,	Monroe,	Tompkins,
Dennison,	Irvis,	Morley,	Trusio,
Donaldson,	Isaacs,	Mullen,	Ujobai,
Dougherty,	Jenkins,	Munley,	Varnar,
Doughten,	Jim,	Murphy,	Verona,
Down,	Johnson, A. W.,	Musto,	Wall,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Elberg,	Jones,	O'Donnell, J. P.,	Weidner,
Elvey,	Kamyk,	Odorisio,	Welsh,
Eshback,	Keiser,	Ogilvie,	Wescott,
Eshleman,	Kelly,	Parlante,	Whittaker,
Ewing,	Kernaghan,	Pashley,	Willard,
Farabaugh,	Kessler,	Perry,	Willaredt,
Fetterolf,	King,	Petrosky,	Williams, A. D.,
Filo,	Kistler,	Piper,	Williams, E. S.,
Fineman,	Klein,	Polaski,	Wilt,
Flynn,	Knecht,	Polen,	Wood,
Foerster,	Kooker,	Prendergast,	Worley,
Foor,	Kornick,	Pursley,	Yetter,
Fox,	Korns,	Reibman,	Zember,
Frascella,	Kramer,	Reidenbach,	Andrews,

Speaker

## NAYS—0

## NOT VOTING—10

Curwood,	Murray,	Price,	Walsh,
Marsh,	Needham,	Steckel,	Zimmerman,
Mihm,	O'Dell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.



Ordered, that the clerk present the same to the Senate for concurrence.

### BILL PASSED OVER

There being no objection

House bill No. 308, printer's No. 1527 was passed over at the request of the SPEAKER pro tempore.

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. McCann for Mr. NEEDHAM because of illness.

Mr. McCann for Mr. MURRAY because of illness.

Mr. Tompkins for Mr. O'DELL for remainder of the week.

Mr. Tompkins for Mr. MARSH for today.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 413, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes \*\*\*" providing for and regulating appeals from valuations and assessments of real property the first year any county makes a complete reassessment of real property in conjunction with a permanent system of records.

On the question,

Shall the bill pass finally?

Mr. BOWMAN. Mr. Speaker, is the bill in position for debate?

The SPEAKER pro tempore. The bill is in position for debate.

Mr. BOWMAN. Mr. Speaker, I have no particular quarrel with this piece of legislation. However, I want again to call to the attention of the majority leader, as I have previously called to his attention, the last paragraph of the new material found on page 4 of the bill which I consider to make the bill unconstitutional. This section says that no other appeals shall be allowed that year from assessments of real property made upon valuations referred to in this section notwithstanding any contrary provisions of the act herein amended.

In my opinion, to deny a person the right of appeal from any assessment, whether it be a new assessment under this provision of the fourth to eighth class county assessment law, or any other assessment law, to deny that person the right to appeal on the grounds of lack of uniformity as required by the Constitution makes the bill unconstitutional. Therefore, unless this particular clause is removed from the bill, I will be forced to vote against it as in my opinion it is unconstitutional.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—85

Anderson, S. A.,	Gibb,	Lutty,	Riley,
Arlene,	Goldstein, M. H.,	Maxwell,	Rovansek,
Bachman,	Gray,	McCann,	Rubin,
Boles,	Gremminger,	McDevitt,	Rudisill,

Branca,  
Capano,  
Capitolo,  
Cauley,  
Cianfrani,  
Cioffi,  
Clarke,  
Comer,  
Crossin,  
Dougherty,  
Doughten,  
Ellberg,  
Filo,  
Flynn,  
Foerster,  
Frascella,  
Galley,  
Gelfand,

Guesman,  
Hankins,  
Hartley,  
Horst,  
Irvis,  
Jenkins,  
Jim,  
Jones,  
Kamyk,  
Kelly,  
Kornick,  
Kramer,  
Lamb,  
Lawson,  
Leonard,  
Limper,  
Long, Wm. Jas.,

McKeever,  
McLaughlin,  
McNally,  
Mills,  
Morley,  
Mullen,  
Munley,  
Murphy,  
O'Donnell, J. P.,  
Parlante,  
Pashley,  
Petrosky,  
Polaski,  
Polen,  
Prendergast,  
Reidenbach,  
Renwick,

Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Shelton,  
Sherman,  
Shupnik,  
Sullivan, J. A.,  
Sullivan, T. F.,  
Taylor,  
Tomasick,  
Trusilo,  
Verona,  
Wargo,  
Welsh,  
Wilt,  
Yetter,

### NAYS—108

Adams,  
Anderson, J. H.,  
Ashton,  
Auker,  
Backenstoe,  
Bonner,  
Bossert,  
Bower,  
Bowman,  
Breth,  
Buchanan,  
Bush,  
Curwood,  
Davis,  
Dengler,  
Dennison,  
Donaldson,  
Down,  
Edwards,  
Elvey,  
Eshback,  
Eshleman,  
Ewing,  
Farabaugh,  
Fetterolf,  
Fineman,  
Foor,

Fox,  
Fry,  
Fulmer,  
Gallagher,  
George,  
Gibbons,  
Goldstein, J. H.,  
Goodrich,  
Gramlich,  
Gross,  
Guthrie,  
Hamilton,  
Haudenshield,  
Heavey,  
Heffner,  
Helm,  
Henzel,  
Hocker,  
Holliday,  
Holman,  
Isaacs,  
Johnson, A. W.,  
Johnson, R. P.,  
Kelser,  
Kernaghan,  
Kessler,  
King,

Kistler,  
Klein,  
Knecht,  
Kooker,  
Korns,  
Lee, A. M.,  
Lee, K. B.,  
Lippincott,  
Long, Wm. Jos.,  
Magee,  
Manbeck,  
Markley,  
May,  
McCandless,  
McDonald,  
McInroy,  
Meholchick,  
Merry,  
Miller,  
Musto,  
O'Donnell, J. A.,  
Odorizio,  
Ogilvie,  
Perry,  
Piper,  
Pursley,  
Reibman,  
Royer,  
Rutherford,  
Seltzer,  
Simmons,  
Slack,  
Snare,  
Stank,  
Stimmel,  
Stiteler,  
Stone,  
Strausser,  
Thompson,  
Tompkins,  
Ujobai,  
Varner,  
Wall,  
Weidner,  
Wescott,  
Whittaker,  
Willard,  
Willaredt,  
Williams, A. D.,  
Williams, E. S.,  
Wood,  
Worley,  
Zember,  
Andrews,  
Speaker

### NOT VOTING—13

Blair,  
Cooley,  
Marsh,  
McCormack,

Mihm,  
Monroe,  
Murray,  
Needham,  
O'Dell,  
Price,

Steckel,  
Walsh,  
Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

### QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Filo, rise?

Mr. FILO. I rise to a question of personal privilege, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FILO. Mr. Speaker, I would like to warn the members of the House to beware of Greeks bearing gifts.

On our side of the House they are passing around beautiful covered chocolates, and after we were through eating them we discovered they were chocolate-covered ants, caterpillars, baby bees, and grasshoppers!

The SPEAKER pro tempore. The members understand that if they start jumping out of their seats we will grab them.

I would like to suggest that you send some to the Chair. I would like to try one.

## BILL ON FINAL PASSAGE

## BILL PASSED OVER

There being no objection

House bill No. 428, printer's No. 1506, was passed over temporarily at the request of Mr. A. W. JOHNSON.

Mr. McCANN. Mr. Speaker, it is my understanding that the reason House bill 428, printer's No. 1506, was passed over was because it was not in print. I have checked and I find that it is in print, is that correct?

The SPEAKER pro tempore. The Chair does not know the reason. We have been following the markings on the calendar.

Mr. McCANN. The Republican floor leader indicated to me that they could not act on this bill because it was not in print, they could not caucus on it. I was told that by Mr. Tompkins. I checked and I was informed that it is here in print. I want to know if that is so.

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, we did not say it was not in print. When we were caucusing on it, we did not have it available in our caucus; we could not find the bill. That was the reason for it. We just could not find it. It is in print but we did not have it upstairs, and in the rush of the caucus, trying to get through with as much work as we could, we did not delay to go out and get the bill. We went on to the next bill.

Mr. Speaker, could I tell a little story about eating these ants, and so forth. They claim that they have found Patrice Lumumba by x-raying Kasavubu.

The SPEAKER pro tempore. What is to be done about the bill?

Mr. McCANN. It will have to go over then at their request.

The SPEAKER pro tempore. Without objection the bill will be passed over temporarily. The Chair hears no objection.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 454, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) waiving the requirement of competitive bidding for contracts and leases for mining or removal of minerals under State forest land when the Commonwealth owns only a fractional interest in such minerals.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—189

Adams,	Frascella,	Lamb,	Renwick,
Anderson, J. H.,	Fry,	Lawson,	Riley,
Anderson, S. A.,	Fulmer,	Lee, A. M.,	Rovanse,
Arlene,	Galley,	Lee, K. B.,	Roy,
Ashton,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Maxwell,	Shelton,
Bowman,	Gray,	May,	Sherman,

Branca,	Gremminger,	McCandless,	Shupnik,
Breth,	Gross,	McCann,	Simmons,
Buchanan,	Guesman,	McCormack,	Slack,
Bush,	Guthrie,	McDevitt,	Snare,
Capano,	Hamilton,	McDonald,	Stank,
Capitolo,	Hankins,	McInroy,	Stimmel,
Cauley,	Hartley,	McKeever,	Stiteler,
Cianfrani,	Haudenshield,	McLaughlin,	Stone,
Cioffi,	Heffner,	McNally,	Sullivan, J. A.,
Clarke,	Helm,	Meholchick,	Sullivan, T. F.,
Comer,	Henzel,	Merry,	Taylor,
Cooley,	Hocker,	Miller,	Thompson,
Crossin,	Holliday,	Mills,	Tomascik,
Curwood,	Holman,	Monroe,	Tompkins,
Davis,	Horst,	Morley,	Trusio,
Dengler,	Irvis,	Mullen,	Ujobal,
Donaldson,	Isaacs,	Munley,	Varnar,
Dougherty,	Jenkins,	Murphy,	Verona,
Doughten,	Jim,	Musto,	Wall,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Weidner,
Eilberg,	Jones,	Odoriso,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Eshback,	Keiser,	Parlante,	Whittaker,
Eshleman,	Kelly,	Pashley,	Willard,
Ewing,	Kernaghan,	Perry,	Willaredt,
Farabaugh,	Kessler,	Petrosky,	Williams, E. S.,
Fetterolf,	King,	Piper,	Wilt,
Filo,	Kistler,	Polaski,	Wood,
Fineman,	Klein,	Polen,	Yetter,
Flynn,	Knecht,	Prendergast,	Zember,
Foerster,	Kooker,	Pursley,	Andrews,
Foor,	Korns,	Reidenbach,	Speaker
Fox,	Kramer,		

## NAYS—5

Heavey,	Strausser,	Williams, A. D.,	Worley,
Reibman,			

## NOT VOTING—12

Dennison,	Marsh,	Needham,	Steckel,
Kornick,	Mihm,	O'Dell,	Walsh,
Lippincott,	Murray,	Price,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House bill No. 484, printer's No. 1361, was passed over temporarily at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 632, entitled:

An Act authorizing an incoming Governor to arrange for temporary staffing to expedite the transition of government and providing for an appropriation in certain years.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—103

Anderson, S. A.,	Fry,	Lutty,	Reidenbach,
Arlene,	Galley,	Maxwell,	Renwick,
Bachman,	Gallagher,	McCann,	Riley,
Boles,	Gelfand,	McCormack,	Rovanse,
Bonner,	Gray,	McDevitt,	Rubin,
Branca,	Gremminger,	McDonald,	Rudisill,
Breth,	Guesman,	McKeever,	Sakulsky,
Capano,	Hamilton,	McLaughlin,	Scarcelli,
Capitolo,	Hankins,	McNally,	Schaaf,
Cauley,	Hartley,	Meholchick,	Schuster,



Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Eilberg, Farabaugh, Filo, Fineman, Flynn, Foerster, Frascella,	Heavey, Irviss, Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos.,	Mills, Monroe, Morley, Mullen, Munley, Musto, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Reibman,	Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomasick, Trusio, Verona, Wargo, Welsh, Yetter, Andrews, Speaker
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## NAYS—95

Adams, Anderson, J. H., Ashton, Auker, Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Dennison, Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Fetterolf, Foor, Fox,	Fulmer, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gross, Guthrie, Haudenshield, Hefner, Helm, Henzel, Hoeker, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kaiser, Kernaghan, Kessler,	King, Kistler, Knecht, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Markley, May, McCandless, McInroy, Merry, Miller, Murphy, Odoriso, Ogilvie, Piper, Pursley, Royer, Rutherford, Seltzer,	Simmons, Slack, Snare, Stimmel, Stiteler, Strausser, Thompson, Tompkins, Ujobal, Varner, Wall, Weldner, Wescott, Whittaker, Willard, Willardt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Zember, Zimmerman,
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## NOT VOTING—8

Marsh, Mihm,	Murray, Needham,	O'Dell, Price,	Steckel, Walsh,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

(During Roll Call).

## POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Fineman, rise?

Mr. FINEMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. Mr. Speaker, I have found that on several occasions the members of this House have been engaging in conduct that I think is not exactly in keeping with the integrity and the decorum that should be maintained in this House.

I do not know if what they are doing is being prompted by a spirit of mischievousness or by a spirit to deceive. I have found that they will cast their ballot one way, and when the respective floor leaders have made a decision based on what they see on these boards, they then change their vote. I do not think that is good ethical practice, and I do not think the members of this House should engage in it.

The SPEAKER pro tempore. The Chair would inform the gentleman that each member is in control of his own vote.

## BILLS ON FINAL PASSAGE

## BILL PASSED OVER

There being no objection

House bill No. 663, printer's No. 1497,  
was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 718, entitled:

An Act amending the "Bedding and Upholstering Law" approved May 27, 1937 (P. L. 926), adding a definition changing tag stamp and registration provisions providing for licenses and certain fees reports prescribing penalties and providing for the creation of the Bedding and Upholstered Furniture Division in the Department of Labor and Industry.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—159

Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Boles, Bonner, Bossert, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dengler, Dennison, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Ewing, Farabaugh, Filo, Fineman, Flynn, Foerster, Fox, Frascella,	Fry, Fulmer, Galley, Gallagher, Gelfand, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Gray, Gremminger, Guesman, Hamilton, Hankins, Haudenshield, Heavey, Hefner, Hoeker, Holman, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kornick, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Maxwell, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Reibman, Reidenbach, Renwick, Riley,	Rovansek, Royer, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Ujobal, Varner, Verona, Wall, Wargo, Weldner, Welsh, Whittaker, Willardt, Williams, A. D., Williams, E. S., Wilt, Yetter, Zember,
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## NAYS—39

Adams, Anderson, J. H., Auker, Blair, Bower, Davis, Donaldson, Eshleman, Fetterolf, Foor, George, Gibb, Goodrich, Gross, Guthrie, Hartley, Helm, Henzel, Holliday, Horst,	Knecht, Kooker, Korns, Magee, May, McCandless, McInroy, Merry, Miller, Pursley,	Rutherford, Stank, Strausser, Wescott, Willard, Wood, Worley, Zimmerman, Andrews, Speaker
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## NOT VOTING—8

Marsh, Mihm,	Murray, Needham,	O'Dell, Price,	Steckel, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 812, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), integrating existing law giving protection to and regulating the catching taking killing or having possession of frogs tadpoles and turtles into the act providing penalties for violation of provisions relating to frogs tadpoles and turtles and repealing certain acts.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Adams,	Fry,	Lawson,	Renwick,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Riley,
Anderson, S. A.,	Galley,	Lee, K. B.,	Rovansek,
Arlene,	Gallagher,	Leonard,	Rubin,
Ashton,	Gelfand,	Limper,	Rudisill,
Auker,	George,	Lippincott,	Rutherford,
Bachman,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, J. H.,	Lutty,	Schaaf,
Boles,	Goldstein, M. H.,	Magee,	Schuster,
Bonner,	Gramlich,	Manbeck,	Shelton,
Bossert,	Gray,	Markley,	Sherman,
Bower,	Gremminger,	Maxwell,	Simmons,
Bowman,	Gross,	May,	Slack,
Branca,	Guesman,	McCandless,	Snare,
Breth,	Guthrie,	McCann,	Stimmel,
Buchanan,	Hamilton,	McCormack,	Stiteler,
Bush,	Hankins,	McDevitt,	Stone,
Capano,	Hartley,	McDonald,	Strausser,
Capitolo,	Haudenshield,	McInroy,	Sullivan, J. A.,
Cauley,	Heavey,	McKeever,	Sullivan, T. F.,
Cianfrani,	Heffner,	McLaughlin,	Taylor,
Cloff,	Helm,	McNally,	Thompson,
Clarke,	Henzel,	Meholchick,	Tomasck,
Comer,	Hocker,	Miller,	Tompkins,
Crossin,	Holliday,	Mills,	Trusio,
Curwood,	Horst,	Monroe,	Ujobai,
Davis,	Irvis,	Morley,	Varner,
Dengler,	Isaacs,	Mullen,	Verona,
Dennison,	Jenkins,	Munley,	Wall,
Donaldson,	Jim,	Murphy,	Wargo,
Dougherty,	Johnson, A. W.,	Musto,	Weidner,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Down,	Jones,	O'Donnell, J. P.,	Wescott,
Edwards,	Kamyk,	Odorisio,	Whittaker,
Ellberg,	Kelser,	Ogilvie,	Willard,
Elvey,	Kelly,	Parlante,	Willaredt,
Eshback,	Kernaghan,	Pashley,	Williams, A. D.,
Eshleman,	Kessler,	Perry,	Williams, E. S.,
Ewing,	King,	Petrosky,	Wilt,
Farabaugh,	Kistler,	Piper,	Wood,
Filo,	Klein,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Prendergast,	Zember,
Foerster,	Kornick,	Pursley,	Zimmerman,
Foor,	Korns,	Reibman,	Andrews,
Fox,	Kramer,	Reidenbach,	Speaker
Frascella,	Lamb,		

## NAYS—8

Fetterolf,	Holman,	Strausser,	Whittaker,
Goodrich,	Merry,	Wescott,	Worley,

## NOT VOTING—3

Cooley,	Murray,	O'Dell,	Steckel,
Marsh,	Needham,	Price,	Walsh,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 814, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), authorizing the promulgation of rules and regulations relating to the use of property owned or controlled by the Commission.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams,	Fry,	Lawson,	Renwick,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Riley,
Anderson, S. A.,	Galley,	Lee, K. B.,	Rovansek,
Arlene,	Gallagher,	Leonard,	Rubin,
Ashton,	Gelfand,	Limper,	Rudisill,
Auker,	George,	Lippincott,	Rutherford,
Bachman,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, J. H.,	Lutty,	Schaaf,
Bonner,	Goldstein, M. H.,	Magee,	Schuster,
Bossert,	Goodrich,	Manbeck,	Seltzer,
Bower,	Gray,	Markley,	Shelton,
Bowman,	Gremminger,	Maxwell,	Sherman,
Branca,	Gross,	May,	Simmons,
Breth,	Guesman,	McCandless,	Slack,
Buchanan,	Guthrie,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stimmel,
Capano,	Hankins,	McDevitt,	Stiteler,
Capitolo,	Hartley,	McDonald,	Stone,
Cauley,	Haudenshield,	McInroy,	Strausser,
Cianfrani,	Heavey,	McKeever,	Sullivan, J. A.,
Cloff,	Heffner,	McLaughlin,	Sullivan, T. F.,
Clarke,	Helm,	McNally,	Taylor,
Comer,	Henzel,	Meholchick,	Thompson,
Cooley,	Hocker,	Merry,	Tomasck,
Crossin,	Holliday,	Miller,	Tompkins,
Curwood,	Holman,	Mills,	Trusio,
Davis,	Horst,	Monroe,	Ujobai,
Dengler,	Irvis,	Morley,	Varner,
Dennison,	Isaacs,	Mullen,	Verona,
Donaldson,	Jenkins,	Munley,	Wall,
Dougherty,	Jim,	Murphy,	Wargo,
Doughten,	Johnson, A. W.,	Musto,	Weidner,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Edwards,	Jones,	O'Donnell, J. P.,	Wescott,
Ellberg,	Kamyk,	Odorisio,	Whittaker,
Elvey,	Kelser,	Ogilvie,	Willard,
Eshback,	Kelly,	Parlante,	Willaredt,
Eshleman,	Kernaghan,	Pashley,	Williams, A. D.,
Ewing,	Kessler,	Perry,	Williams, E. S.,
Farabaugh,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Klein,	Polaski,	Worley,
Flynn,	Knecht,	Polen,	Yetter,
Foerster,	Kooker,	Prendergast,	Zember,
Foor,	Kornick,	Pursley,	Zimmerman,
Fox,	Korns,	Reibman,	Andrews,
Frascella,	Kramer,	Reidenbach,	Speaker
	Lamb,		

## NAYS—0

## NOT VOTING—13

Boles,	Murray,	Price,	Stank,
Gramlich,	Needham,	Royer,	Steckel,
Marsh,	O'Dell,	Shupnik,	Walsh,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 850, entitled:

An Act amending "The Game Law" approved June 3,



1937 (P. L. 1225), permitting for a period of two years the purchase and sale of the flesh of raccoons.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, I want to say a few words about this particular bill. I do not know where the original sponsorship of this came from, whether it was the Game Commission, or the biologists, or some group of individuals, but, if it is a bill aimed at managing game, it is a bad bill.

It took, probably, a generation since the Game Commission was formed in 1895 to outlaw the sale of game meat. This bill would reverse the work that has been done for many years in setting up game as sporting meat instead of saleable meat.

If the Game Commission thinks there are too many of these animals, certainly trying to have them killed off and sold in the open market would be the poorest kind of game management. I do not think that any coon hunter or coon hunting organization would favor this particular bill. I do know, too, that in controlling such situations on a surplus of any kind of animal, it can be done in other ways. For instance, in the west they have ways of taking care of their surplus rodents. When the stockmen and the sheepmen of the west are plagued with too many coyotes or too many mountain lions, the United States Fish and Wild Life Service goes in there with a plan and a program and controls the animals.

This is a very peculiar bill. I cannot understand it. Therefore, I do not believe that it should be passed. I think the coon hunters and the coon hunters' organizations deserve the same consideration as the deer hunters. I believe that if this bill were to be passed—why should not the doe hunter be permitted to sell the deer meat when he kills a deer. In other words, this is a backward step, I believe, in good game management and conservation, and, therefore, I personally oppose this measure.

Mr. YETTER. Mr. Speaker, the reason for this legislation is because the coon population in the State has gotten so great that they are a menace to the farmer, the home gardener and to other game. House bill 850 was introduced with the approval of the Pennsylvania Federation of Sportsmen's Clubs, Pennsylvania Trappers' Association, and the Pennsylvania Game Commission.

Due to a radical change in fur styles, the furs of long-haired wild animals are no longer popular. The demand has declined so that a prime number one raccoon hide is bringing approximately one dollar on the market. This has resulted in a decided lack of interest on the part of the raccoon hunters and trappers. Passage of this bill would create added incentive to raccoon hunters and trappers, and it is my understanding that a potential market for raccoon carasses is developing in the more densely populated areas of Pennsylvania. A decided increase in the raccoon population has been detrimental to ground nesting birds of all species, particularly wild turkeys, ruffed grouse and bobwhite quail, and also to the farmers trying to raise sweet corn and other crops. For that reason I ask support for this bill.

Mr. TOMPKINS. Mr. Speaker, I rise in support of the

position of the gentleman from Clearfield, Mr. Breth. I think if we open the door to the sale of game meat, we do not know where it is going to stop.

Heretofore, in trying to control an over-population of game they have done it by offering bounties and I do not know why they could not do it in this particular instance.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, you should stop to realize under what conditions these raccoons are killed and under what conditions this meat will be transported. Any time you offer meat for sale on the open market it has to be killed in a certain manner under sanitary conditions; it has to be wrapped, packaged, and well taken care of. If people are going to go out and sell somebody raccoon meat that is infected—you know raccoons do become infected, they become infected by rabies, many of them have tularemia, they are infected with round worms and with tapeworms, they are also susceptible to hookworm, any kind of disease that a ground animal picks up. If you are going to allow irresponsible people to peddle this meat to the public without any inspection, I think it is wrong, and from a health standpoint and to protect the people of this Commonwealth in that respect, I think this bill should be voted down.

Mr. AUKER. Mr. Speaker, I agree wholeheartedly with what the gentleman from Westmoreland, Mr. Maxwell, said. I think it is dangerous to allow this kind of a bill to go through. So far as the remarks of the gentleman from Monroe, Mr. Yetter, are concerned, the information that I have is that the Game Commission is not in favor of this bill. However, if I am wrong in that information, then I would definitely say that the Game Commission is wrong in favoring such legislation. I have always tried to support the Game Commission in whatever their concept and precept of good hunting and fishing throughout the Commonwealth. I believe too that to open up this bill, as the gentleman from Clearfield, Mr. Breth, said, would very materially hurt the whole concept of selling wild game in Pennsylvania, things that we have been striving for and striving against for years and years and years. I think if we vote for such a bill as this—I know that two hunters in the State are against it—I think we would be making a very, very grave mistake from all standpoints.

Mr. ZIMMERMAN. Mr. Speaker, I want to endorse the position the gentleman from Monroe, Mr. Yetter, has taken. Agriculture has suffered tremendous losses because of the tremendous raccoon population. I have asked the game commission to consider a bounty system or some method of control, and they inform me that it is not practical. Perhaps they have much merit in what they say, I agree with them, but this would be some method of control. It would be an encouragement for the hunters to go out and as far as the House measure is concerned those who are doubtful as to whether they have something undesirable in them or not, they do not have to buy this product if they do not want to. There are a lot of people who do want to buy it and unless they can provide an alternative where the farmer is paid for the crop damage, I think we should have this until such time as that method can be found.

Thank you.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—62

Anderson, S. A.,	Fulmer,	McLaughlin,	Schuster,
Capano,	Gramlich,	McNally,	Sherman,
Capitolo,	Gross,	Meholchick,	Snare,
Cauley,	Hankins,	Merry,	Stimmel,
Cianfrani,	Heffner,	Monroe,	Stiteler,
Clarke,	Horst,	Morley,	Sullivan, T. F.,
Comer,	Irvis,	Mullen,	Taylor,
Curwood,	Jim,	Parlante,	Tomasick,
Dennison,	Kessler,	Petrosky,	Trusio,
Dougherty,	Korns,	Prendergast,	Verner,
Edwards,	Lawson,	Renwick,	Wall,
Ellberg,	Leonard,	Riley,	Wood,
Elvey,	Lutty,	Rovanseck,	Worley,
Eshback,	McCann,	Rubin,	Yetter,
Farabaugh,	McCormack,	Scarcelli,	Zimmerman,
Flynn,	McKeever,		

## NAYS—133

Adams,	Galley,	Knecht,	Pursley,
Anderson, J. H.,	Gallagher,	Kooker,	Reibman,
Arlene,	Gelfand,	Kornick,	Reidenbach,
Ashton,	George,	Kramer,	Royer,
Auker,	Gibb,	Lamb,	Rudisill,
Bachman,	Gibbons,	Lee, A. M.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Sakulsky,
Blair,	Goldstein, M. H.,	Limper,	Schaaf,
Bonner,	Goodrich,	Lippincott,	Seltzer,
Bower,	Gray,	Long, Wm. Jas.,	Shelton,
Bowman,	Gremminger,	Long, Wm. Jos.,	Shupnik,
Branca,	Guesman,	Magee,	Simmons,
Breth,	Guthrie,	Manbeck,	Slack,
Buchanan,	Hamilton,	Maxwell,	Stank,
Bush,	Hartley,	May,	Stone,
Cloff,	Haudenshield,	McCandless,	Strausser,
Cooley,	Heavey,	McDevitt,	Thompson,
Crossin,	Helm,	McDonald,	Tompkins,
Davis,	Henzel,	McInroy,	Ujobai,
Dengler,	Hocker,	Miller,	Verona,
Donaldson,	Holliday,	Mills,	Wargo,
Doughten,	Holman,	Munley,	Weldner,
Down,	Isaacs,	Murphy,	Welsh,
Eshleman,	Jenkins,	Musto,	Wescott,
Ewing,	Johnson, A. W.,	O'Donnell, J. A.,	Whittaker,
Fetterolf,	Johnson, R. P.,	O'Donnell, J. P.,	Willard,
Filo,	Jones,	Odorisio,	Willaredt,
Fineman,	Kamyk,	Ogilvie,	Williams, A. D.,
Foerster,	Kelser,	Pashley,	Williams, E. S.,
Foor,	Kelly,	Perry,	Wilt,
Fox,	Kernaghan,	Piper,	Worley,
Frascella,	King,	Polaski,	Yetter,
Fry,	Kistler,	Polen,	Zember,
	Klein,		Zimmerman,
			Andrews,
			<b>Speaker</b>

## NOT VOTING—11

Boies,	Mihm,	O'Dell,	Sullivan, J. A.,
Markley,	Murray,	Price,	Walsh,
Marsh,	Needham,	Steckel,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 871, entitled:

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants \* \* \* and making repeals.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—194

Adams,	Fry,	Lamb,	Renwick,
Anderson, J. H.,	Fulmer,	Lawson,	Riley,
Anderson, S. A.,	Galley,	Lee, A. M.,	Rovanseck,
Arlene,	Gallagher,	Lee, K. B.,	Royer,
Ashton,	Gelfand,	Leonard,	Rubin,
Auker,	George,	Limper,	Rudisill,
Bachman,	Gibb,	Lippincott,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Boles,	Goldstein, M. H.,	Lutty,	Schaaf,
Bonner,	Goodrich,	Manbeck,	Schuster,
Bossert,	Gramlich,	Markley,	Seltzer,
Bower,	Gray,	Maxwell,	Shelton,
Branca,	Gremminger,	May,	Sherman,
Breth,	Gross,	McCandless,	Shupnik,
Buchanan,	Guesman,	McCann,	Simmons,
Bush,	Guthrie,	McCormack,	Slack,
Capano,	Hamilton,	McDevitt,	Snare,
Capitolo,	Hankins,	McDonald,	Stank,
Cauley,	Hartley,	McInroy,	Stiteler,
Cianfrani,	Haudenshield,	McKeever,	Stone,
Cloff,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	McNally,	Sullivan, J. A.,
Comer,	Helm,	Meholchick,	Sullivan, T. F.,
Cooley,	Henzel,	Merry,	Taylor,
Crossin,	Hocker,	Miller,	Thompson,
Curwood,	Holliday,	Mills,	Tomasick,
Davis,	Holman,	Monroe,	Tompkins,
Dengler,	Horst,	Morley,	Trusio,
Dennison,	Irvis,	Mullen,	Ujobai,
Donaldson,	Isaacs,	Munley,	Verner,
Dougherty,	Jenkins,	Murphy,	Verona,
Doughten,	Jim,	Musto,	Wall,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Weidner,
Ellberg,	Jones,	Odorisio,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Eshback,	Kelser,	Parlante,	Whittaker,
Eshleman,	Kelly,	Pashley,	Willard,
Ewing,	Kernaghan,	Perry,	Willaredt,
Farabaugh,	Kessler,	Petrosky,	Williams, A. D.,
Fetterolf,	King,	Piper,	Williams, E. S.,
Filo,	Kistler,	Polaski,	Wilt,
Fineman,	Klein,	Polen,	Worley,
Flynn,	Knecht,	Prendergast,	Yetter,
Foerster,	Kooker,	Pursley,	Zember,
Foor,	Kornick,	Reibman,	Zimmerman,
Fox,	Korns,	Reidenbach,	Andrews,
Frascella,	Kramer,		<b>Speaker</b>

## NAYS—2

Bowman,	Magee,
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## NOT VOTING—10

Marsh,	Needham,	Steckel,	Walsh,
Mihm,	O'Dell,	Stimmel,	Wood,
Murray,	Price,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House bill No. 888, printer's No. 1499, was passed over at the request of the **SPEAKER** pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 976, entitled:

An Act amending "The Third Class City Code" approved June 23, 1831 (P. L. 932), changing provisions relating to the retirement of firemen

On the question,

Shall the bill pass finally?



## RECONSIDERATION OF VOTE

Mr. STIMMEL. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STIMMEL asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 4321), page 2, lines 10 and 11, by striking out the brackets before "BE" in line 10 and after "OR" in line 11

Amend Sec. 1 (Sec. 4321), page 2, lines 12, 13 and 14, by striking out "OR MEMBERS MAY BE RETIRED AT THE DISCRETION" in line 12, all of line 13 and "CONTINUOUS SERVICE" in line 14

Amend Sec. 1 (Sec. 4321), page 2, line 14, by inserting brackets before and after "and such" and inserting immediately thereafter

Such regulations may further prescribe in the discretion of the city for the retirement of firemen upon their application at age fifty years after twenty years of continuous service. Such

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILL PASSED OVER

There being no objection

House bill No. 990, printer's No. 1559, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1084, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the transfer of distributor and importing distributor malt and brewed beverage licenses.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—155

Anderson, J. H.,	Fry,	Leonard,	Reibman,
Anderson, S. A.,	Fulmer,	Limper,	Reidenbach,
Arlene,	Galley,	Lippincott,	Renwick,
Ashton,	Gallagher,	Long, Wm. Jas.,	Riley,
Auker,	Gelfand,	Long, Wm. Jos.,	Rovansek,
Bachman,	Gibbons,	Lutty,	Royer,
Backenstoe,	Goldstein, J. H.,	Markley,	Rubin,
Blair,	Goodrich,	Maxwell,	Rudisill,
Boles,	Gramlich,	McCandless,	Rutherford,
Bonner,	Gray,	McCann,	Sakulsky,
Bowman,	Gremminger,	McCormack,	Scarcelli,
Branca,	Hamilton,	McDevitt,	Schaaf,
Buchanan,	Hankins,	McDonald,	Schuster,

Capano,	Hartley,	McInroy,	Seltzer,
Capitolo,	Heffner,	McKeever,	Shelton,
Cauley,	Hocker,	McLaughlin,	Sherman,
Cianfrani,	Holliday,	McNally,	Shupnik,
Cioffi,	Holman,	Meholchick,	Slack,
Clarke,	Horst,	Merry,	Snare,
Comer,	Isaacs,	Miller,	Stank,
Cooley,	Jim,	Mills,	Stimmel,
Crossin,	Johnson, A. W.,	Monroe,	Stone,
Curwood,	Johnson, R. P.,	Morley,	Strausser,
Davis,	Jones,	Mullen,	Sullivan, J. A.,
Dengler,	Kamyk,	Munley,	Taylor,
Dougherty,	Keiser,	Murphy,	Tomasclik,
Doughten,	Kelly,	Musto,	Tompkins,
Eilberg,	Kernaghan,	O'Donnell, J. A.,	Varner,
Elvey,	Kessler,	O'Donnell, J. P.,	Verona,
Eshback,	King,	Odorisio,	Wargo,
Eshleman,	Klein,	Parlante,	Weidner,
Fetterolf,	Knecht,	Pashley,	Welsh,
Filo,	Kooker,	Perry,	Wescott,
Fineman,	Kornick,	Petrosky,	Williams, E. S.,
Flynn,	Kramer,	Piper,	Yetter,
Foerster,	Lamb,	Polaski,	Zember,
Foor,	Lawson,	Polen,	Zimmerman,
Fox,	Lee, A. M.,	Prendergast,	Andrews,
Frascella,	Lee, K. B.,	Pursley,	Speaker

## NAYS—38

Adams,	Farabaugh,	Kistler,	Ujosal,
Bossert,	George,	Korns,	Wall,
Bower,	Gibb,	Magee,	Whittaker,
Breth,	Goldstein, M. H.,	May,	Willard,
Bush,	Guesman,	Ogilvie,	Willaredt,
Dennison,	Guthrie,	Simmons,	Williams, A. D.,
Donaldson,	Haudenshield,	Stiteler,	Wilt,
Down,	Heavey,	Sullivan, T. F.,	Wood,
Edwards,	Helm,	Thompson,	Worley,
Ewing,	Henzel,		

## NOT VOTING—13

Gross,	Marsh,	Needham,	Steckel,
Irvis,	Mihm,	O'Dell,	Trusio,
Jenkins,	Murray,	Price,	Walsh,
Manbeck,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1119, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth \* \* \*" removing compensation provisions for first aid and mine rescue workers.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—107

Anderson, S. A.,	Frascella,	Maxwell,	Renwick,
Arlene,	Fry,	McCann,	Riley,
Bachman,	Galley,	McCormack,	Rovansek,
Boles,	Gallagher,	McDevitt,	Rubin,
Bonner,	Gelfand,	McDonald,	Rudisill,
Branca,	Goldstein, M. H.,	McKeever,	Sakulsky,
Breth,	Gray,	McLaughlin,	Scarcelli,
Capano,	Gremminger,	McNally,	Schaaf,
Capitolo,	Hamilton,	Meholchick,	Schuster,
Cauley,	Hankins,	Mills,	Shelton,
Cianfrani,	Hartley,	Monroe,	Sherman,
Cioffi,	Heavey,	Morley,	Shupnik,
Clarke,	Irvis,	Mullen,	Stank,
Comer,	Jenkins,	Munley,	Stone,
Cooley,	Jim,	Murphy,	Sullivan, J. A.,
Crossin,	Jones,	Musto,	Sullivan, T. F.,

Curwood, Dennison, Dougherty, Doughten, Ellberg, Eshback, Farabaugh, Filo, Fineman, Flynn, Foerster,	Kamyk, Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty,	O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Reibman, Reidenbach,	Taylor, Tomascik, Trusio, Varner, Verona, Wargo, Welsh, Worley, Yetter, Andrews, Speaker
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## NAYS—89

Adams, Anderson, J. H., Ashton, Auker, Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Donaldson, Down, Edwards, Elvey, Eshleman, Ewing, Fetterolf, Foor, Fox, Fulmer,	George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Guesman, Guthrie, Haudenshield, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler,	King, Kistler, Knecht, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Markley, May, McCandless, McInroy, Merry, Miller, Odorisio, Ogilvie, Piper, Pursley, Royer, Rutherford,	Seltzer, Simmons, Slack, Snare, Stimmel, Stiteler, Strausser, Thompson, Tompkins, Ujobai, Wall, Weldner, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Zember, Zimmerman,
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## NOT VOTING—10

Gross, Leonard, Marsh,	Mihm, Murray, Needham,	O'Dell, Price,	Steckel, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1120, entitled:

An Act amending the act of April 25, 1945 (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania \*\*\*" removing salary provisions for electrical inspectors.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—106

Anderson, S. A., Arlene, Bachman, Boies, Bonner, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dennison, Dougherty, Doughten,	Fry, Fulmer, Galley, Gallagher, Gelfand, Gray, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Irvie, Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick,	Lutty, Maxwell, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Donnell, J. A., O'Donnell, J. P., Parlante,	Reibman, Reidenbach, Renwick, Riley, Rovanssek, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik,
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Ellberg, Farabaugh, Filo, Fineman, Flynn, Foerster, Frascella,	Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos.,	Pashley, Perry, Petrosky, Polaski, Polen, Prendergast,	Trusio, Verona, Wargo, Welsh, Yetter, Andrews, Speaker
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## NAYS—91

Adams, Anderson, J. H., Ashton, Auker, Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Fetterolf, Foor, Fox,	George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gross, Guthrie, Haudenshield, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler,	King, Kistler, Knecht, Kooker, Korns, Lee, K. B., Lee, A. M., Lippincott, Magee, Manbeck, Markley, May, McCandless, McInroy, Merry, Miller, Odorisio, Ogilvie, Piper, Pursley, Royer, Rutherford, Seltzer,	Simmons, Slack, Snare, Stimmel, Strausser, Thompson, Tompkins, Ujobai, Varner, Wall, Weldner, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Zember, Zimmerman,
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## NOT VOTING—9

Marsh, Mihm, Murray,	Needham, O'Dell,	Price, Steckel,	Stiteler, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, just commenting on what Mr. Fineman said a while ago about the switches on the roll call, I do not think this roll call device is ever to be used as an instrument of lobbying, either, so it works both ways on both sides.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1121, entitled:

An Act repealing the act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office."

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—101

Anderson, S. A., Arlene, Bachman, Boies, Bonner, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi,	Fry, Galley, Gallagher, Gelfand, Gray, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Irvie,	Lutty, Maxwell, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley,	Reidenbach, Renwick, Riley, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik,
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Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Eilberg, Farabaugh, Filo, Fineman, Flynn, Foerster, Frascella,	Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos.,	Mullen, Munley, Murphy, Musto, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Polaski, Polen, Prendergast, Reibman,	Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomasick, Trusio, Verona, Wargo, Welsh, Yetter, Andrews, Speaker
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## NAYS—96

Adams, Anderson, J. H., Ashton, Auker, Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Dennison, Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Fetterolf, Foor, Fox,	Fulmer, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gross, Guthrie, Haudenschild, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler,	King, Kistler, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Markley, May, McCandless, McCann, McInroy, Merry, Miller, Odorisio, Ogilvie, Petrosky, Piper, Pursley, Rovansek, Royer, Rutherford,	Seltzer, Simmons, Slack, Snare, Stimmel, Stiteler, Strausser, Thompson, Tompkins, Ujobai, Varnier, Wall, Weidner, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Zemmer, Zimmerman,
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## NOT VOTING—9

Knecht, Marsh, Mihm,	Murray, Needham,	O'Dell, Price,	Steckel, Walsh,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. McCANN. Mr. Speaker, I request permission to go to bills on final passage postponed and call up House bill 985.

## BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 985, entitled:

An Act relating to the effect and priority of liens for taxes and municipal or other claims in cities of the first class.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. EILBERG. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, line 8, by inserting after "entered" where it appears the first time "nor against a bona fide pledgee, mortgagee or purchaser for value of any personal property."

Amend Sec. 1, page 2, line 9, by inserting after "merchandise" "or other personalty."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN. On bills on third reading, I call up House bill 8.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 8, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for restrictions on speed of certain vehicles in certain cases and penalties for violation thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—176

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh,	Foor, Fox, Fry, Fulmer, Galley, Gallagher, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Mullen, Munley, Horst, Irvia, Jenkins, Jim, Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kessler, King, Klein, Knecht, Kooker,	Lee, A. M., Lee, K. B., Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Miller, Mills, Monroe, Morley, Mullen, Musto, O'Donnell, J. A., O'Donnell, J. F., Odorisio, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Reibman,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varnier, Verona, Wall, Wargo, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt,
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Fetterolf, Filo, Fineman, Flynn, Foerster,	Kornick, Korns, Kramer, Lamb, Lawson,	Reidenbach, Renwick, Riley, Rovanssek, Royer,	Wood, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—17

Adams, Bush, Goodrich, Gramlich, Gross,	Holman, Isaacs, Kernaghan, Kistler,	Lippincott, Magee, Manbeck, Markley,	Merry, Parlante, Pursley, Worley,
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## NOT VOTING—13

Boies, Frascella, Gelfand, Johnson, A. W.,	Marsh, Mihm, Murray,	Needham, O'Dell, Price,	Steckel, Walsh, Wescott,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House bill No. 32, printer's No. 517,  
House bill No. 216, printer's No. 1340,  
House bill No. 245, printer's No. 887,  
House bill No. 278, printer's No. 303,  
House bill No. 313, printer's No. 1434,  
House bill No. 319, printer's No. 348 and  
House bill No. 320, printer's No. 1471

were passed over at the request of Mr. McCANN.

Mr. McCANN. I would like to call up on page 15, House bill 359, printer's No. 396.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 359, entitled:

An Act authorizing cities to authorize or provide for the destruction or killing of unowned pigeons by humane means.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, a great number of the members do not have the revised calendar and this bill appears on page 14 of the original calendar distributed for today.

The SPEAKER pro tempore. The Chair informed the House that they should be using a calendar marked "reprint."

Mr. McCANN. Mr. Speaker, it is immaterial. It is House bill 359 on page 14 of the old calendar, page 15 of the new calendar; it is the same bill.

Mr. TOMPKINS. Mr. Speaker, we are not objecting to the bill being called up. What we are saying is this: When you call up a bill on a certain page on the new calendar—the revised calendar—the members are not able to find it on the old calendar.

The SPEAKER pro tempore. The Chair would advise the gentleman that the bills follow in order even on the calendar before it was reprinted.

## PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Perry, Mr. Holman, rise?

Mr. HOLMAN. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOLMAN. Is there a rule of this House which prohibits voting on a bill when the bill is not on the member's desk?

The SPEAKER pro tempore. The Rule of the House is that the bill must be in print.

Mr. HOLMAN. I thank you, Mr. Speaker.

The SPEAKER pro tempore. I am sorry—and on the members' desks. The rule reads that the bill shall be in print and on the members' desks.

Mr. HOLMAN. Mr. Speaker, I do not have this bill, nor do I have a number of other bills that were voted on today, including the auctioneer bill.

The SPEAKER pro tempore. If the gentleman will advise the bill he does not have, we will certainly see that he gets a copy of it. The chief clerk will see that the member is supplied with a copy of the bill.

## POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Blair, Mr. Auker, rise?

Mr. AUKER. Mr. Speaker, I rise to a point of order, I suppose you would call it.

The SPEAKER pro tempore. The gentleman will state it.

Mr. AUKER. Mr. Speaker, we are getting to the point where we are having a lot of complaints about these bills and calendars and so forth not being properly distributed. It seems to me there is plenty of help around this House that we are paying for, that these things ought not to occur.

Mr. McCANN. Mr. Speaker, I would like to take a moment of time. Of course the ones who do these are these young pages. It is very possible to skip one bill here and one there. They may have missed some, but they will immediately get the bill if it is missing from your particular book.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—185

Anderson, J. H.,	Gailey,	Lawson,	Royer,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Rubin,
Arlene,	Gelfand,	Lee, K. B.,	Rudisill,
Ashton,	George,	Leonard,	Rutherford,
Auker,	Gibb,	Limper,	Sakulsky,
Bachman,	Gibbons,	Lippincott,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jas.,	SchAAF,
Blair,	Goldstein, M. H.,	Lutty,	Schuster,
Bonner,	Goodrich,	Magee,	Seltzer,
Bossert,	Gramlich,	Manbeck,	Shelton,
Bower,	Gray,	Markley,	Sherman,
Bowman,	Gremminger,	Maxwell,	Simmons,
Branca,	Gross,	May,	Slack,
Breth,	Guesman,	McCandless,	Snare,
Buchanan,	Guthrie,	McCann,	Stank,
Bush,	Hamilton,	McDevitt,	Stimmel,
Capano,	Hankins,	McInroy,	Stiteler,
Capitolo,	Hartley,	McKeever,	Stone,
Cauley,	Haudensfield,	McLaughlin,	Strausser,
Cioffi,	Heavey,	McNally,	Sullivan, J. A.,
Clarke,	Heffner,	Merry,	Sullivan, T. F.,
Comer,	Heim,	Miller,	Taylor,



Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keshler, Keiser, Kelly, Kernaghan, Kessler, Kling, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reidenbach, Renwick, Riley, Rovanssek,	Thompson, Tomascik, Tompkins, Truslo, Ujohal, Varnar, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Andrews, Speaker
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## NAYS—8

Adams, Cianfrani,	Curwood, Jenkins,	Long, Wm. Jos., McDonald,	Meholchick, Shupnik,
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## NOT VOTING—13

Boles, Cooley, Marsh, McCormack,	Mihm, Murray, Needham,	O'Dell, Price, Reibman,	Steckel, Walsh, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 362, entitled:

An Act requiring common carriers by railroad to furnish flag protection to all trains occupying the main tracks imposing duties on the Public Utility Commission and providing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Thank you, Mr. Speaker.

I rise to speak on House bill 362. This bill could be debated in a number of ways. There might be certain political recriminations that might be raised, because certainly this bill has some political implications. On the other hand, I propose, instead, to deal with it solely on its merits, its effect upon an industry in the State of Pennsylvania, its effect upon the State and the citizens of the State.

Let me just say briefly, the bill itself is uncomplicated. It merely provides that on trains operated over the main tracks of a railroad within the limits of the Commonwealth there must be a flagman stationed at or near the rear end of the train for the purpose of furnishing flag protection.

Let me say, also, Mr. Speaker, that it provides penalties if this flagman is not so stationed. Let me call to your attention that the argument will be made, as far

as this bill is concerned, that it is a safety measure. However, the bill itself does not require in any way that this flagman actually furnish flag protection; it merely says that he must be stationed in this position on the train.

I also call to your attention the fact that if it were determined to be necessary on certain railroads in the Commonwealth that a flagman be so stationed on the railroad train, it is my understanding of the present law that the Public Utility Commission would have the power to make a rule or regulation which would require this to be done.

May I also say that under the work rules which are in force—at least, on The Pennsylvania Railroad, that is the one with which I am familiar—it is provided that flag protection shall be furnished under certain circumstances where the train might be overtaken by a following train. However, the work rules which are approved by the Interstate Commerce Commission relieve the railroad of the responsibility for furnishing this flag protection if they have a system of automatic block signals which furnish proper protection as far as the train being overtaken from the rear.

Now, the practical difficulty with this bill is that requiring this man to be at or near the end of the train is an unreasonable burden upon the railroads. At the present time the rules are adequate to provide that under the proper circumstances the flag protection must be provided, and there are on the trains operated today people who are qualified to furnish this protection.

The only thing is that on many trains these people have other duties. They may be walking up and down the train taking tickets or performing other duties. However, if the train does stop, they are certainly in a position to get out to the rear of the train and provide the protection which may be necessary as far as lives and property are concerned.

I want to say just a few other things about this bill. One of the most important things about it has to do with the question of the business climate in the Commonwealth of Pennsylvania. We have heard a lot of talk about that in recent years because we certainly do have depressed areas in this State. All of us want to attract business and industry to the Commonwealth because that business and industry can provide the jobs and payrolls that the people in the State of Pennsylvania need.

Now, there is more to business climate than merely taxes. There have been certain things done in the field of taxation which have made the climate a little more attractive as far as business and industry are concerned. However, I ask you, Mr. Speaker, as to the attitude of a potential employer from outside the State when he sees a bill such as this on our calendar, a bill which will penalize an industry now employing somewhat less than 100,000 employees in the State of Pennsylvania. How are we and our chambers of commerce and our industrial development authorities to go and sell people on the proposition of coming into this State to do business here when we treat such a large employer in the fashion we propose to under this legislation?

May I also say, turning specifically to the city of Philadelphia, that at the present time we are engaged in an experiment down there on the problem of commuter transportation, and this bill would affect the commuter lines. At the present time the city of Philadelphia is

paying each year hundreds of thousands of dollars in subsidies to the railroads to operate commuter service and to provide low fares to the people of the city of Philadelphia.

If this bill is passed, it will place a tremendous burden on those commuter railroads and just run them much further into the red, and somebody is going to have to make up that deficit.

May I also point out, Mr. Speaker, in conclusion, that if we pass this legislation and it does require an extra man to be placed on these railroad trains, it will be a tremendous burden upon this industry. At the present time there is a presidential commission which was started under the last Administration and is being continued under this Administration, with equal representation from labor, industry and the public, considering the whole problem of work rules all over the country. If we pass this legislation and if that commission makes recommendations which run counter to this particular legislation, we here in Pennsylvania will not be able to put that into effect.

I say, Mr. Speaker, that by the passage of this bill we are striking a blow not only against an ailing industry, but also against the people of this Commonwealth, because it will hurt us tremendously in our efforts to convince people elsewhere that we have a favorable tax and business climate here in the Commonwealth.

I would ask that this bill be voted down.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Lee?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. TAYLOR. Mr. Speaker, did the gentleman ever work for a railroad company at any time during his career?

Mr. A. M. LEE. No, I did not, Mr. Speaker.

Mr. TAYLOR. Well, the gentleman seems to have Rule 99 broken up pretty well there. In other words, you did not say anything about a human life when you quoted Rule 99 or part of it.

Mr. A. M. LEE. I did not understand the gentleman's statement about what I quoted.

Mr. TAYLOR. Well, some person has given you an idea of Rule 99, and that is the railroad rule adopted by the American Railroad Association itself for the protection of human life.

Mr. A. M. LEE. Yes, sir. It is my understanding, also, that those rules are filed with the I. C. C. and approved by them.

Mr. TAYLOR. Well, they strictly do not live up to it. In other words, every railroad in the Commonwealth of Pennsylvania, lives up to it but one.

Mr. A. M. LEE. I am not informed as to that, Mr. Speaker. I only know I have Rule 99 before me, and I certainly believe that what I said in connection with Rule 99 was a fair representation of what the rule provides.

If the gentleman wishes me to read it, I will be glad to do so.

Mr. TAYLOR. I wish he would. In fact, I have to recite it when I go to work on the railroad.

Mr. A. M. LEE. Do I understand the gentleman wishes

me to read it? I do not think it has any particular reference to this particular bill; that is, I do not think it will shed any further light on it. On the other hand, I will read it if the gentleman so requests.

Mr. TAYLOR. I sure do request it because I have heard it for about ten years. When I recited it here just two years ago, the following day we had the Bryn Mawr wreck.

Mr. A. M. LEE. I merely suggest that if the gentleman knows it by heart, perhaps he would like to recite it. I will check him on the rule.

Mr. TAYLOR. Do you not have a rule book there?

Mr. A. M. LEE. I do, Mr. Speaker.

Mr. TAYLOR. Why do you not read the rule? Do you want me to recite it for you?

Mr. A. M. LEE. Sure.

Mr. TAYLOR. All right.

When a train is stopped or overtaken by another train, the flagman must go out immediately with sufficient distance to insure full protection to the train. When recalled he must place two torpedoes or flares at night when required.

Mr. A. M. LEE. The gentleman knows his rules.

Mr. TAYLOR. Well, I have railroaded enough and I had to learn it before I got the job, and I had 444 rules to recite.

Mr. A. M. LEE. Has the gentleman completed his interrogation?

Mr. TAYLOR. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, in order to try to clarify what has been said, I do not think that Mr. Taylor's remarks need any further clarification. He knows the rules; he has been living by them for many, many years.

I would like to say, however, the gentleman from Philadelphia, Mr. Lee, is wrong when he says the bill does not state the purpose of safety. I call his attention to lines 6, 7 and 8, where it says, "for the purpose of providing flag protection when the train or locomotive is stopped or delayed under such circumstances that it may be overtaken by a following train or locomotive."

This bill does not provide for any additional employees on trains or locomotives. We commonly point our fingers at it and say, this is a featherbedding bill, and so forth. This provides that some member of the train crew, all members presumably being qualified flagmen, some member of the train crew shall be stationed at or near the rear of the train so that he may provide the safety measures necessary.

Mr. Speaker, I would like to show the gentleman from Philadelphia various photographs showing rear-end collisions that have happened here in Pennsylvania in recent years. These are, of course, necessarily from cars that lack proper signalling of an oncoming train, of a train or caboose or engine that was already on the track. It is a necessity to have a flagman at or near the rear-end of the train to get these signals out in time. We are not asking that any additional employees be placed on a train, but that one of the existing train crewmen be placed in that position so that he may flag them down.

To further qualify this rule 99, I wonder if the gentleman from Philadelphia knows that only the Pennsylvania Railroad has Rule 93B, which specifically exempts Rule



99 from the superintendent's call, so that Rule 99 shall not be applied. Right now all we are asking concerning Rule 99, which every railroad in the nation has requiring a flagman to be at the rear, is that we remove the obstructions that the Pennsylvania Railroad has sought to place into the rule, that is, if they do not see fit on a particular train to have that flagman there that they may abrogate or throw out Rule 99. We are merely asking that the Pennsylvania Railroad, and all other railroads, should adopt Rule 99, the rule they have professed to have adopted, and place it into law.

Mr. AUKER. Mr. Speaker, it is with some hesitation, possibly I should say, that I arise to speak against—I think you would call this a—so-called labor bill. In the first place, I wanted to endorse, and I had intended to speak along those lines, everything that the gentleman from Philadelphia, Mr. Lee, has said. I want to say that in my opinion this kind of legislation is very seriously going to hurt and hamper and cripple the attempt to get industry to expand in Pennsylvania and to draw new industry into Pennsylvania. That, to my mind, is the most dire need in Pennsylvania today, more employment.

Now, Mr. Speaker, to clarify this bill. Let me read into the record section 1189 of the Public Utility Commission Act, and possibly comment on it in some small way. This is what the act says, and I hope you will all pay attention: "After reasonable notice, and hearing upon its own notice, or upon complaint, the Commission may by order require any common carrier"—any common carrier—"to employ such number of men upon any of its facilities as in the judgment of the Commission is requisite for the safe and efficient operation of such facilities."

Now, if that section means anything, it means that anytime a safety question arises as to the operation of railroads regarding human life, all that needs to be done is a complaint to be made under existing law as we have it now, and a hearing be had and the Public Utility Commission can make such order as they see fit to make upon the testimony rendered. As a matter of fact they have already done that in requiring an extra crewman on the Pennsylvania Railroad between Gallitzin and Altoona, and it did not require any special act to do that and that was done, and possibly rightfully done. As I see it, there is absolutely no use for this bill being out on the calendar. We have existing law that in every way, shape and form meets the requirements that the proponents of this bill say it is to meet—existing law. And to pass this bill would be adding new protections in it, and it certainly is absolutely unnecessary and would probably do a great deal of harm to our economy here in Pennsylvania which we are all concerned in trying to build up.

Mr. MURPHY. Mr. Speaker, I would like to reiterate for one moment, no statistics have been given by any opponents of this particular measure as to any financial statistics or cost upon the railroad. We are not trying to be unduly hard on any industry, but these figures are notably absent. They have not been provided; they have not been cited here on the floor of the House; they have not been adequately quoted even in the newspapers. There is hardly a financial consideration or an economic consideration involved in 362. I would again like to bring that point out. If they have such statistics we should certainly like to hear them.

The SPEAKER pro tempore. Does the gentleman from Potter, Mr. Goodrich, desire to be recognized?

Mr. GOODRICH. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Murphy.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Murphy, permit himself to be interrogated?

Mr. MURPHY. I shall, Mr. Speaker.

Mr. GOODRICH. Mr. Speaker, I think most of the debate is pertaining to the larger railroads. I would like to ask the gentleman—I am a little bit embarrassed in this—but we have short line railroads in the northern tier, and they have only one train, one engine, and they do some business. Now according to the order here, would this require those trains to have flagmen?

Mr. MURPHY. Yes, it would, near the end of their train.

Mr. GOODRICH. Well, what is going to run into those trains, I wonder?

Mr. MURPHY. I do not know of any railroad up there that has a single engine.

Mr. GOODRICH. I could probably name several.

Mr. MURPHY. Would the gentleman do that?

Mr. GOODRICH. Yes, I would. The Coudersport and Port Allegheny Railroad, the Lake Erie Special in Clarion, probably several railroads have maybe two engines, one not in use. When we see railroads such as these which operate only one train, I think it is a little ridiculous to require such railroads to have flagmen. I would not object to it too much either if the railroads were prosperous, but these particular railroads that I am speaking about are on the verge of bankruptcy. I happen to know that in the northern tier individuals and industries there often contribute out of their own pockets to maintain these railroads. I do not see how we can force them to have flagmen on the rear of their trains under the conditions that there are no other trains on the track.

Would you have an answer to that?

Mr. MURPHY. First of all, I have been informed, I would say reliably so, that these firms that you mention do have more than one engine. I might suggest they be recounted. I might also say that these particular railroads that you have mentioned are already fully complying with Rule 99. This law will not injuriously affect them. We are just putting into law what is already a practice with them.

I wonder by whom the gentleman was informed, Mr. Speaker.

Mr. GOODRICH. By the legislative chairman of the Railroad Brotherhood and Mr. Taylor.

I am not a railroad man and I will tell Mr. Taylor that too, that I have never worked on the railroad, but I do know that the railroads in our area do not run a crew of five but probably three. I am not positive of that. I do know that a flagman is required and I understand from you, and I want to clear this point up, it does not require an additional employee on the railroad?

Mr. MURPHY. That is right. It merely requires one of the members of the crew to be stationed at the rear. You are not going to try to run a railroad train or a freight train with a one-man crew?

Mr. GOODRICH. I do not believe that they do that.

Mr. MURPHY. Well, that is what we are trying to avoid at some points.

Mr. GOODRICH. No.

Mr. MURPHY. Yes.

Mr. GOODRICH. You are probably not aware of the type of railroads that we have. We even use steam sometimes.

I would like to inform the gentleman that I am a former employe of the Monessen Southwestern, of which you probably have not heard. We had more than one engine. I have also worked with the Donora Southern Railroad which is a short line. We had more than one engine. And I am also a former employe of the Pittsburgh and West Virginia Railroad.

Mr. MURPHY. I congratulate the gentleman.

Mr. GOODRICH. May I have permission to ask the gentleman one question about the next bill which pertains to this matter?

The SPEAKER pro tempore. Will the gentleman permit himself to be further interrogated?

Mr. MURPHY. Mr. Speaker, I did not know that I had been released.

Mr. GOODRICH. Mr. Speaker, in House bill 353, as I read the bill, it would require five on the crew—

Mr. MURPHY. I would like to call the gentleman's attention to the fact that we will get to 353 next. We would like to finish 362, if the Speaker will permit.

The SPEAKER pro tempore. The gentleman is correct. We are now debating House bill 352.

Mr. GOODRICH. I thank the gentleman, Mr. Speaker.

Mr. MURPHY. Members of the House, vote against the bill. The gentleman has informed me that the railroads in the northern tier, in my area, do comply with the regulations in this bill. I am not sure of that. I do know that the conditions of a number of railroads in the northern tier are very hazardous and any burden that is placed upon them could very well deny, not only the railroad, but the employees of the railroad, the people of the northern tier, the service they need.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Just a brief further word, Mr. Speaker, in connection with that bill.

That bill is advertised as a safety measure and the gentleman from Washington has read the language of the bill. This language, and we ought to get a firm grip on this and all understand it, this language merely requires that the flagman be at or near the end of the train. It does not require that the flag protection be furnished. Therefore, if he is seeking to implement rule 99, he is not going about it in the proper way with this particular piece of legislation. I say again, Mr. Speaker, if we pass this type of legislation and even its mere presence on the calendar is giving the business climate in Pennsylvania a black eye.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—110

Adams,	Fulmer,	Maxwell,	Riley,
Anderson, S. A.,	Gailey,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Rubin,
Bachman,	Gelfand,	McDevitt,	Rudisill,

Boles,	Gray,	McDonald,	Rutherford,
Bonner,	Gremminger,	McKeever,	Sakulsky,
Branca,	Guesman,	McLaughlin,	Scarcell,
Breth,	Hamilton,	McNally,	Schaafer,
Capano,	Hankins,	Mehoichick,	Schuster,
Capitolo,	Hartley,	Mills,	Shelton,
Cauley,	Heavey,	Monroe,	Sherman,
Cianfrani,	Irviss,	Morley,	Shupnik,
Cioffi,	Mullen,	Mullen,	Snare,
Clarke,	Munley,	Murphy,	Stank,
Comer,	Murphy,	Musto,	Stiteler,
Cooley,	Kamyk,	O'Donnell, J. A.,	Stone,
Crossin,	Kelly,	O'Donnell, J. P.,	Sullivan, J. A.,
Curwood,	Klein,	Parlante,	Sullivan, T. F.,
Dougherty,	Kornick,	Pashley,	Taylor,
Doughten,	Korns,	Perry,	Tomascik,
Ellberg,	Kramer,	Petrosky,	Trusio,
Farabaugh,	Lamb,	Polaski,	Verona,
Filo,	Lawson,	Polen,	Wargo,
Fineman,	Leonard,	Prendergast,	Welsh,
Flynn,	Limper,	Reidman,	Yetter,
Foerster,	Long, Wm. Jas.,	Redenbach,	Andrews,
Frascella,	Long, Wm. Jos.,	Renwick,	Speaker
Fry,	Lutty,		

## NAYS—88

Anderson, J. H.,	Fox,	Kernaghan,	Seltzer,
Ashton,	George,	Kessler,	Simmons,
Auker,	Gibb,	King,	Slack,
Backenstoe,	Gibbons,	Kistler,	Stimmel,
Blair,	Goldstein, J. H.,	Knecht,	Strausser,
Bossert,	Goldstein, M. H.,	Kooker,	Thompson,
Bower,	Goodrich,	Lee, A. M.,	Tompkins,
Bowman,	Gramlich,	Lee, K. B.,	Ujbal,
Buchanan,	Gross,	Lippincott,	Varnar,
Bush,	Guthrie,	Magee,	Wall,
Davis,	Haudenschild,	Manbeck,	Weidner,
Dengler,	Heffner,	Markley,	Wescott,
Dennison,	Helm,	McCandless,	Whittaker,
Donaldson,	Henzel,	May,	Willard,
Down,	Hocker,	McInroy,	Willaredt,
Edwards,	Holliday,	Merry,	Williams, A. D.,
Elvey,	Holman,	Miller,	Williams, E. S.,
Eshback,	Horst,	Odoriso,	Wilt,
Eshleman,	Isaacs,	Ogilvie,	Wood,
Ewing,	Johnson, A. W.,	Piper,	Worley,
Fetterolf,	Johnson, R. P.,	Pursley,	Zember,
Foor,	Keiser,	Royer,	Zimmerman,

## NOT VOTING—8

Marsh,	Murray,	O'Dell,	Steckel,
Mihm,	Needham,	Price,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 363, entitled:

An Act requiring common carriers by railroad to man locomotives and trains with competent employes providing for the minimum number and qualifications of men so employed and providing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson, the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, as everybody knows, I have been a Member of this General Assembly now eight terms. During my career in this legislature I have tried to be a party to voting measures which would promote the great State of Pennsylvania. I know you



people on the other side are saying "Now we brag about that great business climate in Pennsylvania and you are trying to take credit for it," and I say that in my career and the career of many on this side of the House, we have stood up here and fought the measures within the field of a sales tax, within the field of capital stock tax, and safety measures, and all that, to try to bring industry into this State. Now what are we saying here today? We are saying to industry in Pennsylvania, to our railroads, "We got you here now. You are a captive bunch and now that we got you here we are really going to put it to you." We are going to pass a bill on this calendar which is going to say that you have to have a five-man crew whether you want it or not, whether you need it or not. That is the effect of the bill that you have on this calendar.

I am sure that Governor Lawrence in his office right now is wondering what are we doing to the people of Pennsylvania in the State in this House of Representatives this afternoon. The Governor was down to Washington, D.C., not long ago and pleaded with President Kennedy and his cohorts to do something for Pennsylvania. Our steel industry is down to 47%. People are sitting on the benches up in Carbon County. We want business. We want you to put plants up in the coal regions around where great unemployment exists. What is he thinking when here in this legislature you people are asking us to put on the railroads a measure which will cost anywhere from \$5 million to \$10 million a year, depending on the business activity of the railroads.

Now, again, this bill does not say anything about it being a safety measure. The Act of 1937, the Full Crew Law, which was declared unconstitutional, by the way, by the Supreme Court, said it was a measure to promote the safety of the people, of the workers and passengers of railroads. That was the preamble and title of that bill. This bill does not say that. It simply says that this is a bill to compel the railroads to have a competent crew of five people, or whatever it is. We do not object to that word "competent." If all the bill does is to require the railroads to have a competent crew, that would be all right, because the members of the union are all competent men and they are competent members of the working force of the railroad. But, no, the bill says you have to have a competent crew of five. In other words, the bill does not recite any relation between the police power of this State with respect to this particular measure. Why have you omitted that in this bill I do not know. Why don't you set it out with particularity? What safety requirements are you supposed to meet with this bill?

Now, I sent to the National Safety Foundation to get a copy of the accident records of the steam railroads, of this Nation. Now, you might be amazed at these figures. They go back to 1918. We will just talk about deaths on Class 1 Railroads. In 1918 the deaths were 3,048 and the injuries 149,469. The deaths had dropped in 1958 from 3,048 to 199. Injuries had dropped from 149,469 to 12,357 on our steam railroads. In other words, I am quoting these figures to you so that if the purpose of this bill is not a make-work bill but a safety measure, the figures do belie your argument, because of the tremendous drop in the number of people killed or injured on railroads.

Now, what is Pennsylvania's safety record with respect

to the accidents on the railroad employees? It has also improved tremendously in Pennsylvania. Do you know why I remember this? Because we are a great railroading State, we are practically the mother of the great railroads in the United States today; they started right here in Pennsylvania. In 1936, on an average of 26 to 30 employees were killed of 167 per year. In 1959, 14 were killed in Pennsylvania. The accident record is about the same in Pennsylvania and shows a similar drop. The P. U. C. adopted figures from a survey and the figures for injuries in Pennsylvania—pardon me a minute, I thought I had the figures. I will not take the time now, but the deaths as I quoted were only 14, and I believe the injuries were 955 in Pennsylvania during 1959. In other words, the accident safety record of the railroads is improving every year. How is it improving? By better trains, better tracks, better safety devices, better electronic devices, the use of radar, and the use of signalling. That is right, there is some radar used on the railroads, there is no question about it. The use of electronic devices, I say, to signal two or three miles to another train, to the approaching of a train. So I say, there is no reasonable relation between this bill and safety on the railroads. I do not see how you can possibly argue that.

The Supreme Court in declaring the Full Crew bill in 1937 unconstitutional said that it is predicated on safety and they turned the bill down on grounds that because of the tremendous drag, even at that point, having been made on the railroads, the police power was not involved, and they declared the act unconstitutional. As Austin Lee said, recently the New York State Public Utility Commission made a study of the Full Crew Bill in New York State and felt that there was no reasonable relation between that bill and the safety of the workers. Maybe you can show me some figures where it is.

Now, I will tell you why you want this bill. I do not blame the unions for wanting it. Why, because in 1929 there were 1,687,000 railroad employees. In 1950 the number had dropped to 1,220,000. Last December there were only 734,585 railroad employees in this country. Think of that tremendous drop from 1,600,000 down to 734,000, the lowest number of railroad employees in our entire railroad history.

All right, so it happened to the railroads. Here is what is wrong. In 1917 the railroad had 100% of the inter-city freight; it dropped in 1946 to only 67% of the inter-city freight. In 1960 the railroads had only 44% of the inter-city freight of this nation. Where is it going? It is going to the trucks, it is going to the airplanes and to the autos and to other vital means of transportation. The railroads just cannot keep pace with the competition that the other industry provides.

Now, what about the profit of the railroads? You say that the railroads can afford this in Pennsylvania. Do you know that one of our large carriers, the largest one in this State, lost, I believe it was, \$8 million in January and February of this year, the largest loss in its entire history. At random we picked out two clippings from the Wall Street Journal last week and they said that Erie-Lackawanna sees a deficit of \$12 to \$15 million in 1961. Here is the American Association of Railroads say the nation's railroads had a net loss of \$20 million in February. That is quite a loss, a lot of red ink, compared

with a net income of \$25 million in February of 1960 and \$22 million in 1959. The Smathers' report, as you know, of 1954 I believe it was, pointed out the plight of the railroads and the necessity of our Federal Government as a matter of expediency to preserve our railroads, to have them in times of national defense. We must have the railroads in time of national defense. They are our first line of defense, you might say. We must protect the railroads and that is why our Federal Government feels that they should help to subsidize the railroads, and here we are today mandating on the railroads that they have this five-man crew. I say that many railroads have a five-man crew. Many of them have sat down at the bargaining table with the unions and they have agreed on a five-man crew. That is the American way. The P. U. C. in this State could say to the railroads, in the interest of safety on this railroad you must have a five-man crew. I do not think that this Legislature should mandate to the railroads that no matter what happens, no matter what your problem is, no matter what your costs are, no matter how much money you are losing, no matter what you state your argument is, no matter what happens, you have to have a five-man crew. I say that is wrong and believe me you are not sounding a cry in Pennsylvania to welcome industry into this State. If I were someone over in Ohio and read what was going on in Pennsylvania today and I had a big plant to locate here and, in view of bill 888 on this calendar, I would be sure to go to some other place. I hope you will all vote "no" on this bill.

Mr. TAYLOR. Mr. Speaker, I would like to interrogate the gentleman from McKean, Mr. Johnson.

The SPEAKER pro tempore. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. TAYLOR. Mr. Speaker, is the gentleman familiar with the Federal Liability Act?

Mr. A. W. JOHNSON. I did not understand the question.

Mr. TAYLOR. Is the gentleman personally familiar with the Federal Liability Act?

Mr. A. W. JOHNSON. I know that the act provides for comparative negligence, yes. The FELP it is called. It is a very strong act and is very favorable to railroad employees in that it has a doctrine of comparative negligence in it. That is right.

Mr. TAYLOR. Does the gentleman know that railroad labor organization is interested in this bill to protect their insurance and accident insurance just the same as the railroad companies are?

Mr. A. W. JOHNSON. Mr. Speaker, I am sorry, I did not understand the question. I believe you were too close to the microphone.

Mr. TAYLOR. Do you know that the Brotherhood of Railroad Trainmen and all railroad labor organizations are particularly interested in this bill for safety so they can save some of their money in insurance where they pay accident claims and insurance to those who have probably been killed?

Mr. A. W. JOHNSON. That would probably be a very meritorious desire on their part, to cut down—to make safety better, that is right.

Mr. TAYLOR. Did these railroad companies give the information on how much money they have lost during the last year through the Federal Liability Act?

Mr. A. W. JOHNSON. Mr. Speaker, anybody injured on a railroad—we are talking now about those who are injured on the trains by reason of not having a five-man crew.

Mr. TAYLOR. That is right.

Mr. A. W. JOHNSON. I do not have the figures on what they are, but if anybody is injured within this narrow sphere of injury it has been boiled down through the years—I think it is a wonderful safety record—if anybody is injured after the railroads have taken all these precautions, they should get compensation under the FELP Act, that is right.

Mr. TAYLOR. The Brotherhood organization itself, and the labor organizations are interested particularly in this bill to protect their own claims and money, so, therefore, I will ask each and every one in this House to vote for the bill.

Mr. A. W. JOHNSON. Mr. Speaker, may I reply to that?

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Personally, if you want to know, I have worked on the railroad; I have worked on the section. I have worked between what they call the four, eight and a half. I have the highest regard for railroad workers. The way we vote will put more people to work on the railroads in this State and cut down on this 734,000 so it does not drop any more and bring more industry into Pennsylvania. Hold out a helping hand to industry, and say, come on into Pennsylvania we have a good climate here, we have a friendly legislature, we are doing everything we can to bring you in here, and if you can show me that there is any reasonable relation between this bill and safety which is not in the act—I will say this, when you get up to the Supreme Court with this bill if it should pass, and there is no indication of why it was passed—all it says is that you must employ five people—how are you going to stand up before court when you do not have a preamble here saying, in order to promote safety, and how you are going to do it? The act is silent on it. Whether you have done it purposely, I do not know. I know you are going to say that the brakeman is one to watch the back end of a train and imply that it is for safety, but I cannot find the word "safety" in reading the four corners of this bill. I am for the railroad people. I wish that we could employ the 1.6 million, but I do not think this is the way to do it. Do it by bringing industry into the coal regions, getting the steel mills back to 90 percent, getting more industry here in Harrisburg and around this great railroad center we have here. That is the way to do it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Fineman.

The SPEAKER pro tempore. Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, my remarks concern themselves with the accuracy of the statements made by Mr. Johnson, particularly relative to the question of safety. For that purpose, I wonder if the gentleman would be kind enough to permit himself to be interrogated?

The SPEAKER pro tempore. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. FINEMAN. Do I understand, Mr. Speaker, that you



distinguish the act of 1937 from this proposed bill in one respect, in that the act of 1937 contains a preamble specifically referring to the safety factor?

Mr. A. W. JOHNSON. No, I have the act in front of me. The title says "to promote safety of railroad employes and passengers."

Mr. FINEMAN. There is no preamble in that act, though, is there?

Mr. A. W. JOHNSON. No, there is no preamble to that act.

Mr. FINEMAN. As a matter of fact, the language of this bill we have before us, insofar as the early paragraphs, early sections, of the bill are nearly identical to the 1937 act, is it not?

Mr. A. W. JOHNSON. It is identical with the exception, as I say, the title of the act of 1937 says that the bill is about the safety of employes plus passengers, that is right. But the Supreme Court, I believe in 1937, said that the argument of safety being the police power invoked was not the sole argument, as I understand and remember the case.

Mr. FINEMAN. Do you make a distinction?

Mr. A. W. JOHNSON. Do you have another question?

Mr. FINEMAN. Yes, if you do not mind, sir.

Do you make a distinction then between the failure of the bill to have a preamble when you compare this with the 1937 act?

Mr. A. W. JOHNSON. Mr. Speaker, I realize we are engaging in legal niceties. I think probably this bill, if it goes up to the Supreme Court, even without a recitation in it about what particular phase of the police power is being invoked, I believe that the lawyers in arguing about the bill would go all over the lot to try to find out what particular police power it involved. In the 1937 act the Supreme Court stuck to the safety angle because the title said to promote safety, so even though the bill does not recite the police power, the particular phase of it hold the safety of all people, I believe the question could be raised. I believe that is right. It is noticeably absent in this bill and I am asking why.

Mr. FINEMAN. Therefore, it is not a shortcoming that there is no preamble to that effect, is there? It is not a shortcoming in this will that there is not a preamble since there was no preamble in the 1937 act? In other words, the question could go either way if the Supreme Court found a reasonable relationship between the requirements of the bill and safety, the fact that the word "safety" is not contained in the title or in the preamble would not invalidate the bill, would it?

Mr. A. W. JOHNSON. My answer to that is that in the 1937 act the Court construed, apparently, the title of the act and the nature of the preamble and predicated its decision on the safety angle, and my answer to your question is, yes, I think if this bill would go to the Supreme Court without any reference to any relation to the police power of the State, it would be raised, no question about it, by either party.

Mr. FINEMAN. I raise the point only because you stated that this bill brazenly sets forth allegedly a mandate as to the number of employes and you distinguish this bill in that respect from the act of 1937 and the distinguishment is not a valid one.

Mr. A. W. JOHNSON. In answer to your question, I do believe that the bill is brazen in this respect, that it tells the railroad, you must have competent men and

five. It does not say why. Now we are in this legislature today and, in view of the increased safety of the railroads and the job they are doing in the field of safety and statistics showing how they are going down, the accidents and the deaths, I think if the bill is going to be predicated on safety, it should say it. If it is predicated on safety, it should say it. If it is predicated on health, it ought to say it. If it is predicated on morals, it ought to say it. That is my opinion.

Mr. FINEMAN. Well, that may be so, and I do not disagree with that. The only point I wish to make is to refute the allegation or the assertion to the effect that this is a brazen attempt to pass legislation and on that basis you distinguish it from the act of 1937 when such distinguishment does not exist.

I thank the gentleman, Mr. Speaker.

Mr. McINROY. Mr. Speaker, I would just like to interrogate someone on the other side on this bill.

The SPEAKER pro tempore. Whom does the gentleman desire to interrogate? The gentleman from Philadelphia, Mr. Taylor, says that he will permit himself to be interrogated. The gentleman will proceed.

Mr. McINROY. One railroad man interrogating another one.

Mr. TAYLOR. That is right. The gentleman should know.

Mr. McINROY. Mr. Speaker, I would like to ask the gentleman if this also applies to industrial tracks?

Mr. TAYLOR. Well, that does not pertain to this bill; that is 888.

Mr. McINROY. Does it have any limitation to the number of cars on the railroad? For instance, would this apply to a train of five cars?

Mr. TAYLOR. Well, in the heyday of the railroad, we had what they called a Full Crew bill. That Full Crew bill said you must have a conductor, a brakeman, and you must have no more than 28 cars. But in 1928 that bill was repealed. At the present time we have three types of crews, bob-tail crew, a minimum crew, and a full crew. So right at the present time the Full Crew bill being repealed, that wipes that out and leaves Pennsylvania strictly with a bob-tail crew. If this bill should pass; it gives them a minimum crew.

Mr. McINROY. In other words, as I understand it, Mr. Speaker, a train going out with one car or two cars will have to have a minimum crew of five men, is that right.

Mr. TAYLOR. Right now the railroad companies, as the gentleman knows, require a telegraph operator, and he knows that when they pass you, they pass you with anywhere up to 180 cars of 12,640 tons, and you will find in the rear of the train they do not have a man sometimes.

Mr. McINROY. Now, Mr. Speaker, I do not want to interrogate the gentleman any longer, but there might be an argument here if the train had 100 cars or over, but what I was trying to bring out was that if the train goes with one, two, three, four, five or any small number of cars, the question is whether it is necessary to have a crew of five men on board. As my colleague, Mr. Goodrich, brought out with the Coundersport and Port Allegheny Railroad which runs through his town, which, by the way, in case some of you do not know, is one of those short-line railroads. We happen to have another one running through the town where I work called the Wellsville and Addison railroad. Although I do not work



on that; I work on the New York Central. The New York Central does have a crew of five men, but roads like those that go through Mr. Goodrich's town and the other short railroads in Pennsylvania definitely will be harmed by this act.

I do not think I will interrogate the gentleman again, but do we put any restrictions like that on truckers, that all trucks must have two, three, four or five men on them? Are there any restrictions like that on the competition of railroads? Do we say to the ships that carry considerable good to Pennsylvania and nearby States, you must carry a crew of so many men? Do we say to the airplanes, you must carry a crew of so many people?

Now the question is, as has already been brought up, is it going to be constitutional to single out the railroad and say to them you must have a minimum crew of five, six, seven, or whatever it might be. On that ground it was declared unconstitutional in Pennsylvania, and again I say, I am not pleading for my railroad, because it does not affect my railroad.

I would like to call attention to one other fact. If you add men in a certain department, the railroads, by necessity, will have to cut out men in other departments. I happen to be working in a place right now, Elkland, Pennsylvania, where in the next town, Knoxville, Pennsylvania, the agency had to be discontinued in the interest of economy, and we have lost dozens of stations in Pennsylvania because the railroads just could not put them on. We have lost trackmen, we have lost other railroad workers because of lack of money, and it seems to me that if we are going to force on labor that we could force it on perhaps in a place where they would do more good, perhaps in fixing up the track or something else, rather than forcing them to put on a minimum crew of five men in places where they are not needed. Therefore, I think we should vote it down.

Mr. MURPHY. As the gentleman from McKean stated, there is an old slogan in Pennsylvania, we must protect our railroads, which has been our cry for over a century, and that we should not mandate safety to railroads. These are exempt from our safety rules and regulations. We may impose safety regulations on trucks, personal cars; we may impose safety regulations on every farm, corporation and individual in the Commonwealth, but we must protect our railroads.

I hate to prolong this day's session or debate any longer, but I would like to dispose systematically of the objections that have been raised on the other side systematically.

First of all, the provisions in House bill 363, which is not on the calendar, would not be declared unconstitutional by the Supreme Court of Pennsylvania, not at any time, not in 1937 nor in 1958 when the case was reviewed.

Section 3 of the act of 1937 was not ruled upon by the Court, and today's bill is section 3 of that act.

The Supreme Court decision in 1937, which was handed down in 1940, ruled unconstitutional 6 of the 15 provisions in that original act, consequently the remaining 9 provisions were constitutional. On a bill of review of 1958 it was held that it was too late to attack the provisions of that act at that time, and further that the provisions were probably not severable. We have stricken all these old provisions that were declared unconstitutional from the provisions in this act today. We do not

want anything any more unconstitutional than any other member of this House does. Therefore, we have stricken the unconstitutional provisions, as ruled by Justice Kephart. We have retained and reframed into a new bill the provisions that were not ruled unconstitutional. Now we want them enacted into legislation and presume that they will be all right. So much for the legality of this measure.

As far as the safety factor, Mr. Taylor has pointed out the various safety factors. You want a reason. The most that this bill requires is a five-man crew for a railroad train in Pennsylvania. Most of our railroads, and probably with only one exception, comply with this today. Is it unreasonable to ask, for safety's sake, that a railroad train of 70, 80, or 90 cars be operated by 5 men?

The gentleman from the other side, and I do not know which one it was mentioned it, asks what do we compel planes and trucks to do?

A truck, which is a single box car, must have one man. An airplane, under Federal regulations, must have three men. Now, all we are asking for is a safety regulation that there be two men in the cab and five men on the entire 80-car train, or a train of 10 cars, 50 cars, or 100 cars.

I had a court case very recently in Washington County where a railroad engineer testified under oath, "No, I could not see the left side of the crossing. My fireman watches that side of the crossing." He did not see the lady whose car he struck on the crossing; his fireman was supposed to have seen that lady. That is what the Pennsylvania Railroad engineer testified to.

We are asking for two brakemen who may alternate between being brakemen or flagmen, and we are asking, of course, for a conductor who will manage the operation of the train; five men to operate this train. I certainly think that is a reasonable safety regulation. I might say, that even though Justice Kephart bent over backwards to declare this Act of 1937 unconstitutional, he did not attack section 3, which is what we have before us today. So much for the safety.

Now we come down to crying "poor mouth," financial statistics, unemployment, featherbedding. We have heard figures of \$5 million, \$10 million, \$20 million net drops, and so forth. I would like to quote something prepared by Mr. Spencer G. Hall of the law firm of Nauman, Smith, Shissler & Hall, who represent the Pennsylvania Railroad and so represented them in a review of the Act of 1937 before the Supreme Court. Paragraph 31 of their brief on page 40A states, "If this Court were to impose these requirements," speaking of section 3, "the Pennsylvania Railroad would be forced to undergo an unnecessary additional expense of approximately \$300,000." Three hundred thousand is a far cry from \$5 million, \$20 million, and the other figures that have been loosely thrown around.

Let us also take the picture of employment up and down the line between operational staff and management was quite startling to me. We heard of the serious drop-off that the gentleman from McKean mentioned. Sure, the unions want it because they have suffered so much unemployment, so many of their folks have been furloughed and laid off the railroads. Let us take the year 1957, executive and staff assistants of the Pennsylvania Railroad comprised 881 men. In 1959, 308 men, a very slight drop.



Let us take, however, the train and engine service, from 26,000 down to 21,000. Transportation, train and engine other than the yard, 12,000 down to 10,000. The percentages of operational employes on the Pennsylvania Railroad is going steadily downhill and the percentage of executives and staff assistants is going uphill on the percentage of their overall employment.

Now, who is featherbedding? Is it the executive or is it the trainmen? We have a recent clipping from a Pittsburgh paper which cites the Union Railroad saying that it is going to cost them a great deal of money. The Union Railroad, as you know—I did not, but I do now—is a railroad 99 per cent of whose stock is owned by the United States Steel Corporation and a few shares of stock are owned by various individuals. The Union Railroad, who are claiming, how much this bill is going to cost them, were capitalized for a total capital sum of \$5 million. During the years 1957, 1958 and 1959 the Union Railroad made a net profit which exceeded their total original capitalization. These profits have completely paid back the investment and they are crying about how much this is going to cost them.

At the same time, in the year 1957, they spent \$47,000 for lobbying and representatives in various legislatures and places where they could have their views pointed out.

In each one of those years, we can see, when they have exceeded their net capital gain, they certainly were not a poor railroad, as they would have the Pittsburgh paper believe.

These figures could go on and on. We read recently where they have found other ways of cutting down expenses and employment on railroads. We do not feel that this is featherbedding, these are necessary safety measures and can be afforded without detriment to industry in Pennsylvania.

Mr. HOLLIDAY. Mr. Speaker, I would like to interrogate the gentleman from Washington County, Mr. Murphy.

The SPEAKER pro tempore. Will the gentleman from Washington County, Mr. Murphy, permit himself to be interrogated?

Mr. MURPHY. I shall, Mr. Speaker.

Mr. HOLLIDAY. Mr. Speaker, the gentleman has read a lot of statistics, and so forth, about the executives dropping slightly and the laboring people of the railroad dropping considerably more and insinuating that the executives should drop in proportion. That, I do not believe, is the true picture of the facts because, take this House, the gentlemen up there in the front would still have to be here whether we only had 50 percent of the members here. It still takes an executive, a certain number of executives, to operate the various railroads in the country regardless of how many men are working.

Would you answer this: As I understand it, you believe this bill will put men to work, is that correct?

Mr. MURPHY. Well, in answer to the gentleman's first statement, it may be true, sir, that we would have to have one man as a Speaker to operate the House, but I am sure that several years ago, many, many years ago, when there were only 50 or 60 members of this House the total administrative payroll and staff was much, much less than it is with 210 members. So, we can see, as our membership has increased throughout the years, so must our administrative staff, and, if we should decrease in number,

so should our administrative staff in this House, or on a railroad, or any other firm.

Mr. HOLLIDAY. Not necessarily. Will the gentleman please answer my other question? You believe this is a "make-work" bill?

Mr. MURPHY. I do not believe it is a "make-work" bill.

Mr. HOLLIDAY. Well, it could put men to work.

Mr. MURPHY. In certain instances, on certain railroads in the Commonwealth, it would provide an extra train crewman, but, in many, many instances, it would not, because many of our railroads already have a five-man crew. When they take a 70-car run up to Altoona, or to Galitzin, or somewhere else, they have five men and they would fully meet the provisions of this act.

Mr. HOLLIDAY. Do you think the Pennsylvania Railroad now meets the provisions of this act without putting on any more men?

Mr. MURPHY. In certain instances, sir, they do not.

Mr. HOLLIDAY. They do not. Then, you know what would happen, providing you would put more men on, a brakeman, a fireman, or what-not, the financial position of the Pennsylvania is such today that within a week's time after those men were put on you would be furloughing men in the shops and the other trade industries. In Altoona we know what furloughing means. When the statement comes out from the Pennsylvania Railroad that they have lost so much money during the previous month, and so forth, immediately we have furloughed men. You will have a great many more men furloughed than you will put to work under this bill. In the Altoona shops a few years ago they employed 14,000 men. Today in the shops they employ less than 5,000 men. A lot of that was not due to anything but the modernization of their equipment. We used to have the largest steam engine shops in the world where they repaired and built steam locomotives. When they dieselized, a lot of this equipment was put out of business and, consequently, there were less jobs in the shops. This bill, instead of putting men to work, Mr. Speaker, would put men out of work.

Mr. MURPHY. In answer to the gentleman, I might say that he seems to be offering the same type of language that Justice Kephart offered when he ruled on this decision and stated that a profitable return on the investment would be jeopardized. Competition from different modes of transportation has resulted in a depletion of revenue of rail carriers. My friends, we cannot be concerned with the protection of one investor's purchase over the safety of the men who are working on that line. They owe an obligation to their employees. They have been in business for a long, long time in Pennsylvania and they owe an obligation to these men, as well as the men to the Company. I am not here to promote more work necessarily for railroaders, but when a train moves, they move with a proper crew and they do not try to operate a train with one or two men, thus jeopardizing the entire safety of the public and every other employee of the line.

Mr. HOLLIDAY. Mr. Speaker, I think that possibly I could lay claim to being the oldest railroad man in this House. The gentleman, Mr. Taylor, spoke about working for Pittsburgh and West Virginia. I might say that I was an engineer when that railroad was built into Pittsburgh and went out with the first train to St. Louis.

My whole family were railroaders. The first job I ever had was in the master mechanic's office, in the Bellwood

Shop. I have had charge of 200 miles of main line in a western railroad. I have worked as a maintenance man and I have been able to pull the throttle on a locomotive. So I am not unknown to railroads and what the railroad business means.

You talked about the duty of The Pennsylvania Railroad to look after the safety of its employees. I know of no railroad in the country or in the world that has put a larger interest in the welfare of its employees.

Thank you.

Mr. BOIES. Mr. Speaker, I believe that I am the only member on the floor of this House that voted for this bill in 1937. I do not pretend to be a railroad expert, but I am hearing the same arguments today that we heard in 1937, and not only in 1937 but every other session that this bill has been up.

Mr. Speaker, I submit, that although all this oratory is very informative, I do not think we are changing a single vote, and I suggest that we take the roll.

Mr. A. M. LEE. Mr. Speaker, I will just take a minute. I just want to say that the gentleman from Washington, Mr. Murphy, is consistent. He was fuzzy on the flagman bill and he is a little fuzzy on this bill, as to what it does.

Now you want to get a firm grip on this one, too, because he talked about the 70-car train and the 100-car train and a five-man crew. But, also, this bill will require that if you have no locomotive and one car, you have to have five men on it, in addition to which, if you have a switching engine, which is engaged in transferring cars, you are going to have to have five men on that locomotive and that one car. So you have to keep that in mind, too, because, in my opinion, putting that many people on a train as small as that has absolutely and positively no relation to safety.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—97

Anderson, S. A.,	Fry,	Long, Wm. Jos.,	Prendergast,
Arlene,	Gailey,	Lutty,	Reibman,
Bachman,	Gallagher,	Maxwell,	Reidenbach,
Boles,	Gelfand,	McCormack,	Renwick,
Bonner,	Gray,	McDevitt,	Riley,
Branca,	Gremminger,	McDonald,	Rovanse,
Breth,	Guesman,	McKeever,	Rubin,
Capano,	Hamilton,	McLaughlin,	Sakulsky,
Capitolo,	Hankins,	McNally,	Scarcelli,
Cauley,	Hartley,	Meholchick,	Schuster,
Cianfrani,	Heavey,	Mills,	Shelton,
Cioffi,	Irviss,	Monroe,	Sherman,
Clarke,	Jenkins,	Morley,	Shupnik,
Comer,	Jim,	Mullen,	Snare,
Cooley,	Jones,	Munley,	Stank,
Crossin,	Kamyk,	Murphy,	Stone,
Curwood,	Kelly,	Musto,	Sullivan, T. F.,
Dougherty,	Klein,	O'Donnell, J. A.,	Tomascik,
Doughten,	Kornick,	O'Donnell, J. P.,	Trusio,
Ellberg,	Kramer,	Parlante,	Verona,
Farabaugh,	Lamb,	Pashley,	Wargo,
Filo,	Lawson,	Perry,	Yetter,
Fineman,	Leonard,	Polaski,	Andrews,
Flynn,	Limper,	Polen,	Speaker
Frascella,	Long, Wm. Jas.,		

#### NAYS—97

Adams,	Gibb,	Knecht,	Simmons,
Anderson, J. H.,	Gibbons,	Kooker,	Slack,
Auker,	Goldstein, J. H.,	Korns,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, A. M.,	Stiteler,
Blair,	Goodrich,	Lee, K. B.,	Strausser,
Bossert,	Gramlich,	Lippincott,	Sullivan, J. A.,

Bower,	Gross,	Magee,	Taylor,
Bowman,	Guthrie,	Manbeck,	Thompson,
Buchanan,	Haudenshield,	Markley,	Tompkins,
Bush,	Heffner,	May,	Varnier,
Davis,	Helm,	McCandless,	Wall,
Dengler,	Henzel,	McCann,	Weidner,
Dennison,	Hocker,	McInroy,	Welsh,
Donaldson,	Holliday,	Merry,	Wescott,
Down,	Holman,	Miller,	Whittaker,
Edwards,	Horst,	Odorisio,	Willard,
Elvey,	Isaacs,	Oglive,	Willaredt,
Eshback,	Johnson, A. W.,	Petrosky,	Williams, A. D.,
Eshleman,	Johnson, R. P.,	Piper,	Williams, E. S.,
Ewing,	Keiser,	Pursley,	Wilt,
Fetterolf,	Kernaghan,	Royer,	Wood,
Foor,	Kessler,	Rutherford,	Worley,
Fox,	King,	Schaaf,	Zember,
Fulmer,	Kistler,	Seltzer,	Zimmerman,
George,			

#### NOT VOTING—12

Ashton,	Mihm,	O'Dell,	Steckel,
Foerster,	Murray,	Price,	Ujobai,
Marsh,	Needham,	Rudisill,	Walsh,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. McCANN. Mr. Speaker, I call up on page 24 of today's calendar, Senate bill No. 79.

#### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 79, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the use of radio-microwave equipment in timing speed, further regulating convictions prescribing powers and duties of the Secretary of Revenue and the Secreary of Highways and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

#### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Delaware, Mr. Lippincott, rise?

Mr. LIPPINCOTT. Mr. Speaker, I rise to a point of inquiry.

The SPEAKER pro tempore. The gentleman will state his point of parliamentary inquiry.

Mr. LIPPINCOTT. What is the order of the day at the present time?

The SPEAKER pro tempore. The order of the day is bills on third reading and final passage.

Mr. LIPPINCOTT. Is there an understanding that we are to adjourn at 6 o'clock? I thought that was the agreement. We have been here, including caucus, since 1 o'clock this afternoon. I know a number of the members feel that it would be in order to adjourn now. In other words, I am asking that question and I will direct it to the majority leader.

The SPEAKER pro tempore. The Chair recognizes the majority leader

Mr. McCANN. Mr. Speaker, this is the last bill and I must run this to a test tonight, because there are amendments being offered to the bill at this time.

The SPEAKER pro tempore. For what purpose does the gentleman from McKean, Mr. Johnson, rise?

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the majority leader.



The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Why is it imperative that you run this test tonight? Do you mean you want to run a test on the amendments, or on the bill, or do you have a pistol at your head that we do not know about?

Mr. McCANN. Mr. Speaker, I have no pistol at my head under any condition.

Mr. A. W. JOHNSON. Then what is the imperative need to have a test on this bill tonight? We might have lost members that might be for you, I do not know.

Mr. McCANN. I hope we have not lost anyone, but when you call up a bill should not the amendments be in the bill? Naturally the bill would have to be reprinted with the amendments in it to be in a position to be voted tomorrow. If not, the bill would be in a position to be voted today.

Mr. A. W. JOHNSON. Mr. Speaker, if the bill were amended tomorrow, it would be on the calendar next Monday. It is not a bill that has such a tremendous national or state interest that we must pass it forthwith, does it?

Mr. McCANN. Mr. Speaker, I am sure the bill has interest statewide; it has interest in this House and there are those who oppose it. Today we went long over our caucus time on this bill. I think this bill we can finish in an hour or in 45 minutes and be done.

Mr. A. W. JOHNSON. Mr. Speaker, may I further interrogate the gentleman?

The SPEAKER pro tempore. The gentleman will proceed.

Mr. A. W. JOHNSON. If the amendments fail, do you plan to try to—

Mr. McCANN. Should the amendments fail, we would be in a position to vote on the bill and we would vote on it.

Mr. A. W. JOHNSON. That is tonight, and debate it.

Mr. McCANN. That would be up for vote because you did not caucus on the companion bills with this, but they will be passed over and will not be called.

Mr. A. W. JOHNSON. Well, Mr. Speaker, I do not know whether there is any particular order of the day on today that we must quit at 6 o'clock, but I believe the members would look with greater favor upon your proposition on on perhaps another day. Of course, if you want to run it tonight, that is your business, I do not know that I will move that we adjourn. You go right ahead.

### MOTION TO ADJOURN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cumberland, Mr. Kistler. For what purpose does the gentleman rise?

Mr. KISTLER. To move that we adjourn and ask for a roll call.

The SPEAKER pro tempore. The motion to adjourn is in order. A motion to adjourn is always in order. Does the gentleman insist upon his motion?

Is the motion seconded?

The motion is seconded by the gentleman from Bedford, Mr. Foor, and others.

Mr. McCANN. Mr. Speaker, I ask the membership on both sides of the House to vote "no" on the motion to adjourn.

The SPEAKER pro tempore. The Chair would like to inform the gentleman from Cumberland that in his motion he has not given this House any time that we should adjourn to.

Mr. KISTLER. Mr. Speaker, I ask that the House adjourns to April 20, at 10 a.m.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. KISTLER and FOOR and were as follows:

### YEAS—73

Adams,	Fox,	Kernaghan,	Reibman,
Anderson, J. H.,	Fulmer,	King,	Royer,
Auker,	George,	Kistler,	Rutherford,
Backenstoe,	Gibb,	Knecht,	Seltzer,
Blair,	Goldstein, J. H.,	Kooker,	Slack,
Bossert,	Gramlich,	Korns,	Snare,
Bowman,	Gross,	Lee, A. M.,	Strausser,
Buchanan,	Guthrie,	Lippincott,	Tompkins,
Bush,	Helm,	Magee,	Wall,
Davis,	Henzel,	Manbeck,	Weidner,
Dennison,	Hocker,	Markley,	Wescott,
Donaldson,	Holliday,	May,	Whittaker,
Edwards,	Holman,	McCandless,	Willard,
Elvey,	Horst,	McInroy,	Willaredt,
Eshback,	Isaacs,	Merry,	Williams, A. D.,
Eshleman,	Johnson, A. W.,	Ogdlive,	Williams, E. S.,
Fetterolf,	Johnson, R. P.,	Piper,	Worley,
Foor,	Keiser,	Pursley,	Zember,
			Zimmerman,

### NAYS—117

Anderson, S. A.,	Frascella,	Long, Wm. Jas.,	Renwick,
Arlene,	Fry,	Long, Wm. Jos.,	Riley,
Bachman,	Galley,	Lutty,	Rovansek,
Boles,	Gallagher,	Maxwell,	Rubin,
Bonner,	Gelfand,	McCann,	Rudisill,
Bower,	Goldstein, M. H.,	McCormack,	Sakulsky,
Branca,	Gray,	McDevitt,	Scarcell,
Breth,	Gremminger,	McDonald,	Schaa,
Capano,	Guesman,	McKeever,	Schuster,
Capitolo,	Hamilton,	McLaughlin,	Shelton,
Cauley,	Hankins,	McNally,	Sherman,
Cianfrani,	Hartley,	Meholchick,	Shupnik,
Cioffi,	Haudenshield,	Miller,	Simmons,
Clarke,	Heavey,	Mills,	Stank,
Comer,	Heffner,	Monroe,	Stimmel,
Cooley,	Irviss,	Morley,	Stiteler,
Crossin,	Jenkins,	Munley,	Stone,
Curwood,	Jim,	Murphy,	Sullivan, J. A.,
Dengler,	Jones,	Musto,	Sullivan, T. F.,
Dougherty,	Kamyk,	O'Donnell, J. A.,	Taylor,
Doughten,	Kelly,	O'Donnell, J. P.,	Thompson,
Down,	Kessler,	Odoriso,	Tomascik,
Ellberg,	Klein,	Parlante,	Trusio,
Ewing,	Kornick,	Pashley,	Varnier,
Farabaugh,	Kramer,	Perry,	Verona,
Filo,	Lamb,	Petrosky,	Wargo,
Fineman,	Lawson,	Polaski,	Welsh,
Flynn,	Leonard,	Polen,	Yetter,
Foerster,	Limper,	Prendergast,	Andrews,
		Reidenbach,	Speaker

### NOT VOTING—16

Ashton,	Marsh,	Needham,	Ujobal,
Gibbons,	Mihm,	O'Dell,	Walsh,
Goodrich,	Mullen,	Price,	Wilt,
Lee, K. B.,	Murray,	Steckel,	Wood,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

### MOTION TO LAY BILL ON TABLE

The SPEAKER pro tempore. For what purpose does the gentleman from Montgomery, Mr. Fetterolf, rise?

Mr. FETTEROLF. Mr. Speaker, I move that Senate bill

79, printer's No. 543, be laid upon the table.  
I ask for a roll call.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. FETTEROLF and HOLLIDAY and were as follows:

#### YEAS—74

Adams,	Fulmer,	King,	Seltzer,
Anderson, J. H.,	George,	Kistler,	Slack,
Auker,	Goldstein, J. H.,	Knecht,	Snare,
Blair,	Goodrich,	Kooker,	Stiteler,
Bossert,	Gramlich,	Korns,	Strausser,
Bowman,	Guthrie,	Lee, A. M.,	Tompkins,
Buchanan,	Heffner,	Lippincott,	Varner,
Bush,	Helm,	Magee,	Wall,
Davis,	Henzel,	Manbeck,	Weidner,
Dengler,	Hocker,	Markley,	Wescott,
Edwards,	Holliday,	May,	Whittaker,
Elvey,	Holman,	McCandless,	Willard,
Eshback,	Horst,	McInroy,	Willared,
Eshleman,	Isaacs,	Merry,	Williams, A. D.,
Ewing,	Johnson, A. W.,	Ogllive,	Williams, E. S.,
Fetterolf,	Johnson, R. P.,	Piper,	Wilt,
Foor,	Kelser,	Pursley,	Worley,
Fox,	Kernaghan,	Royer,	Zember,
		Rutherford,	Zimmerman,

#### NAYS—117

Anderson, S. A.,	Fry,	Limper,	Prendergast,
Arlene,	Galley,	Long, Wm. Jas.,	Reidenbach,
Bachman,	Gallagher,	Long, Wm. Jos.,	Renwick,
Backenstoe,	Gelfand,	Lutty,	Riley,
Boles,	Gibb,	Maxwell,	Rovanse,
Bonner,	Goldstein, M. H.,	McCann,	Rubin,
Branca,	Gray,	McCormack,	Rudisill,
Breth,	Gremminger,	McDevitt,	Sakulsky,
Capano,	Gross,	McDonald,	Scarcelli,
Capitolo,	Guesman,	McKeever,	Schaaf,
Cauley,	Hamilton,	McLaughlin,	Schuster,
Cianfrani,	Hankins,	McNally,	Shelton,
Cioffi,	Hartley,	Meholchick,	Sherman,
Clarke,	Haudensfield,	Miller,	Shupnik,
Comer,	Heavey,	Mills,	Simmmons,
Cooley,	Irvls,	Monroe,	Stank,
Crossin,	Jenkins,	Morley,	Stimmel,
Curwood,	Jim,	Mullen,	Stone,
Donaldson,	Jones,	Munley,	Sullivan, J. A.,
Dougherty,	Kamyk,	Murphy,	Sullivan, T. F.,
Doughten,	Kelly,	Musto,	Taylor,
Down,	Kessler,	O'Donnell, J. A.,	Thompson,
Ellberg,	Klein,	O'Donnell, J. P.,	Tomascik,
Farabaugh,	Kornick,	Odoriso,	Trusio,
Filo,	Kramer,	Parlante,	Verona,
Fineman,	Lamb,	Pashley,	Wargo,
Flynn,	Lawson,	Perry,	Welsh,
Foerster,	Lee, K. B.,	Petrosky,	Yetter,
Frascella,	Leonard,	Polaski,	Andrews,
		Polen,	Speaker

#### NOT VOTING—15

Ashton,	Marsh,	O'Dell,	Ujobai,
Bower,	Mihm,	Price,	Walsh,
Dennison,	Murray,	Reibman,	Wood,
Gibbons,	Needham,	Steckel,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. SHERMAN and HARTLEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. Will the gentleman advise the Chair which set of amendments he wishes to have considered first?

Mr. SHERMAN. Mr. Speaker, I ask that all three be read at one time. My speech will be in reference to all three and then will be taken up seriatim.

The SPEAKER pro tempore.

The amendments will be read by the clerk for information.

Amend Title, page 1, fourth line of Title, by inserting after "tractors" limiting the duration of certain operators license suspensions

Amend Sec. 1, page 2, line 1, by striking out "Section 1002" and inserting:

Subsection (e) of section 618

Amend Sec. 1, page 2, lines 2 and 3, by striking out "by adding after subsection (d) a new subsection"

Amend Bill, page 2, by inserting between lines 3 and 4:

Section 618. Suspension of Licenses or Operating Privileges.

\* \* \*

(e) The secretary is hereby authorized after a hearing before the secretary or his representative, or upon failure of the said person to appear at such hearing, to suspend the operator's license or learner's permit of any person licensed in this Commonwealth, upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this Commonwealth, would be grounds for the suspension or revocation of the license of an operator, but if the operator's privileges of such person has been suspended in the other state, then such suspension by the other state and no part of the suspension ordered by the secretary shall be served after the expiration of the suspension imposed by the other state.

\* \* \*

Section 2. Section 1002 of the act is amended by adding, after subsection (d), a new section to read:

Amend Bill, page 3, by inserting after line 20

Section 2. The provisions of this act shall apply only to violations occurring on or after the effective date of this act.

Amend Sec. 1 (Sec. 1002), page 2, by inserting between lines 17 and 18

(iv) the speed recorded is six or more miles per hour in excess of the legal speed limit.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Mr. Speaker, there are three sets of amendments. Briefly, they are as follows:

No. 1, that one should be punished for violations prior to the effective date of the act.

The second amendment states that violations and punishment as a result thereof should run concurrently and not consecutively.

The effect of the third amendment is to allow a five-mile tolerance for any of those who shall exceed what someone says is the speed limit.

Mr. Speaker, it took a lot out of me to propose and insist upon these three amendments. I have had personal experience with each one of the three and what I have to say is a result of a survey and is a result of some contact with the Motor Vehicle Department and is the result of actual experience by those who are close to me.

It is very easy for some to say that safety is an all-important factor and, therefore, let us agree to radar without amendments. But it is also more difficult to say you can have safety, yes, but let us get rid of all the automobiles and you will have real safety, let us go



back to the horse and buggy days. But I say, let us see what has happened from a practical standpoint, let us see what has actually happened in the enforcement of the law.

I am not speaking against any particular man, whether it is Shipley or anyone else, in proposing my amendments.

Now, with reference to anything that occurs prior to the effective date of the act, this should not need much explanation. I do not think anyone should be against anything like that. We want to offer a more or less clarifying amendment that any violation that occurs prior to the effective date of this act should not apply under the law.

We do not want any hearing taking place where any policeman or any official can say radar may have been effective in that State, or another State, or partially recognized prior to the effective date of the act, therefore, you should have no complaint to the fact that you are charged with radar at the present time as far as any punishment or suspension which would run concurrent, and should not run consecutively.

What I have to say is based on writing, a written memorandum signed by Simonetta of the Motor Vehicle Department. It is all right for McCartney, or anyone else of the police department or the State Police, to say we will recognize the five-mile tolerance, but I assure you that I have in my possession in writing that the regulation is mandatory and not regulatory, and is recognized as mandatory by the Motor Vehicle Department and stated so by Simonetta in behalf of the Motor Vehicle Department.

If any violation occurs in another State, for example, at 55 miles an hour—and this has actually happened—Simonetta has definitely stated that it is mandatory to recognize that violation in this State, and a suspension, if effective under ordinary circumstances, must take place. There are no two ways about it. I would like to see McCartney or anyone else recognize any effectiveness from another State.

I also say this, I have been in conversation with the powers in the Motor Vehicle Department and others in higher authority, and I say this, I have seen the reciprocity clause and statements signed between Pennsylvania and New Jersey, and Pennsylvania, if properly interpreted, has no right and New Jersey has no right to have dual suspensions under the reciprocity clause. I say again, what I have seen, I have seen in writing. I am not taking hearsay testimony. I defy the front office, or anyone in the State of Pennsylvania, New Jersey, or any other State which has a reciprocity agreement with Pennsylvania, to shows that they have a right to dual suspensions in the State of Pennsylvania. The reciprocity agreement itself should recognize the fact that no violation shall be considered as running consecutive rather than concurrent.

Also, you say here that the State Police have a right to enforce it today. What is going to happen two or three years from now, when every county in the State goes ahead and tries to enforce radar, unless these amendments are passed?

I also say that we have statements from the other equal body that perhaps we would go along without any amendment of a five-mile tolerance because the State

Police have stated they will recognize the five-mile tolerance. But I say, get your house in order, get your one department to agree with the other. I say that I have seen in writing that they have changed what is called the regulations and say we will not only recognize the regulations, we have deemed the same mandatory. I say the State of Pennsylvania will not recognize the five-mile tolerance. They will go ahead and suspend you and, after you are suspended in another state and have your license taken away for 30 days, you will get an additional 30 days because McCartney has nothing to do with it and Simonetta has stated to me in writing that that is the law. I defy them to say otherwise.

#### POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny rise?

Mr. M. H. GOLDSTEIN. I rise to a point of order, Mr. speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. M. H. GOLDSTEIN. May I suggest that the amendments now being presented by the gentleman from Philadelphia are not germane to the bill. The only issue involved is radar. He is talking about penalties and tolerance and concurrent items. That is covered by separate sections of the Motor Vehicle Code.

I ask for a ruling.

The SPEAKER pro tempore. For the information of the gentleman from Allegheny, the presiding officer can decide, but this is a question the House should itself decide by its vote on the amendments.

Mr. M. H. GOLDSTEIN. Then I appeal from the decision of the Chair and ask for a roll call vote on the point of order.

Am I privileged to argue the matter, Mr. Speaker?

The SPEAKER pro tempore. The gentleman may not debate the point of order. He may debate the amendments.

Mr. SHERMAN. Mr. Speaker, I shall only be two minutes. I shall not repeat anything that Mr. Goldstein objected to heretofore,

The SPEAKER pro tempore. Will the gentleman yield until we have this point cleared up?

Does the gentleman from Allegheny desire to debate the amendments?

Mr. M. H. GOLDSTEIN. I do not desire to debate the amendments. I want to have parliamentary order here and I would like to have my point of order voted on.

The SPEAKER pro tempore. The Chair has ruled on the point of order and it is up to this House to decide as to whether or not the amendments are germane to the question. It is not a question the Chair should decide. The Chair has so ruled.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Mr. Speaker, how many of you have ever tested or had your speedometer checked to see whether it is correct, whether it is two miles over the State limit or not? I think you will agree that no one—or perhaps only two or three—of the entire 210 members that are here have ever had their speedometers checked.

Do you realize that statistics show and surveys by



the biggest corporations in the country, who have charge of speedometers in the State of Pennsylvania and other States, have shown that no speedometer is accurate, that it may be the driving components, maybe it is the tire size, maybe it is the inflation they carry, or change of tire, or an automobile that could have 5,000 miles or so, will change the speedometer reading. I have statistics from the Stewart-Warner Corporation on speedometers. That is one of the main dealers throughout the country.

But rather than waste any further time on the part of this House, in conclusion I wish to say this, if you are interested in checking your gears, keeping your tires inflated right, considering extreme temperatures, and even tire wear, all of which components have to do with the accuracy of the speedometer and whether the tolerance should be allowed or not. You are still living in a fool's paradise and at the same time may find yourself arguing with the State Police.

Mr. McCANN. Mr. Speaker, for my purpose would you take amendment number one, the tolerance amendment?

The SPEAKER pro tempore. The Chair will read the amendments that we are going to consider as the first order of business?

Amend Sec. 1 (Sec. 1002), page 2, by inserting between lines 17 and 18 (iv) the speed recorded is six or more miles per hour in excess of the legal speed limit.

This is the first set of amendments that will be considered by this House.

On the question,

Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, on the first set of amendments proposed, I am going to ask for a roll call and a test on those amendments. I am rising to oppose the insertion of these amendments into Senate bill 79, based on the very fact that—and I am not going to try to deviate from the bill—there is another piece of legislation which, when enacted into law, would give the Secretary of Highways the right that many of us have argued for, changing the speed on various roads. That is another bill right below this, but we are not debating that bill. With these amendments inserted in the bill, Senate bill 79 would provide for a tolerance that is there by law. The tolerance is there now and the tolerance will be there. There is no question that in opposing these I am running into very difficult situations with those who support these amendments, but I ask this House to vote on this amendment and I ask that the membership vote nay in opposition to amendment number one, and I ask for a roll call.

Mr. LIPPINCOTT. Mr. Speaker, I rise to support the amendments. I have been reliably informed that presently there is a tolerance of 10 percent being allowed by the State Police because of the fact, as Mr. Sherman mentioned, that speedometers can be inaccurate and the motorist does not necessarily intend to violate the law. I think it is a fair and reasonable amendment and I ask the members to support the amendment.

Mr. GELFAND. Mr. Speaker, I would like to address my comments to this amendment also. I speak in favor of the amendments.

Every now and then along the pike we have a new

nostrum, a new panacea, and, if we endeavor to do anything about questioning it, we subject ourselves to all sorts of criticism. However, in this instance I think it is incumbent upon all of us to look into the accuracy and infallibility of the radar instrument.

I have taken the trouble to communicate with several of the states that do have this instrument and I have received communications from any number of them. I do not want to go into the merits of the bill, as such, but I would like to speak about this tolerance amendment.

I have a commentary from the State of Connecticut which has long used radar, and this is a statement that comes from the State of Connecticut, Department of State Police, discussing the accuracy of radar. It says,

"Questions of interference are sometimes raised. The equipment is subject to interference of several types. Fluorescent lighting for example—this type of light has a long electric arc and radiates energy that in turn causes fluorescent materials to glow. If the equipment is used near such lighting, it will read a steady six to ten miles per hour," regardless of what else is on the highway. "The same holds for neon tube lighting. Another type of interference is that of random motion such as tree limbs or bushes within the radiated beam. Close to the transmitter they will cause the needle to 'float' or show erratic speeds of as high as 15 miles per hour."

I have other statements from other magazine articles and from learned people who indicate noise will cause the needle to float. This means that the infallibility of radar is questioned almost to the extent of 15 miles per hour. Now requesting that there be a five-mile-per-hour tolerance on this instrument will only assist the motorist in a situation where there may be some question, because we know, and I believe it has been checked with the other States that utilize it, that once a radar test is introduced into court it prima facie is indicated as being infallible and the motorist is at a tremendous disadvantage if he endeavors to prove that there was any inaccuracy in the instrument itself.

To go even further, I wrote to the Commissioner of the Pennsylvania State Police, and he advised me that under certain circumstances the police will use their judgement. As a matter of fact, he said that where there are borderline infractions, the police do not make arrests in these cases. The policy, even with the enforcement of radar, would be continued.

Now we are a government of laws, not a government of men. Anything that this commissioner says is the policy may be changed by the next commissioner. I trust Commissioner McCartney. I think he is an honorable man, and I think the people who staff his police at the present time are all honorable men. But we know what happens with honorable men on occasions, and we also know that these people change in offices, they come and they go. If this is the law, the law must be enforced.

I think in order to protect the motorist and in order to protect the people on the highways we should vote for this amendment and permit the five-mile tolerance.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. SHERMAN and McCANN and were as follows:



## YEAS—139

Adams,	Frascella,	Klein,	Riley,
Anderson, J. H.,	Fry,	Knecht,	Royer,
Anderson, S. A.,	Fulmer,	Kooker,	Rubin,
Arlene,	Gallagher,	Korns,	Rutherford,
Auker,	Gelfand,	Lawson,	Schaaf,
Bachman,	George,	Lee, A. M.,	Shelton,
Backenstoe,	Gibb,	Lee, K. B.,	Sherman,
Blair,	Goldstein, J. H.,	Limper,	Shupnik,
Bonner,	Goodrich,	Lippincott,	Simmons,
Bossert,	Gramlich,	Long, Wm. Jas.,	Slack,
Bower,	Gray,	Long, Wm. Jos.,	Snare,
Bowman,	Gremminger,	Magee,	Stimmel,
Branca,	Gross,	Markley,	Stiteler,
Buchanan,	Guthrie,	May,	Stone,
Bush,	Hamilton,	McCandless,	Strausser,
Capitolo,	Hankins,	McCormack,	Sullivan, J. A.,
Comer,	Hartley,	McDonald,	Thompson,
Davis,	Haudensfield,	McInroy,	Tomasick,
Dengler,	Heavey,	McKeever,	Tompkins,
Dennison,	Heffner,	Merry,	Varner,
Donaldson,	Helm,	Miller,	Verona,
Dougherty,	Henzel,	Monroe,	Wall,
Doughten,	Hocker,	Morley,	Weidner,
Down,	Holliday,	Mullen,	Welsh,
Edwards,	Holman,	Murphy,	Whittaker,
Ellberg,	Horst,	O'Donnell, J. P.,	Willard,
Elvey,	Isaacs,	Odorisio,	Willaredt,
Eshback,	Johnson, A. W.,	Ogilvie,	Williams, A. D.,
Eshleman,	Jones,	Parlante,	Williams, E. S.,
Ewing,	Kelser,	Pashley,	Wilt,
Fetterolf,	Kelly,	Perry,	Worley,
Filo,	Kernaghan,	Piper,	Yetter,
Fineman,	Kessler,	Polaski,	Zember,
Foor,	King,	Prendergast,	Zimmerman,
Fox,	Kistler,	Pursley,	

## NAYS—53

Boles,	Goldstein, M. H.,	McCann,	Rovansek,
Breth,	Guesman,	McDevitt,	Rudisill,
Capano,	Iris,	McLaughlin,	Sakulsky,
Cauley,	Jenkins,	McNally,	Scarcelli,
Cianfrani,	Jim,	Meholchick,	Schuster,
Cioffi,	Johnson, R. P.,	Mills,	Seltzer,
Clarke,	Kamyk,	Munley,	Stank,
Cooley,	Kornick,	Musto,	Sullivan, T. F.,
Crossin,	Kramer,	O'Donnell, J. A.,	Taylor,
Curwood,	Lamb,	Petrosky,	Wargo,
Farabaugh,	Leonard,	Polen,	Wescott,
Flynn,	Lutty,	Reidenbach,	Andrews,
Foerster,	Manbeck,	Renwick,	Speaker
Gailey,	Maxwell,		

## NOT VOTING—14

Ashton,	Murray,	Reibman,	Ujobal,
Gibbons,	Needham,	Steckel,	Walsh,
Marsh,	O'Dell,	Trusco,	Wood,
Mihm,	Price,		

So the question was determined in the affirmative and the amendments were agreed to.

The SPEAKER pro tempore. The Chair now lays before the House the other two sets of amendments.

Mr. McCANN. On the other two sets of amendments I request that the House do concur and adopt the amendments without a roll call.

On the question,  
Will the House agree to the amendments?  
They were agreed to.

On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN. Mr. Speaker, there will be no more roll calls. I request permission of this House now to amend bills that were agreed to, two or three. The

membership will be free, but before they leave this House—

The SPEAKER pro tempore. The Chair would like to inquire if the Chair is to recognize the gentleman from Allegheny, Mr. Kramer, on a reconsideration?

Mr. McCANN. There is a reconsideration motion. I believe there are three sets of amendments and 1178 bill, which was agreed to and went up to third reading, and we want to bring it back to second reading and amend it so that it will be complete for print.

The SPEAKER pro tempore. Will the majority leader inform the Chair as to whether he wants—

## ANNOUNCEMENT

Mr. McCANN. I would like to inform the House about tomorrow's session. This House will convene tomorrow at 10 a. m. When it convenes tomorrow at 10 a. m., there will be a period in which both parties will go from the floor to caucus because bills have not been caucused dealing with voting on bills. The major piece of legislation to be voted tomorrow will be radar, Senate bill 79, as amended. If we work, we surely can finish up by 2 or 2:30 tomorrow, having completed a heavy week's schedule.

The following week's schedule, which will be announced tomorrow, shows we will only be able, at this point to work three days due to not having hotel rooms for the fourth day. But the announcements will be made as we go steadily on the weeks following that.

Mr. Speaker, the membership who have asked, because they wanted to go to various places, are excused as far as we are concerned except for those motions, reconsideration and amendments.

## STATEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Will the gentlemen please remain in their seats for just a minute. We want to make some committee announcements before they leave. The Chair would like to commend the members of this House for their fine attention to their duties this afternoon. During the very fine debate we had this House was in as fine an order as I have ever seen it. I believe the membership is to be commended for their actions today.

## COMMITTEE MEETINGS

BOROUGHES, Mr. Filo, chairman, Room 324, Thursday, April 20, at 9:45 a.m.

LABOR RELATIONS, Mr. Wargo, chairman, Room 131-G, Thursday, April 20, at 9:45 a.m.

Mr. McCANN. Mr. Speaker, on page 6, bills on second reading, House bill No. 1178, we would like to bring back to second reading to amend.

## BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1178, entitled:

An Act fixing the salaries and Compensation of members of certain boards and commissions and repealing inconsistent acts.

## RECONSIDERATION OF VOTE

Mr. POLEN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 2, page 5, by inserting between lines 8 and 9:

State Board of Medical Education and Licensure, other than the Superintendent of Public Instruction and the Secretary of Health, each .....	\$30
State Board of Pharmacy, other than the Superintendent of Public Instruction, each .....	\$30
State Dental Council and Examining Board, other than the Superintendent of Public Instruction, the Secretary of Health, and the president of the Pennsylvania State Dental Society, each .....	\$30
State Board of Optometrical Examiners, other than the Superintendent of Public Instruction, each ....	\$30
State Board of Osteopathic Examiners, other than the Superintendent of Public Instruction, each ....	\$30
State Board of Nurse Examiners, other than the Superintendent of Public Instruction, each .....	\$30
State Board of Veterinary Medical Examiners, other than the Superintendent of Public Instruction, each .....	\$30
State Board of Examiners of Public Accountants, other than the Superintendent of Public Instruction, each .....	\$30
State Board of Examiners of Architects, other than the Superintendent of Public Instruction, each .....	\$30
State Registration Board for Professional Engineers, other than the Superintendent of Public Instruction, each .....	\$30
State Real Estate Commission, other than the Superintendent of Public Instruction, each .....	\$30
State Board of Private Academic Schools, each ..	\$30
State Board of Private Business Schools, each ...	\$30
State Board of Private Trade Schools, each .....	\$30
State Board of Private Correspondence Schools, each .....	\$30
State Board of Cosmetology, other than the Superintendent of Public Instruction, each .....	\$30
State Board of Chiropractic Examiners, other than the Superintendent of Public Instruction, each .....	\$30
State Board of Barber Examiners, other than the Superintendent of Public Instruction, each .....	\$30
State Board of Chiropody Examiners, other than the Superintendent of Public Instruction, each .....	\$30

They were agreed to.

The section was agreed to as amended.

The third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

## BILLS CALLED UP OUT OF ORDER

Mr. McCANN. Mr. Speaker, I call up House bill No. 32, bills on third reading.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 32, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation

On the question,

Will the House agree to the bill on third reading?

Messrs. LIPPINCOTT and FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 3, page 2, lines 3 to 6, by striking out all of said lines.

Amend Sec. 4, page 2, line 7, by striking out "4" and inserting: 3

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 458, entitled:

An Act requiring toilet facilities to be furnished for employes and patrons of certain parking lots and fixing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. GALLAGHER asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 1, line 3 by striking out "FIFTY" and inserting: twenty-five

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 468, entitled:

An Act repealing section 8 act of July 5, 1957 (P. L. 479), entitled, "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes \* \* \* and making an appropriation" abolishing certain requirements.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways.

The motion was agreed to.



## BILL TAKEN FROM TABLE

Mr. KRAMER. Mr. Speaker, I move that House bill No. 987, printer's No. 1089, be taken from the table.

## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 987, entitled:

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

## RECONSIDERATION OF VOTE

Mr. KRAMER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KRAMER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, line 6, by striking out "heretofore" and inserting: or mortgage

Amend Sec. 1, page 2, line 11, by striking out "heretofore"

Amend Bill, page 2, by inserting between lines 12 and 13: Section 2. All acts and parts of acts are repealed in so far as they are inconsistent herewith.

Amend Sec. 2, page 2, line 13, by striking out "2" and inserting: 3

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 832, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing payments for liquor and malt or brewed beverages with checks and drafts on banks, banking institutions, trust companies and similar depositories penalizing the issuance of worthless checks by certain licensees and requiring reports of such checks to the board.

On the question,

Will the House agree to the bill on third reading?

Mr. SCARCELLI asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 493), page 3, line 9 by inserting brackets before and after "no" and inserting immediately thereafter: Provided further that nothing herein contained shall be construed to prohibit the use of checks or drafts drawn on a bank, banking institution, trust company or similar depository organized and existing under the laws of the United States of America or the laws of any state, territory or possession thereof by licensees in payment for any malt or brewed beverages. No

Amend Sec. 1 (Sec. 493), page 3, lines 11 to 19 by striking out "The term "cash" as used in this" in line 11, all of lines 12 to 18 and "strumment in payment for any alcoholic beverages" in line 19.

Amend Sec. 2 (Sec. 493) page 5, line 9 by striking out "alcoholic" and inserting: malt or brewed

Amend Sec. 2 (Sec. 493), page 5, line 12 by inserting after "check" Any person who is a licensee under the provisions of this article who shall receive in payment for malt or brewed beverages sold by him any check, draft or similar order for the payment of money which is subsequently dishonored by the bank, banking institution, trust company or other depository upon which drawn for any reason whatsoever shall within five days of receipt of notice of such dishonor notify by certified mail the person who presented the said worthless check, draft or similar order.

Amend Sec. 3 (Sec. 496), page 5, line 17 by striking out "alcoholic" and inserting:

malt or brewed

Amend Sec. 3 (Sec. 496), page 6, line 3 by striking out "ten" and inserting:

twenty

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order.

The House proceeded to the third reading and consideration of House bill No. 1106, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937, (P. L. 1333), further regulating the form of the official primary ballot.

On the question,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1002), page 3, line 5, by inserting a bracket after "[Opposite" and inserting immediately thereafter

Where the name of a candidate for an office is similar or identical to the name of another candidate for the same office, then and only then shall there be printed opposite

Amend Sec. 1 (Sec. 1002), page 3, line 5, by inserting after "each"

such

Amend Sec. 1 (Sec. 1002), page 3, lines 5 and 6, by inserting a bracket before "except" in line 5 and after "States" in line 6

Amend Sec. 1 (Sec. 1002), page 3, line 7, by inserting brackets before and after "shall be printed"

Amend Sec. 1 (Sec. 1002), page 3, line 9, by inserting after "each" such

Amend Sec. 1 (Sec. 1002), page 3, line 12, by striking out the bracket after "resides"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar go over in order.

The SPEAKER pro tempore. The Chair hears no objection.

### REPORTS FROM COMMITTEE

Mr. GELFAND from the Committee on Judiciary, reported as amended, House bill No. 1015, entitled:

An Act amending the "Bail Approval Commissioner Act" approved June 25, 1937 (P. L. 2326), increasing the fee for bail certificates.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 90.

An Act amending the act of May 17, 1949 (P. L. 1403), entitled "Municipal Unclaimed Moneys Act" further regulating the deposit of moneys by municipal officers and imposing penalties.

Referred to the Committee on Municipal Corporations.

#### SENATE BILL No. 94.

An Act amending the act of June 25, 1895 (P. L. 275), entitled "City Classification Law" further regulating the change of classification of cities changing the method of reclassifying cities of the second class A upon a decrease in population authorizing retention of existing classification, authorizing elections and permitting selection of a form of city government in such cases from among several optional plans.

Referred to the Committee on Cities—Counties Second and Second Class A.

#### SENATE BILL No. 95.

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended, "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the fifth, sixth, seventh and eighth class . . ." requiring retirement credit to be given for certain per diem employment.

Referred to the Committee on Counties.

#### SENATE BILL No. 161.

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949" changing provisions relating to the order of payment of claims against estates.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 179.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" requiring publication of ordinances not more than sixty days nor less than seven days prior to passage in one newspaper circulating generally in the township.

Referred to the Committee on Townships.

#### SENATE BILL No. 183.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" providing that applicants for the position of policeman and fireman need not be residents of the borough and authorizing residence to be required after appointment as police and firemen.

Referred to the Committee on Boroughs.

#### SENATE BILL No. 207.

An Act amending the act of May 9, 1949 (P. L. 927), entitled "Sheriff's Fee Bill Second to Eighth Class Counties" changing fees mileage and other costs chargeable by sheriffs and making editorial corrections.

Referred to the Committee on Counties.

#### SENATE BILL No. 239.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the closing of court houses and other county offices on Saturdays in Counties of the third class.

Referred to the Committee on Counties.

#### SENATE BILL No. 291.

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law", further regulating the issuance of hunting licenses for antlerless deer season and providing a penalty.

Referred to the Committee on Game and Conservation.

#### SENATE BILL No. 338.

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class . . ." increasing the period of time during which a contributor may be reinstated.

Referred to the Committee on Counties.

#### SENATE BILL No. 346.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" specifying more accurately the duties of coroners in issuing certificates of cause of death.

Referred to the Committee on Counties.

#### SENATE BILL No. 400.

An Act amending the act of May 31, 1911 (P. L. 468), entitled "Sproul Highway Law," by permitting a contractor to deposit certain securities with the Secretary of Highways as an alternative to the payment by the Secretary of Highways of interest on amounts withheld pending satisfactory completion of a contract.

Referred to the Committee on Highways.



## SENATE BILL No. 402.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," further regulating notice of assessments and validating certain assessments previously made.

Referred to the Committee on Cities—Third Class.

## SENATE BILL No. 429.

An Act amending the act of June 4, 1943 (P. L. 886), entitled as amended "Municipal Employes' Retirement Law," reducing the number of employes necessary for the Municipal Employes' Retirement Board to be constituted.

Referred to the Committee on Municipal Corporations.

## SENATE BILL No. 463.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," permitting boroughs to make appropriations to industrial development agencies.

Referred to the Committee on Boroughs.

## SENATE BILL No. 475.

An Act authorizing facsimile signatures and seals of

certain public officials imposing duties upon the Secretary of the Commonwealth and providing penalties.

Referred to the Committee on State Government.

## SENATE BILL No. 485.

An Act repealing subdivisions (q) and (r) of Article XI act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" abolishing the right of taxpayers to acquire the right to furnish all materials and labor necessary for opening, making and repairing township highways and bridges.

Referred to the Committee on Townships.

## SENATE BILL No. 501.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," requiring a system of accounts to be kept by county officers.

Referred to the Committee on Counties.

## ADJOURNMENT

Mr. TRUSIO. Mr. Speaker, I move that this House do now adjourn until Thursday, April 20, 1961 at 10 a.m.

The motion was agreed to, and (at 7:01 p.m., e.s.t.) the House adjourned.





# Legislative Journal.

Session 1961.

145th of the General Assembly.

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HARRISBURG, PA., THURSDAY, APRIL 20, 1961.

No. 40.

## HOUSE OF REPRESENTATIVES

THURSDAY, April 20, 1961.

The House met at 10 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

### PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God of all grace and protector of all mankind, with anxiety of heart and perplexity of life's problems and difficulties, we look to Thee in the awareness of our needs and direction which Thou hast to give. Speak to each one of us in every trying hour and grant us the courage to resolve differences on the basis of that which is morally right and true. Especially, we pray that these servants of Thine in this House of Representatives may face the moral issues of life aware of the dictates of their own consciences as well as the needs and desires of their constituency. In Thy dear name. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, April 19, 1961, will be postponed until printed.

The Chair hears none.

### BILLS INTRODUCED AND REFERRED

By Messrs. FLYNN, CAPANO, Mrs. MARKLEY and Mr. HOCKER. HOUSE BILL No. 1336.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for issuance of additional operators' licenses to applicants who require the use of motor vehicles in earning a livelihood.

Referred to the Committee on Rules.

By Messrs. A. M. LEE and GAILEY. HOUSE BILL No. 1337.

An Act amending the "Wills Act of 1947," approved April 24, 1947 (P. L. 89), providing a rule of interpretation regarding the source of payment of inheritance tax.

Referred to the Committee on Judiciary.

By Messrs. A. M. LEE and GAILEY. HOUSE BILL No. 1338.

An Act amending the "Estates Act of 1927" approved April 24, 1947 (P. L. 100) providing a rule of interpretation regarding the source of payment of inheritance tax.

Referred to the Committee on Judiciary.

By Messrs. IRVIS, DONALDSON, GIBB and CLARKE. HOUSE BILL No. 1339.

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of public health by regulating the possession, control, dealing in, giving away, delivery \* \* \* and use of certain drugs, and keeping records thereof \* \* \*," changing penalties for illegal sale, dispensing or giving away of drugs.

Referred to the Committee on Public Health and Sanitation.

By Messrs. IRVIS, DONALDSON, GIBB and CLARKE. HOUSE BILL No. 1340.

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs \* \* \*, and by providing for the enforcement of this act, and penalties," giving trials for violation of the act precedence over all other criminal trials, and regulating postponements.

Referred to the Committee on Public Health and Sanitation.

By Messrs. IRVIS, DONALDSON, GIBB and CLARKE. HOUSE BILL No. 1341.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), requiring the Department of Public Instruction to encourage school districts to provide lectures concerning narcotics and habit forming drugs for twelfth grade pupils.

Referred to the Committee on Education.

By Messrs. IRVIS, DONALDSON, GIBB and CLARKE. HOUSE BILL No. 1342.

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), regulating the commitment, institutionalization and care of certain habitual users of narcotics or habit forming drugs.

Referred to the Committee on Welfare.

By Messrs. LUTTY, KAMYK and EWING. HOUSE BILL No. 1343.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the imposition of penalties for operation of vehicles upon highways with tires which do not conform with requirements of the act.

Referred to the Committee on Highways.

By Messrs. LAMB, T. F. SULLIVAN, WILT and M. H. GOLDSTEIN. HOUSE BILL No. 1344.

An Act amending the "Pennsylvania Election Code,"

approved June 3, 1937 (P. L. 1333), regulating the furnishing of public property for use as polling places.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1345.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487) providing for notification of cancellation of registration in certain cases.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1346.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) further regulating procedures with respect to general return sheets and tally papers.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1347.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the advertising of election proclamations and providing for advertising of a primary election proclamation in counties of the second class.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1348.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487) providing for suspension of registration in counties maintaining a reinstatement system.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1349.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the liability for costs of special elections.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1350.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the preservation of records.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1351.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the appointment of overseers and watchers.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1352.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the

number of and the procedures with respect to numbered list of voters.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1353.

An Act amending "The Permanent Registration Act for Boroughs, Towns and Townships," regulating the furnishing of space in school buildings for use as a place of registration.

Referred to the Committee on Elections.

By Messrs. LAMB, T. F. SULLIVAN, WILT  
and M. H. GOLDSTEIN. HOUSE BILL No. 1354.

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159), further regulating the time of holding special elections and for certifying desire ordinances to increase the debt of the municipality.

Referred to the Committee on Municipal Corporations.

By Messrs. GOODRICH, CURWOOD, BRETH  
and K. B. LEE. HOUSE BILL No. 1355.

An Act amendng "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating contracts for repairs to automobiles.

Referred to the Committee on State Government.

By Messrs. FILO, CLARKE, McLAUGHLIN  
and GIBB. HOUSE BILL No. 1356.

An Act amending "The Notary Public Law," approved August 21, 1953 (P. L. 1323), providing for the registration of notaries public in the clerk of courts' office.

Referred to the Committee on Judiciary.

By Messrs. WORLEY (By Request)  
and CIANFRANI. HOUSE BILL No. 1357.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further specifying the notice which shall be given prior to the adoption of the annual budget in school districts of the second, third and fourth class.

Referred to the Committee on Education.

By Messrs. GALLAGHER, PRENDERGAST,  
VERONA and SHUPNICK. HOUSE BILL No. 1358.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for reimbursement to school districts on account of textbooks and textual materials.

Referred to the Committee on Education.

By Messrs. PRENDERGAST, MURPHY, VERONA  
and GALLAGHER. HOUSE BILL No. 1359.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), excepting certain clubs from the quota limitations.

Referred to the Committee on Liquor Control.

By Messrs. DAVIS, GRAMLICH, K. B. LEE  
and E. S. WILLIAMS. HOUSE BILL No. 1360.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing the Department of Highways to spray trees, grasses, shrubs or vines in or over State highways with herbicide; prohibiting such



spraying by others without the department's written consent, and prescribing penalties.

Referred to the Committee on Highways.

By Mr. DOUGHERTY. HOUSE BILL No. 1361.

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1913 (P. L. 507), providing that certain corporations doing business with professional school employes shall not be subject to the provisions of the act.

Referred to the Committee on Judiciary.

By Mr. FRY. HOUSE BILL No. 1362.

An Act providing for and legalizing certain horse racing with wagering on the results thereof subject to a State tax and under the mutuel or pari-mutuel system; creating the Pennsylvania Racing Commission as an independent administrative commission and defining the powers and duties of the commission; \* \* \*.

Referred to the Committee on Rules.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE BILLS Nos. 54 and 332.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg.  
April 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 54, Printer's No. 1014, entitled, "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' authorizing departments, boards and commissions to purchase certain MANUSCRIPTS, RELICS, FURNISHINGS, MICROFILMS, film strips, recordings and tests."

DAVID L. LAWRENCE.

April 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 332, Printer's No. 1298, entitled "An Act amending the act of July 5, 1957 (P. L. 485) entitled 'An act for the protection of the public health and welfare and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks, prohibiting the sale, offering or exposing for sale, exchange or giving away thereof unless registered, providing for licensing of places of manufacture, regulating the manufacture, compounding, labeling, sanitation and ingredients of non-alcoholic drinks and the display of presses of fruit prohibiting misbranding and adulteration of registered and non-registered, non-alcoholic drinks, authorizing promulgation of rules, regulations and standards and providing for penalties and for injunctions in certain cases and the disposition of fees and fines' changing the expiration dates of licenses and registrations and further providing for the marking of labels."

DAVID L. LAWRENCE.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 169, entitled:

An Act to regulate and control the distribution, sale

or offering for sale of ice cream and related frozen products.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 530, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing the adoption of rules and regulations concerning inflammable or combustible substances, certain fire hazards, fire preventive equipment, reports of fires and explosions, authorizing permits to be required and fixing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 911, entitled:

A Supplement to the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry \* \* \* exempting certain persons from the provisions of this act and providing penalties" concerning minimum wages providing for a minimum wage for employes in the Commonwealth \* \* \* defining the powers and duties of the Department of Labor and Industry.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1015, entitled:

An Act amending the "Bail Approval Commissioner Act" approved June 25, 1937 (P. L. 2326), increasing the fee for bail certificates.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1204, entitled:

An Act providing for the abatement of nuisances arising out of unsafe buildings or premises in cities of the first class and providing for the service or posting of notices relating to the work necessary to abate such nuisances.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1279, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the removal of mobilehomes or house trailers to evade certain taxes and penalizing mobilehome or house trailer court operators for failure to make certain reports.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 56, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing departments boards and commissions to train personnel.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 257, entitled:

An Act prohibiting and making unlawful the employment of professional strikebreakers in place of employees involved in a labor dispute prohibiting and making unlawful recruitment and furnishing of employees to replace employees involved in a labor dispute by a person or agency not directly involved in the labor dispute and the employment of persons so recruited or furnished \* \* \*.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 371, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 497) providing for registration at shopping centers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 665, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) authorizing licensees manufacturers and their employes and agents to sponsor support or contribute to certain athletic contests or tournaments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 827, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804) entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof \* \* \*" further providing for the compensation of pension or retirement benefits.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 836, entitled:

An Act amending the act of May 18, 1937 (P. L. 654)

entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed \* \* \*" requiring employers to furnish personal protective devices free of charge.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 840, entitled:

An Act prohibiting the sale transfer ownership possession and use of tear and noxious gas and tear gas guns providing for certain exemptions and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 863, entitled:

An Act amending the "Labor Anti-Injunction Act" approved June 2, 1937 (P. L. 1198) by removing certain restrictions on the application of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 895, entitled:

An Act confirming the right of persons in the service of the Commonwealth to accept election to and serve in certain elective offices of political subdivisions without affecting civil service status or protection.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 942, entitled:

An Act amending the act of March 20, 1810 (P. L. 208) entitled "An act to amend and consolidate with its Supplements the Act entitled 'An act for the recovery of debts and demands not exceeding one hundred dollars \* \* \*'" providing for service of writs issued for violations of municipal ordinances by any justice by registered or certified mail.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 980, entitled:

An Act relating to the payment of wages or compensation for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1017, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853) exempting in certain cases and to a certain extent concert music halls maintained by public or private charities from taxation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1025, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1032, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring meetings of the Pennsylvania Fish Commission to be open to the public.

An said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1038, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey all of its right and interest that it may have in a tract of land in the borough of Canonsburg Washington County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1085, entitled:

An Act providing that the Commonwealth of Pennsylvania may enter into a compact with such states as may join relating to the procedures for the interstate placement of children when such placement is for foster care or as a preliminary to a possible adoption or for the placement of delinquents in institutions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1112, entitled:

An Act making an appropriation to the joint committee appointed by the House of Representatives and the Senate to act as host to the National Legislative Conference for expenses incurred by said committee for that purpose.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1146, entitled:

An Act amending the act of May 16, 1919 (P. L. 193) entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third class" increasing license fees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1174, entitled:

An act relating to public works contracts providing for prevailing wages imposing duties upon the Secretary of Labor and Industry providing remedies penalties and repealing existing laws.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1185, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) further providing for the keeping of records and papers at the county seat.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1186, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) "providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania \* \* \*" extending the provisions thereof to members of the Delaware River Port Authority Police.

The first section was read.

On the question,  
Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.  
The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1220, entitled:

An Act amending the act of October 21, 1959 (P. L. 1345) entitled "An act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey 153.91 acres more or less of land in Bensalem Township Bucks County \* \* \*" authorizing the conveyance of four appurtenant easements authorizing the sale of less than all of the said tracts \* \* \*.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1248, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the provisions relating to leaves for certain State employees.

The first section was read.  
On the question,  
Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.  
The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1275, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 953) providing for the assessment valuation and taxation of certain mobilehomes or house trailers.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1276, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571) providing for the assessment valuation and taxation of mobilehomes or house trailers.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1277, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) limiting the taxation of mobilehomes and house trailers and abolishing the use and occupancy tax on mobilehomes and house trailers.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1278, entitled:

An Act amending the "Real Estate Tax Sale Law" approved July 7, 1949 (P. L. 1368) providing for the sale of mobilehomes or house trailers taxes as real estate.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1280, entitled:

An Act amending the "Local Delinquent Tax Return Law" approved May 29, 1931 (P. L. 280) providing for the sale as real estate of certain mobilehomes and house trailers subject to tax lien and providing for notice to the encumbrance holders of record.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1286, entitled:

An Act directing the Department of Agriculture to study methods of controlling tent caterpillars and to undertake a program of control and eradication of such insects and making an appropriation.

The first section was read.  
On the question,  
Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.  
The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate bill No. 134, entitled:

An Act amending the act of May 5, 1911 (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties . . ." increasing the jurisdiction of the County Court of Allegheny County.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate bill No. 303, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" authorizing the Civil Service Commission to certify persons for appointments as police from examinations held within a two year period.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.



## REPORTS FROM COMMITTEE

Mr. HARTLEY from the Committee on Labor Relations, reported as amended, House bill No. 107, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," requiring employers to make certain payments to employes when on jury duty in certain cases.

Mr. COOLEY from the Committee on Boroughs, reported as committed, House bill No. 1042, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), expanding the authority of boroughs to make annual appropriations for nursing services.

Mrs. KOOKER from the Committee on Boroughs, reported as committed, House bill No. 1160, entitled:

An Act amending the "Urban Redevelopment Law," approved May 24, 1945 (P. L. 991), extending the provisions of the act to include certain boroughs except in counties of the second class.

Mr. KLEIN from the Committee on Boroughs, reported as committed, House bill No. 1300, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing the appointment of as assistant treasurer, requiring him to be bonded, and fixing his powers and duties.

Mrs. KERNAGHAN from the Committee on Boroughs, reported as committed, Senate bill No. 463, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," permitting boroughs to make appropriations to industrial development agencies.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1042, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), expanding the authority of boroughs to make annual appropriations for nursing services.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1160, entitled:

An Act amending the "Urban Redevelopment Law," approved May 24, 1945 (P. L. 991), extending the provisions of the act to include certain boroughs except in counties of the second class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1300, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing the appointment of as assistant treasurer, requiring him to be bonded, and fixing his powers and duties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 463, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," permitting boroughs to make appropriations to industrial development agencies.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

## NEWPORT ELEMENTARY SCHOOL WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of 92 pupils from the Newport Elementary School, Newport, Pennsylvania, who are here with their teachers, Mrs. Beasom, Mrs. Hoke, Mr. Flickinger and Mr. Raffensperger, principal.

They are the guests of the gentleman from Perry, Mr. Holman.

## BLOOMSBURG STATE COLLEGE STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of students of the Laboratory School of Bloomsburg State College with their adviser, Mr. Johnson. The members of the delegation are the guests of the gentleman from Columbia, Mr. Strausser.

The SPEAKER. What is the pleasure of the majority leader?

Mr. McCANN. Mr. Speaker, the gentleman from Carbon wishes to speak before we go to caucus. The minority leader is not here yet. I am ready to go to caucus for the purpose of getting in position to vote on bills and on special order of business, radar.

The SPEAKER. We will consult the minority whip as to whether the gentleman from Carbon should be recognized at this time while awaiting the arrival of the minority leader. The Chair will observe the wishes of the minority whip.

Mr. TOMPKINS. Mr. Speaker, the gentleman from McKean is busily engaged trying to get the calendar ready for caucus, but from what the gentleman from Carbon just tells me, let him proceed.

## PERMISSION TO ADDRESS HOUSE

Mr. BONNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to thank the minority whip for his kind consideration.

Yesterday I listened with great interest to the debate on House bill 363. I listened with greater interest when I heard the minority leader, Mr. Johnson, point out the chronic unemployment situation in Carbon County, that so many of our people were sitting on park benches. I want to thank the minority leader for taking time and effort to point out our chronic unemployment problems in Carbon County.

Our mines in the Panther Valley that formerly employed 6,000 miners are now all idle. Our railroads that carry the coal have suffered greatly on account of the mines closing down. In the other end of our county the zinc company had a business decline with the resultant unemployment.

Carbon County business leaders and people have tried their utmost to attract new industry. We have a great number of industrial commissions and planning boards.

The whole area and the whole county contributed to their success, but they only met with some measure of success. They are still working and striving to attract new industry.

Summit Hill, my beloved home town, had a population of 5,600 in 1950. Due to the unemployment situation, our population declined to 3,900 in 1960. There is not one of these 1,700 people who have left our borough who would not return if job opportunities were available.

Mr. Speaker, we here in this House have an opportunity to help the unemployment situation in Carbon County. I have a resolution that will help alleviate it. This resolution will have the Eastern Penitentiary in Philadelphia relocated in Carbon County. While this is not the most desirable kind of employment, we in Carbon County are in such dire straits that we would welcome it. When this resolution is introduced later today, I hope the members on both sides will give it serious consideration to help the people of Carbon County.

Thank you very much, Mr. Speaker.

### DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, I am going to request exactly a one-hour caucus. The bills agreed to be caucused on are marked on the respective calendars so we will have sufficient bills to caucus. When we return a special order of business will be the first thing, Senate bill 79, radar.

Upon yielding to the minority floor leader, I will then make a motion for a recess of one hour for the purpose of a caucus, and I ask that all the members proceed immediately to the caucus room and bring with them their House calendars.

The SPEAKER. The Chair recognizes the minority whip.

Mr. TOMPKINS. Mr. Speaker, we will also have a one-hour Republican caucus immediately upon recess. Please bring your calendars to caucus with you.

### RECESS

The SPEAKER. There being no objection, the Chair declares a recess of one hour.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows

HOUSE BILL No. 195.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing appropriations for mosquito control programs.

HOUSE BILL No. 346.

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1913 (P. L. 507), authorizing assessment of decedent's property for five years prior to the date in which death occurs.

HOUSE BILL No. 365.

An Act authorizing political subdivisions of the Commonwealth to avail themselves of services offered by the State Civil Service Commission in connection with the employment of personnel for civil defense purposes.

HOUSE BILL No. 394.

An Act amending the "Uniform Acknowledgment Act," approved July 24, 1941 (P. L. 490), deleting reference to the Philippine Islands from the specification of domestic jurisdictions in which acknowledgements of written instruments may be made before certain officers \* \* \*.

HOUSE BILL No. 560.

An Act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways providing for the acquisition of such devices and property use in connection with such devices by the Secretary of Highways and providing penalties for violations.

HOUSE BILL No. 620.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing boroughs to have a recreation board of either five or seven members.

HOUSE BILL No. 648.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two tracts of land consisting of 29.60 acres more or less and 26.30 acres respectively situate in Woodbury Township Blair County.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### LEAVES OF ABSENCE

By unanimous consent leaves of absences were granted as follows:

Mr. McCann for Mr. SHERMAN for today because of illness.

Mr. McCann for Mr. NEEDHAM for today because of illness.

Mr. McCann for Mr. CAULEY for today because of illness.

Mr. McCANN for Mr. MURRAY for today because of illness.

Mr. Tompkins for Mr. J. H. GOLDSTEIN for today.

Mr. Tompkins for Mr. HEFFNER for today.

Mr. Tompkins for Mr. HAUDENSHIELD for today.

### PENNRIDGE JUNIOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of students from the Pennridge Junior High School, Bucks County. They are accompanied by their teacher, Mr. Light. The students are the guests of the lady from Bucks, Mrs. Kooker, and the gentleman from Bucks, Mr. A. D. Williams, Jr.

The SPEAKER. What is the pleasure of the majority leader?

Mr. McCANN. Mr. Speaker, we are ready to call up the first bill for a roll call to start the session for today.

Mr. Speaker, I will request permission of this House to call one bill up for the purpose of a roll call, an agreed-to bill, and then I request permission for a special order of business to go to Senate bill 79, the radar bill.



The SPEAKER. The Chair hears no objection. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, on page 10 I am going to ask if 428 was agreed to. It could be a test roll call.

### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 428, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) redefining Motorcycle, limiting the use of the transcript and the record of a suspension hearing providing for the designation of inspection stations for trucks and truck tractors permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department to be equipped with a siren prohibiting parking in certain additional places extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—189

Adams,	Fry,	Lee, A. M.,	Royer,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Galley,	Leonard,	Rudisill,
Arlene,	Gallagher,	Limper,	Rutherford,
Ashton,	Gelfand,	Lippincott,	Sakulsky,
Auker,	George,	Long, Wm. Jas.,	Scarcelli,
Bachman,	Gibb,	Long, Wm. Jos.,	Schaaf,
Backenstoe,	Gibbons,	Lutty,	Schuster,
Blair,	Goldstein, M. H.,	Magee,	Seltzer,
Boies,	Goodrich,	Manbeck,	Shelton,
Bonner,	Gramlich,	Markley,	Shupnik,
Bossert,	Gray,	Maxwell,	Simmons,
Bower,	Gremminger,	May,	Slack,
Bowman,	Gross,	McCandless,	Snare,
Branca,	Guesman,	McCann,	Stank,
Breth,	Guthrie,	McDevitt,	Stimmel,
Buchanan,	Hamilton,	McDonald,	Stiteler,
Bush,	Hankins,	McInroy,	Stone,
Capano,	Hartley,	McKeever,	Strausser,
Cianfrani,	Heavey,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Helm,	McNally,	Sullivan, T. F.,
Clarke,	Henzel,	Meholchick,	Taylor,
Comer,	Hocker,	Merry,	Thompson,
Cooley,	Holliday,	Miller,	Tomasick,
Crossin,	Holman,	Mills,	Tompkins,
Curwood,	Horst,	Monroe,	Trusio,
Davis,	Irvis,	Morley,	Ujobal,
Dengler,	Isaacs,	Mullen,	Varnier,
Dennison,	Jenkins,	Munley,	Verona,
Donaldson,	Jim,	Murphy,	Wall,
Dougherty,	Johnson, A. W.,	Musto,	Wargo,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Weldner,
Down,	Jones,	O'Donnell, J. P.,	Welsh,
Edwards,	Kamyk,	Odorisio,	Wescott,
Ellberg,	Kaiser,	Ogilvie,	Whittaker,
Elvey,	Kelly,	Parlante,	Willard,
Eshback,	Kernaghan,	Pashley,	Willaredt,
Eshleman,	Kessler,	Petrosky,	Williams, A. D.,
Ewing,	King,	Piper,	Williams, E. S.,
Farabaugh,	Kistler,	Polaski,	Wilt,
Fetterolf,	Kiell,	Polen,	Wood,
Filo,	Knecht,	Prendergast,	Worley,
Fineman,	Kooker,	Pursley,	Yetter,
Flynn,	Kornick,	Reibman,	Zember,
Foerster,	Korns,	Renwick,	Zimmerman,
Foor,	Kramer,	Riley,	Andrews,
Fox,	Lamb,	Rovansek,	
Frascella,	Lawson,		Speaker

#### NAYS—1

McCormack,

#### NOT VOTING—16

Capitolo,	Heffner,	Needham,	Reidenbach,
Cauley,	Marsh,	O'Dell,	Sherman,
Goldstein, J. H.,	Mihm,	Perry,	Steckel,
Haudenshield,	Murray,	Price,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

### SENATE BILL No. 79 MADE A SPECIAL ORDER

Mr. McCANN. Mr. Speaker, I move that Senate bill No. 79, printer's No. 605, on page 12 of today's calendar, bills on final passage, be made a special order of business immediately.

The motion was agreed to.

### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 79, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the use of radio-microwave equipment in timing speed further regulating convictions prescribing powers and duties of the Secretary of Highways and prescribing penalties.

On the question,

Shall the bill pass finally?

Mr. WORLEY. Mr. Speaker, since a firm located in New York State is selling radar detectors, the Commonwealth of Pennsylvania would be out of business as to the possibility of stopping the real speeders or highway cowboys if this bill becomes a law for the reason that these persons would purchase radar detectors and thereby drive lawfully or unlawfully depending upon whether the radar detector gives them the signal. Therefore, radar would only be effective against the innocent speeder.

Then, too, I have been informed that tin foil placed in the hub cap of an automobile will cause the radar needle to jump so that an accurate reading cannot be taken.

Third, I would like to read an objection raised by one of my constituents and I will read one paragraph from his letter, which states the following:

"I was planning to write to you about my opposition to the radar bill, especially without any tolerance being written into the bill. I was a radar technician in the Navy, and I know that resistors and capacitors, of which there are dozens in a radar set, are affected by heat, cold, moisture, and other factors, so that they are not necessarily accurate, despite what the manufacturers claim. They, of course, want to make this huge sale of equipment at the taxpayers' expense. I think there should be a 20 percent tolerance, but certainly at least 10 percent. In other words, if the radar says a motorist was going 70, there should be a provision in the radar bill that the motorist could be charged with going only 70 less 10 percent, or 63 miles an hour. Without such a tolerance, man is made the slave of a piece of lifeless equipment which is not necessarily accurate 100 percent. I don't believe the salesmen for this equipment would stake their lives on its 100 percent accuracy."

Now, Mr. Speaker, while I am for highway safety, I do not want an injustice upon the people of Pennsylvania,

and I therefore ask the members of this House to vote against this radar bill.

Mr. KISTLER. Mr. Speaker, today, as part of our responsibilities to the people of Pennsylvania each of us in the House of Representatives is required to make a decision on a very important problem, namely, shall we, or shall we not, legalize the use of highway radar as a means of determining speed violations on our highways. Each of us must decide whether or not we will vote for or against Senate bill No. 79 requiring the courts to accept the testimony of State Police as to dial readings of high frequency radio waves taken in a split second, such testimony to be valid as evidence.

Each one of us, I am sure, is not opposed to those, per se, who would reduce or eliminate highway accidents and the tragic loss of life that daily occur in all parts of our Commonwealth. Each one of us realizes the tremendous task that we face in controlling traffic and reducing fatal accidents on the highways, especially in view of what appears to be an ever-increasing number of motor vehicles licensed each year.

Each one of us, I am sure, realizes that from the time we take the first breath of air and lustily announce our arrival into the world, until we make our exit, that there is an element of risk that is part of the nature of things and that cannot be legislated out of existence. But do we really believe this? I wonder! Let a calamitous accident occur on our highways, in the air, or where have you, and I will write the newspaper paragraph that follows with the constancy of the earth in its orbit. It is always, this bureau, that bureau, this agency or that agency plans to probe the accident. Now our newspaper reporters and editors know people. And they do not put this paragraph in their papers to use space or to use printer's ink, but rather to fill the natural appetite of their readers that something be done to correct error and, I sometimes suspect, as an opiate to the public's sense of communal guilt feeling. Show me a tragic accident or happenstance and I will show you a search for a whipping boy. Show me a deadly illness and I will show you a headlong rush for a panacea. Who of us has not heard the question asked, "Why doesn't the government take some of that foreign-aid money and cure cancer?" And which one of us does not know that there is no possibility of answer by government fiat. We would do well, Mr. Speaker, to solemnly apply this logic to our highway safety problems.

There has been a super-abundance of heat applied to this problem in the public press and elsewhere in recent months. What is needed is light, not heat. We need to be charitable with one another and with the motivating spirit that guides our thinking. It ill behooves any of us to climb the staircase to the ivy tower and demean the motives of another as being less than our own.

We desire to reduce accident and eliminate death on our highways. This is a noble pursuit. It is a worthy objective to which this assembly, with careful study and proper means, can make a significant contribution. But in like manner, by hasty and ill-considered action, by improper legislation we can administer medicine more lethal to our way of life than the accidents we are attempting to prevent.

If we believe in democratic government we must truly believe the end does not justify the means. This is a basic tenet in the philosophical development of our culture.

So basic, in fact, as to be in the nature of a conditioned reflex in every segment of our society. Only an inept, muddle-minded "do-gooder" could possibly believe that any kind of trick, any deceit, a lie or an erratic electronic gadget can be used if it will help attain high ideals and noble goals. If this century has taught mankind anything it is that "ends do not justify means!" And that no goal is good if evil is done to attain it!

Mr. Speaker, I believe that highway radar, in its present stage of development, is bad. And that its use would result in damage to our way of life more extensive in its devastation than the numbers by which it would allegedly reduce accidents by the wildest stretch of our imagination. Why do I believe this? How can I claim that the use of highway radar is bad? Let me count the ways.

1. In recent demonstrations under the most carefully controlled conditions, highway radar tests were admittedly inaccurate. Either this is the truth or those members of the State Police responsible for these staged exhibitions should be removed for gross negligence and incompetence. It does no justice to the moral law to say the error is always on the side of the "offender." An eighth grade pupil will tell you if the error is always thus, there would be no possible justification for it in a nation that has the technical know-how to circle the moon. Highway radar, even under the most rigidly controlled conditions, is unproven and inaccurate in determining motor vehicular speeds.

2. There is no experimental evidence offered by any reputable research organization to support the optimistic claims and fond hopes of those whose panacea for highway fatalities is highway radar. Those who know highway safety best, the automobile clubs of America and Pennsylvania do not support it as a device for reliably determining vehicular speed on our highways. No government agency or recognized technological institution has conducted any detailed study of the device from the viewpoint of scientific accuracy. Nor, to my knowledge, have the proponents of this "Dick Tracy" gadget offered any evidence of authoritative analysis produced by responsible national publications or scientific journals.

3. The first three paragraphs of the April 4 issue of your classic office organ titled "Dispelling the Fog," Mr. Speaker, succinctly sets forth the truth about highway radar in terms so concise, so clear and so eloquent that nothing I can say will add to it. Permit me to quote you, Mr. Speaker, if I may. And I quote, "Radar spots speed at a particular point. It cannot spot character! It cannot spot absence of moral responsibility. It cannot spot the reckless driver per se. It cannot spot the show-off. It cannot spot irresponsible youth. It can only spot one factor that contributes to highway accidents. It cannot spot the absence of discretion—discretion which is the sign manual of the safe driver." In other words, highway radar is not a panacea that will instantly stop the carnage on the highways!

What you say about "knowing people," in paragraph three, is the crux of my whole argument, Mr. Speaker. If, "bitter resentment and protest" have been generated "from every nook and corner of this Commonwealth," by what is thus far a theory, believe me, it would do all well who contemplate voting for this electronic misfit to ponder what will happen when and if it should become



the device by which they and their constituents become entrapped.

But highway fatalities are a brutal fact of life! And it is not sufficient to throw our hands up in despair. They can be dealt with effectively in the highest American tradition by what was once, and can be again, the finest police service in the world, the Pennsylvania State Police.

According to the statistical abstract of Pennsylvania prepared by the Department of Internal Affairs, there were 2,582,715 licensed operators, operating 2,690,419 registered vehicles in Pennsylvania in 1937 when 2,564 persons were killed in vehicular accidents. In 1959, the most recent year reported in the abstract, there were 5,230,611 licensed operators, an increase of 2,647,896, or 103 percent, operating 4,507,262 registered vehicles, an increase of 1,906,843, or 67.5 percent. And there were 1,685 fatal accidents in 1959, a decrease of 879 over 1937, or 34 percent. I think it would be conservative to estimate that the average car traveled twice as many miles in 1959 as its counterpart traveled in 1937. If this be correct, the fatal accident ratio has been enormously reduced without radar and without an adequate number of State Police officers to police the highways.

Colonel McCartney advised Mr. Foor, Representative from Bedford County, and me in conference yesterday that the authorized strength of the Pennsylvania State Police as of April 17 was 2,021, less 90 cadets in training, or a net active number of State Police of 1,931. In order to arrive at a reasonable approximation of the number of troopers available for highway patrol, it is necessary to deduct the following, namely:

Committed for non-patrol duty:

Criminal .....	365
Garage Inspectors .....	54
Examiners .....	150
Commissioned Officers .....	64
First Sergeants .....	16
Desk Sergeant Duty .....	96
Academy Staff .....	35
Military Leave .....	18

A total of 820 to be deducted from the authorized strength of 2,021. This leaves 953 troopers available for patrol duty. From this figure of 953 must be deducted an unknown quantity of men assigned to serving warrants, attending court, attending hearings, services for other state departments, and so forth. In round figures, it could be estimated that a balance of 900 men would be available for patrol duty on a 24-hour schedule. The heavier assignments would be made to daylight patrol hours with approximately a maximum figure of 450 men. The balance of 450 men would be divided between the evening and night patrol shifts.

Mr. Speaker, it is simply a physical impossibility for 900 State Police to shepherd 11,000,000 Pennsylvanians and their guests over the 41,000 miles of highway system with which they are charged. As I look at the apotheosis behind your chair, Mr. Speaker, depicting in the lower left-hand corner the boys in blue marching off to war in the conflict between the States, I am reminded that our grandfathers were pretty good at deceiving the enemy as to their exact numbers by marching the troops around Little Round Top until reinforcements arrived. This was a military expedient of war! But there is no justification

for our requiring the Pennsylvania State Police to flit furtively over the highways in unmarked cars as a psychological deterrent aimed at making the public believe the police are twice as numerous and twice as effective as they really are simply because we do not have the intestinal fortitude to face up to the facts and add the necessary police to do the job in well-marked cars in the American way.

The Pennsylvania State Police is a great organization with a splendid history of reliability, integrity, honor and deep commitment to a government of laws. Our people have never viewed the State Police as a secret service agency. Their methods of law enforcement have never been deceitful and hidden, as is the case in some foreign lands. They are no Russian OGPU or Gestapo. But the wide-spread use of highway radar that is not technologically developed to perfection will put the idea into the minds of good, honest citizens that they have been wrongfully accused and arrested. Do this, and we will start a disrespect and distrust of the State Police that will be disastrous.

A few years ago George Orwell wrote a famous novel titled "1984" that was built upon the idea of a completely organized and regimented society in which "Big Brother" with radar and closed-circuit television watched everyone. The people of Pennsylvania do not want "Big Brother" watching them by radar, by closed-circuit television, nor will they long countenance or tolerate an administration or legislators that inflict it upon them.

Americans believe in fair play. They will not underwrite "sneaky-Pete" methods, and there is simply no justification for them, especially when they are implemented with electronic gadgets that are not perfected and are still in the developmental stage.

As you have inferred, Mr. Speaker, the problem is not a technical one that can be garnered in books. It is a personal one that deals with people. We need to get the cooperation of the great host of Pennsylvanians by using orthodox methods in law enforcement and by making the violation of the speed laws taboo. When it is no longer smart or respectable to lose one's license, when we show some confidence in the public and win their cooperation by a proper, deserved respect for our enforcement officers, they will respond and the death tolls will drop to the point where the law of diminishing returns sets in.

For the few who cannot or will not be obedient to reason nor considerate of the welfare and well-being of themselves, their families and their neighbors, let us hit them "in the pocket book" with a \$25 fine for the first speeding violation in any one year, a \$50 fine for the second, and a \$100 fine for the third, with jail sentence, if, in the opinion of the courts this is necessary.

No one has even seriously accused Americans of being poor businessmen. And when the State Police hands the "check" to a violator with his eye witness testimony behind it, we will pay for the additional police, we will approach the irreducible minimum in accidents and we will have done a public service by creating a new respect for law and order. Respect, without which, no democracy can efficiently function nor long endure. I thank you.

The SPEAKER. The Chair recognizes the lady from Montgomery, Mrs. Henzel, and would beseech for her close attention on the part of the feminine part of the House.



Mrs. HENZEL. Thank you, sir. We have been speaking much about safety in relation to radar. A number of members have made the statement that if we can save one life with radar it should be of consideration.

I should like to insert into the record by means of a letter received from one of my constituents an aspect of safety that de-emphasizes the value of radar, and it reads thusly:

Since I am sure you and all the other legislators are interested in any danger from exposure to radar beams, I should like to quote from The New York Times. In the issue of Sunday, March 30, 1960, News Section, p. 88, c 2, there is an article summarizing the contents of a 32-page booklet distributed by the Transport Workers Union to its 12,000 members employed as airline ground attendants. It was prepared by the Union's air transport division in cooperation with the industrial union department of the AFL-CIO. I quote from the Times article:

Two possible radar hazards were also discussed. One was personal injury from radar beams, a subject about which little is known except that radar can have harmful effects. The union advised its men to stay away from and to avoid looking directly at radar antennae, including those in the nose of a plane.

The other possible radar hazard cited was in fueling operations. Weather radar devices in planes should be off and fueling should be conducted at least 500 feet from large airport radar machines, the report said.

The radar machines Governor Lawrence has ordered, costing about \$1200 each, are not toys. They may not be as strong as those in planes, but when a police radar beam is pointed up a road, effective for a considerable distance, what danger do they present to persons walking across the road, say at night, within 100 feet? And assuming the body of a car shields the passengers, how about passengers in cars with the tops down, exposed to the beams only a few feet away and perhaps looking directly at the machine?

It is surely short-sighted to believe that if one doesn't drop dead on the spot from a disputed health hazard it is consequently safe. Long term effects of exhaust fumes and cigarette smoke are recognized. An article in The Evening Bulletin of March 14, 1960, states that six radar technicians were hospitalized after being exposed to unshielded radar rays. How about multiple exposures to the police radars to persons already in precarious health? Unless incontrovertible proof can be offered that these radar machines are safe even for cumulative short-range exposure, their use on public roads is morally indefensible.

Thank you.

Mr. PARLANTE. Mr. Speaker, we have before us for consideration Senate bill 79, the passage of which will permit the use by our State Police of certain radar devices to detect and apprehend motor vehicles exceeding speed limits on the highways of the Commonwealth.

I would like to go on record as being opposed to this pending legislation. Most important, I do not believe radar possesses the accuracy and precision which those in favor of it would like us to believe it possesses. Secondly, I believe that the present bill contains certain serious shortcomings which place our motorists in a very unfair position. I shall direct my attention to a discussion of the flaws contained in this bill.

My first objection to the bill as worded is the fact that it will permit the conviction of a motorist for speeding who may be unfortunate enough to have exceeded the speed limit only for the instant that his motor vehicle

passes through the police radar beam. This is contrary to the better principle that only a sustained and willful violator should be punished. In fact, this idea is already contained in Section 1002 of the code wherein a motorist has to be clocked for at least one-eighth of a mile before he can be stopped for speeding in a business or residential area.

A second objection which I have to this bill is that it does not provide any leeway or margin of error that may be contained in the police radar set and, therefore, a motorist who is found to have exceeded the speed limit by even one mile per hour can be convicted under this act. Since no radar set is so perfect that it can clock speed perfectly, Senate bill 79 should have taken that fact into consideration.

My final objection, and by far the most important, is to the language contained in that part of the bill which says that an official certificate from an official inspection station showing that tests of the radar set have been made within the required time and that it shall be competent evidence not only that the certificate was issued by an official inspection station, but also that the set was accurate in every proceeding where an information is brought charging a violation of the section.

In other words, all the State policeman has to do at any hearing is to present this certificate and that will be enough to prove that the radar set was in good working order at the time the offense was supposed to have been committed.

Suppose there was something wrong with the set at the time the motorist was clocked by it? How can he prove that there was any defect in it when all the information is in the possession of the State Police and the manufacturer who made it?

The use of radar, therefore, will place an impossible burden on any motorists charged with speeding. This, in turn, becomes a very serious consideration in Pennsylvania because not only does a motorist have to pay a fine for such a violation, but, on top of that, he is subject to a loss of his operator's privilege—either by suspension or revocation.

It is for these reasons that I am opposed to Senate bill 79, and I urge my fellow members on both sides of the House to likewise oppose it.

Mr. MANBECK. Mr. Speaker, ladies and gentlemen of this House, I believe that this is an issue that has become an issue of the people of the State of Pennsylvania and not a party issue.

The reason I am qualified to speak on this bill is because I have traveled the Turnpike and many of the other roads of Pennsylvania as much as probably any man in this House.

I live in Lebanon County. We speak of our highway safety. We have down there a school district that was organized and built a school building about five or six years ago. We came to Harrisburg to ask the Governor then, the chicken farmer from York County, for a safety bridge to be built across Route 22. He sent his delegation down there and told us that probably in 13 years from now we might have a bridge across this highway. To this day we still do not have a bridge, but we do every year have people killed at this intersection.

Just this past summer we had a lady with her sister and three children, traveling east on Route 22, come into this



intersection with a truck traveling at about 40 miles an hour, going west on Route 22, and this lady without any indication made a left-hand turn in front of the truck, and all five were killed. And, of course, they are in the record as being safety fatalities of the State of Pennsylvania.

We have another intersection in the State of Pennsylvania that is just as dangerous, in the southern part of Route 322. We have tried to get the ordinary caution signs put up at this crossing without any success.

Traveling across the State roads of our Commonwealth, we have many roads that should be changed. I think that the speed laws should be changed in the State of Pennsylvania. If they should not, then I think many members of this House are wrong, because I travel on Route 22 and on many occasions, driving 60 miles an hour on Route 22, I have seen members of this House pass me in excess of 60 miles an hour. And I think they could very well be stopped by the radar device that they are talking about.

I have heard many discussions in the House that even a bird flying across the beam between the vehicle and the contraption that they call radar could cause this device to be inaccurate.

I could go on and on, but I do not think that I should waste the members' time to discuss this any further, and I ask that both sides of the House vote against Senate bill No. 79. Thank you.

Mr. McKEEVER. In order to clearly assert my objections, I would like to state that the type of radar used by State Police for the apprehension of speeders is not the same as that which is used in the military for war and national defense purposes.

Since State Police radar sets work on a principle of reflected radio waves, it follows that the frequency of these waves must be constantly maintained in order to insure a fair degree of accuracy. Therefore, any noises or sounds in the vicinity at the time the set is in operation will affect its velocity reading. For instance, the closing of the police car door, the adjustment of the trunk lid, or the waves emitted by the police radio can send the meter shooting up to the velocities in excess of the legal speed limit. Any other extraneous noises that should occur at the time of the reading would also produce the same effect.

Another problem which arises in the application of radar of any kind is that it can only show the gross outline of a large object. Therefore, when radar is applied in a multi-car and multi-lane traffic situation, it becomes nearly impossible to tell which car in which lane is in violation. Especially is this so when you consider that a car traveling 40 or 50 miles per hour remains only a few seconds in the path of the beam.

I would like now to discuss the practical application and effect of the use of radar evidence in courts. Up until now, all courts of various States employing radar have required that the prosecution lay a proper foundation before it is permitted to admit radar results into evidence. In addition, even where evidence of a speeding violation is obtained by use of radar, the question of guilt or innocence has always been submitted to the jury for its consideration, much the same as any other evidence.

However, Senate bill 79 will permit a complete reversal of this basically fair procedure, so that now the mere introduction of a certificate of inspection will con-

stitute prima facie evidence of the speed of the particular motor vehicle involved. It offends me to think that a prima facie case on so important an issue can be made to depend on an instrument which is so vulnerable to error in operation.

In order for a motorist to obtain an acquittal, he would have to prove that the radar set employed in his detection was in excessive error and he would be required to reconstruct the entire roadway procedure, together with reproducing all the conditions of radar and radio wave reflection from moving and non-moving objects. He would have to establish identical placement and movement of all vehicles in the traffic situation that existed in the precise moment that the recording was made and then compare the recorded instrument velocity with the true velocity established by independent means at a completely controlled set of observations.

Mr. Speaker, I ask you, how can any motorist ever be expected to re-create the identical conditions that existed at the particular time and place of the alleged violation if he wishes to prove excessive error? Impossible to answer!

Once an instrument of this type is permitted to be employed as part of the highway safety program, the courts become more inclined to rely upon the validity of this mechanical instrument, so much so that conviction in every case is practically a certainty.

An illustration of this is the fact that about five years ago a study was conducted in Denver, Colorado, where radar was employed to detect speeders. It was shown that in a three-month period of time 1,600 motorists in Denver were caught by radar and fined \$20 each. This produced a total revenue of \$32,000, without one acquittal. Not only does this indicate that the revenue-producing power of radar might overshadow its safety features, but, on top of it all, it makes available to enforcement authorities and to our highway safety planners another device by which our motorists are not only fined, but, in addition, are deprived of their operating privileges. This is a harsh system made even more oppressive by the flagrant use of vulnerable electronic devices which masquerade on our highways and in our courts with the cloak of infallibility, when, in fact, it is not!

It is clear, then, that the use of radar on our highways will create more problems, difficulties and hardships than any benefits or advantages that we could hope to derive from its passage.

For these reasons, I am opposed to the bill. I also am opposed because I feel that it gives ammunition or more ammunition to the Highway Department to persecute the average motorist.

This, too, could extend, in a year or two year's time, not only to the State controlled highways, but also to our own cities and boroughs. I agree with my colleague, Mrs. Markley, when she said recently that at the present time it is either total or partial incompetency for our highway safety program. This, too, I feel will add to those problems.

Last year there were 625,000 violations issued in Philadelphia and sent to Harrisburg, and 160,000 to the State Police. This, to me, is an official glorified fining mill and I ask my colleagues on both sides to please vote against it.

Mr. A. D. WILLIAMS. Mr. Speaker, will the majority leader permit himself to be interrogated?

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

Mr. A. D. WILLIAMS. Mr. Speaker, it was reliably reported in the press sometime ago that the other house was invited to attend the demonstration of this magic box called radar. Is that correct, Mr. Speaker?

Mr. McCANN. Mr. Speaker, I believe there were a total of three or four demonstrations that were provided for from Senate requests before Senate Bill 79 passed the Senate.

Mr. A. D. WILLIAMS. Mr. Speaker, is it the understanding of the majority leader that all fifty senators were invited to that demonstration?

Mr. McCANN. Mr. Speaker, I could not answer if all fifty were invited except on the first test and the repeat test. The Chairman of the Committee on Highways in the Senate, Senator Fred Rooney, did invite the Senate members to the test held at Harrisburg, Pennsylvania.

Mr. A. D. WILLIAMS. Mr. Speaker, will the majority leader tell us whether or not there has been a demonstration of radar before the members of at least one committee of this House?

Mr. McCANN. Mr. Speaker, there was one test held here at Harrisburg for the Motor Vehicles Committee of the House. There was one test held in the city of Pittsburgh through an Allegheny County request. There were House members invited to the test held at Coatesville, Pennsylvania, and some members were invited to the first and second tests held for the Senate here in Harrisburg.

Mr. A. D. WILLIAMS. Mr. Speaker, am I correct then in adding those figures up and saying that the twenty members of the Motor Vehicle Committee were invited to a demonstration, that the members from Allegheny County were invited to a demonstration, that certain Representatives within the vicinity of Coatesville, Pennsylvania, were invited to a demonstration? What would that total be of members of this House who were invited to a demonstration of radar?

Mr. McCANN. Mr. Speaker, I am going to yield for a minute because I believe there were letters sent that invited many others but I want to be sure. I did not know I was going to be asked these questions on who had been invited, but I will temporarily yield. I believe the gentleman from Philadelphia, Mr. McCormack, was in receipt of that communication.

Mr. McCormack. Mr. Speaker, to clarify Mr. McCann's answer to that question, I am not a member of the Motor Vehicles Committee nor is the gentleman from Delaware, Mr. Lippincott, I believe. Oh, he is a member. But, I am not a member. When I heard something about it in the House, I checked with Commissioner McCartney and asked him when the demonstration was going to be given, and he told me when it would be out on Route 22 and he said it was perfectly all right for me to go along, so I took the trouble of coming up here early and went out to the demonstration. It was for everybody who was desirous of finding out more about radar.

Mr. A. D. WILLIAMS. Mr. Speaker, I admire the initiative displayed by the gentleman from Philadelphia, but I do not believe that he has gone so far as to state that every member of this House was invited to that demonstration.

Mr. McCormack. I do not know about a formal invitation. I usually do not wait for those if I am interested.

Mr. A. D. WILLIAMS. Mr. Speaker, I have concluded my interrogation of the majority leader and I thank the gentleman.

My point is simply this. I, too, do not need a formal invitation. A mere letter, a mere note, announcing that this demonstration is available to all of us, that we are eligible to come, ask questions, try to jingle keys, and try all these various things that we have been told by certain groups demonstrate the inaccuracy of radar.

I, frankly, am in a position, I call myself a mechanical idiot. Now, I do not understand radar. There are a lot of things I do not understand, including a lot about the operation of a motor vehicle as far as its mechanical operation. I think that it is difficult at all times for every member of this House to understand legislation, if it is not carefully considered in committee. However, we still have the facts, at least in printed words on our desk, and we can read it to the best of our ability and we can interpret what those words mean and what the effect of those words will be upon the law and upon the citizens of Pennsylvania.

Now in the case of Senate bill 79, the words are clear and I think I and every other member of this House understands it. However, those words say that this radar, this magic box, is going to become something that is going to be used by the State Police in Pennsylvania. Frankly, I do not understand radar. I have heard many eminent people, none of whom I believe, state on this floor that they consider themselves competent to testify as to the accuracy of radar. I think most of them will admit that they are saying what other people say about radar. Now I would have appreciated the opportunity to see this machine in operation. I could then go back to my own county and say that I saw it and it worked, or it did not work. At this moment I have never seen it. I do not personally know whether it works. I am being asked if I vote affirmatively on Senate bill 79 to buy "a pig in a poke," and I think that it is only fair to every member of this House that we be given a chance to vote intelligently on legislation. If I had the opportunity to have a demonstration of radar in my county, I would see that both the opponents and the proponents of radar were given an ample opportunity to demonstrate the defects or the accuracy of radar. I have not been given that opportunity. I have not had that chance. I have not had a chance to even see this thing work or not work. I cannot at this time, and I do not think that the vast majority of the members of this House can, in good conscience, pass judgment on Senate bill 79 because they have not seen this thing in operation and I think this is not the same as a normal bill where we merely read the words. You have to see this thing on the highway in operation. If you have not seen it, you are voting blindly and I hope you do not make that mistake. Thank you.

The SPEAKER. Does the gentleman from Washington, Mr. Murphy, desire to be recognized at this time?

Mr. MURPHY. Yes, I do, Mr. Speaker, very briefly.

The SPEAKER. The Chair recognizes the gentleman from Washington.

Mr. MURPHY. I might say that I am not opposed to the strict enforcement of the laws of this Commonwealth regardless of what laws they might be, nor do I fully



agree with my good friend from Adams County that there are any innocent speeders. I think those speeders are guilty if they are violating the laws of our Commonwealth. However, we must realize that once this august body enacts a law or supplies a device, a measuring device or an electronic device, to law enforcement agencies, our jurists, the judges, and our jurors are very prone to accept those measuring devices as infallible. They believe that we have fully investigated the type of instrument that we are providing, that we have seen it tested time and time again and have not seen it fail. I am not sure. I have not had the opportunity nor an invitation nor have I opposed an invitation to see this instrument working. I will, of course, take those who have seen it at their word. However, I would like to read one or two paragraphs from a recent article in the *Argosy Magazine* with which I believe many of you are familiar. However, for those of you who have not had an opportunity to take the time to read it, very briefly, one paragraph says, "In Greenwich, Connecticut, Judge John P. Knox accidentally jingled a set of keys in his pocket and activated a radar unit in his courtroom." Another paragraph: "In New York a cop, thirty feet away, dangled a set of keys. The radar registered forty-five miles an hour without a car in sight." "At the factory, tuning forks held in front of the set, will produce readings of fifty to a hundred miles an hour." Another paragraph: "Radar cops have admitted that even operation of the police radio can cause readings of forty-five miles per hour. Interference from other radio channels, especially the amateur band, can also affect radar readings." Another paragraph: "If such nonrelated objects can cause radar interference, what happens when several cars come into the range at the same time?"

Yesterday, this very learned body recognized the infallibility of radar when it adopted, by a rather strong majority, the paragraph which causes that an arrest cannot be made unless the speed is in excess of the limit by six miles per hour. Are we sure that six miles per hour is enough? Are we sure that six miles per hour is not too much and that we are giving too much leniency? Are we sure that radar is infallible? We should be certain of that before we vote "yes" on this bill. Thank you.

Mr. MORLEY. I have listened to this discussion here and it seems to me that the major references have been on the violator, the gadget and the road conditions and various other, what I consider, incidentals. The problem facing us today in Pennsylvania as well as in the Nation is the loss of 35 to 40 thousand lives on the highways of our Nation, over 14 hundred of them here in Pennsylvania, and millions in serious injuries and accidents. That is our problem, and I think that we should concentrate on that. I am familiar with these other phases of this proposition. I am a politician. I have the same troubles and the same difficulties with stupid, arrogant law enforcement and I do not like it. But, this bill is not directed against any one man or against any office or against any group. This radar bill is designed to give to the law enforcement agencies of this State, or agency, which, incidentally, in my opinion is one of the most highly trained, intelligent, and fair-minded enforcement law agencies in this country, the Pennsylvania State Police, another tool to try to fight this problem, to which no man has the answer. These gentlemen have talked of in-

fallibility and inaccuracy. If we listen to their arguments we would take that clock right off the balcony and throw it out the window. There is no such thing as an infallible device, and if anyone thinks there is an infallible person all he has to do is get up on the floor of this House.

We are dealing with people. We are dealing with souls. We are dealing with the law enforcement agent, enforcement agency, which has the judgment factor to apply. These people are trained men. They know all the things that have been pointed out here; that is part of their job. They are trained to make allowances for these things. They do it with speedometers. They have been doing it for years, and the speedometer is much less accurate than radar.

I am not a radar expert but I worked on the first radar, civilian's radar, that was ever built in this country in 1941, at Fort Hancock, New Jersey. The one outstanding feature of the whole exhibition was the accuracy of the radar beam. The Navy in 1942, the Admiral will tell you this, in the second battle of San Savo, the battleship South Dakota with a radar gun pointing at a range of 60 miles, bracketed a Japanese battleship with the first salvo and drove the second one home and knocked her out of action in 30 minutes, and that was with the ships on opposite courses at high speed, which the Admiral will tell you is the most difficult of possible conditions. This is no gimmick or no gadget. This is the gimmick or gadget that you trust your life to every time you fly in an airplane. And when the ILS, the instrument landing, fails and they cannot bring you down, they go to the radar boys and ask them to bring you in. I think we should stick to the essentials of this problem. The lady from Montgomery mentioned the possibilities of radiant energy burns and so forth. That is a remote possibility. The same thing applies to a television set. We use two or three million volts of Xrays right here in this Commonwealth. The Manhattan district handled thousands of tons of radio-active material and in four years did not have one serious burn. We have had very few in this State. Xrays have been in our hospitals for years. They have been in industrial plants. That is a problem that can be controlled. The important question here is, are we going to take this device which is reasonably accurate and which can make a contribution to this difficult and almost insolvable problem and put it in the hands of the agency that has the responsibility to do this job. I think as Members of this House we owe it to the people of Pennsylvania to give them this tool.

Mr. McCORMACK. Mr. Speaker, apparently there was a list of members' names submitted. I am sorry I did not know about that or I would have submitted my name.

I did not intend to speak on this bill and it seems to me that for fear that it might be killed by talking it to death, I am going to be very brief.

It seems to me the popular position today among the members of the legislature, all of whom are politicians, is to be against the use of this device.

The SPEAKER. The Chair takes exception. He is a member of the House and never was a politician.

Mr. McCORMACK. The exception is not recognized.

Mr. Speaker, I think it has been demonstrated in all the literature we have perused, from people who desire to be for it, that there is a real relationship between speed and the high death and accident rate on the highways. Assum-

ing that hypothesis to be correct, I think that the basic issue before this General Assembly today is whether or not we as the legislative masters of the people of Pennsylvania are willing to take a step to do something about it.

I have heard a lot of argument today about the inaccuracies in this device, and it is something that has troubled me. As I informed you before, in order to see whether or not accuracies could be demonstrated on the machine that is going to be used if this bill should become law, I did take the trouble to go out to Route 22 and to examine it myself. I am not familiar with electronic equipment, but nevertheless I believe what my eyes see. I think we have to be intellectually honest on an issue like this, and I am wondering whether everybody here who has raised objections to this with respect to its inaccuracy is being intellectually honest. I am wondering how many of these men who have set forth that proposition have requested from the proper authorities in the Commonwealth of Pennsylvania that they be given the opportunity of a demonstration to see for themselves whether or not there are any bugs in this machine. If I hear that there have been members who have been refused a test under reasonable conditions, then I certainly will be willing to go along and say that we should give them, each one of them, an opportunity. But as of this moment I have not heard of anyone saying that he has been so denied.

There have been statements made by different opponents of this bill about persecution of the motorist. I am judging my decision to vote in favor of this bill on common experience, and on the belief that I am a reasonable person, not perhaps like the majority of the members of this House. But I think it should be of particular significance that all the people who have ever been summoned by the police for speeding, as a result of radar detection, with whom I have come into contact, have never complained that they did not exceed the speed limit. I think we must bear this in mind because if people have been detected in the past, in other States, when they have not been in fact speeding, then I think there is a serious question as to whether or not we should pass this bill. But as I say, I have never once heard anyone say that he was unjustly cited. Maybe the penalty was severe, but the accuracy of the indicator was not questioned by those people.

I think too, that we ought to be realistic and think of the psychological effect that the use that these detection devices has on the average motorist. Again I take my own experience. When I drive to New Jersey where they use radar and they have properly posted signs, the automatic response to me is that I should watch my speedometer. I know there are members of this House, whom I will not mention by name, who are some of the worst speeders on the highways in Pennsylvania, and I know too that these very persons have been stopped on the turnpike and they have been warned and they have been allowed to go free without being fined. I ask you whether you are making any contribution to highway safety by speeding and by objecting to radar because of your desire to continue to speed and to violate the laws.

We are here to uphold the law and I think that you must examine your conscience carefully and come to the conclusion, finally, that this is a desirable measure in

the interest of highway safety, that Governor Lawrence, when he advocated this measure and similar highway safety measures, has taken steps far beyond the imagination or the thinking of past administrations. I ask you not to get involved in any political discussions. This is above politics; it is in the interest of safety of the pedestrians and the traveling public that we need something like this, not as a fining mill, but to have the psychological effect on motorists to cause them to slow down. Believe me, there is a relationship between high speed and serious accidents.

Mr. ADAMS. Mr. Speaker, listening to the gentleman from Philadelphia, Mr. McCormack, who referred to the intellectual honesty of the opponents of this piece of legislation, I think my honesty on it will match the gentleman from Philadelphia. I will not pretend, nor attempt to pretend, that my intellectual capacity will match the learned Philadelphia attorney's capacity and I know I will not be able to match the flowery oratory of the majority leader who is going to conclude the debate on this, presumably in favor of it, but I would like to point out a few things.

Not very long ago we voted for and passed a billboard ban in order that we could secure additional, supplemental Federal funds to build an Interstate Highway System. We are building other thruways, turnpikes, speedways, call them what you will, to catch up with what I believe is the jet age. We lay out these fine roads and we beckon to the motorist to come onto it with these late-model, smooth-riding cars, and then he is suckered into a speed trap.

If this bill passes, the door will be open and the foot will be in, and it will only be a matter of time until this radar is extended to the political subdivisions throughout the Commonwealth, and the fine mills will be in a full bloom. There are many who agree that they are even now.

We have a snail's pace of 50 miles an hour for cars with a few exceptions on some four-lane highways, 40 miles an hour for trucks. I have heard that truck drivers have lost their licenses, have lost their jobs, adding to the already serious unemployment problem here in the Commonwealth, putting on the unemployment rolls additional recipients and further depleting a fund which I do not believe is in the healthiest condition at the present time.

If I were interested primarily in political expediency, I would be encouraging the Democrats to be united for this bill. But I am placing the welfare and the interest and the opinions of my constituents above political expediency and I urge and hope they have the independence and the courage to vote with the majority on this side whom I know are going to vote against the bill.

I feel that if the people do not have formulated opinions as to what these policies and programs are doing to them at the present time, that most certainly, by November of 1962, they will have formulated those opinions.

I urge the defeat of this piece of legislation. Thank you, Mr. Speaker.

Mr. GELFAND. Mr. Speaker, I presume much to the surprise of many people in this House, I am now going to speak in favor of this legislation.

It appalls me to see that people will discuss legislation without reading it, because I have heard some debate on the bill that we are now discussing which was not at all in keeping with what the legislation reads.



For instance, I have heard people discuss the fact that there are certain fallibilities in radar and there is required some tolerances as to its inaccuracies. Yet yesterday we sat here and amended this bill from the condition it was in yesterday to make sure that those inaccuracies would be remedied. As a matter of fact, to provide for the tolerances, we will allow a six-mile tolerance, which means that if a man is going 55 miles on the State highway which is being patrolled by radar, he will have to be registered at 61 before the information picked up by the radar device would be usable in court as a basis of suspending his license. Yet I heard people here discuss this legislation without considering at all the bill under consideration.

I also am appalled by the fact that people will talk about a piece of legislation without making any effort whatsoever to find out what experience exists in other States which utilize the instrument. I took the pains to write to every State in the Union in order to obtain the information that would assist me to vote intelligently upon this legislation. After having received the information, I was instrumental in introducing the amendments, because I knew that therein lies the defect in the bill, the fact that it did not provide for tolerances. But having made that amendment and having had it prevail and having it added to the legislation, it has now become a satisfactory, workable and usable instrument for highway safety and in order to assist in reducing the traffic fatalities upon our highways.

For instance, yesterday I read to you a statement from the State of Connecticut dealing with the inaccuracies that may exist in radar. However, in the same statement they also say that from the above discussion several questions might arise, the first being, what is the overall accuracy of the instrument? It is within plus or minus one mile per hour over the range of 10 to 100 miles per hour. And then it further says that the other factor lies in the angle of less than 20 degrees, that is, from placement on the side of the highway, and as the angle increases to 90 degrees the errors increase. From this, however, it is evident that the equipment cannot be utilized far off the highways, thereby making it a speed trap, because the error factor, if it were utilized in such manner, would make its error in favor of the motorist.

I have here statements which I could read from 47 states, all of which say the same thing. However, I would like to read some selected letters that I have gotten from various States which will confirm the fact that under proper circumstances the utilization of the device will act as a safety factor and act as a protective measure to be utilized on the highways.

For instance from the State of Iowa:

The State of Iowa has used radar speed meters to check highway speeds for the past five years.

We feel that the use of radar is essential in developing and maintaining proper control of vehicular traffic and that without this device we would be unable to keep traffic moving at a reasonable safe speed. The number of arrests made for exceeding the legal speed limit in Iowa during 1960 exceeded 19,000. While the use of radar is merely using a specialized instrument and is certainly not in itself a complete solution for enforcement problems, however, under present highway conditions it is almost impossible to

check vehicle speeds by pacing cars with a patrol vehicle.

... We do feel that radar and other types of speed checking devices are essential in any successful enforcement program.

From the State of Delaware they say this:

In July 1956 radar teams were assigned throughout the State and these teams devoted their full time to radar operation.

Accidents had increased in 1955 and during the first seven months of 1956. After the radar teams were placed in operation the accidents leveled off and were actually reduced in several of the months during the balance of the year.

From the State of Oklahoma:

Radar has been used on a statewide basis since 1955. There is a substantial decrease in fatal accidents, where speed is a major contributing factor, since that time.

... The significance of the effect of radar lies in the fact that when it is used on a regular planned basis there is a very noticeable decrease in top speeds for this area, yet the motorist will increase his speed in another area on the same roadway where he has not seen radar.

From the State of Oregon:

We consider the use of such devices very effective.

From the State of South Dakota:

We consider radar devices effective. They are particularly effective ... because of the long straight stretches of highway which almost eliminate any possibility of making an arrest for speed by the use of a marked patrol car.

Our death rate shows a steady decline since the use of this device.

I could go on for State after State. The State of Utah is very interesting:

It is our opinion that this is a very effective means of helping to combat the problem of excessive speed. In 1954, the year prior to our utilization of radar, we had a mileage death rate of 7.4; in 1955 and 1956, our mileage death rate was reduced to 6.6; in 1957, it was decreased to 6.2 and in 1958 and 1959 to 5.2.

As I say, I could go through 47 States and read you the same information, all of which will indicate that radar when used properly, under good circumstances, will make a real contribution to a decrease in the death toll and our serious traffic fatalities, traffic injuries.

It is most interesting, also, with regard to the State of Pennsylvania. I also wrote to the Pennsylvania State Police on March 22nd requesting information pertaining to the use of radar on Pennsylvania highways. As you know, they are using it for study purpose and for notice purposes.

This is what I learned from Commissioner McCartney. He indicates to me where it has been used in other States, but he says:

On Route 30, between Gettysburg and Philadelphia, from July 1, 1959, to February 1, 1960, no radar was used and there were six motor vehicle traffic fatalities. From July 1, 1960, to February 1961, radar was used consistently on this stretch of highway for warning purposes and there was one motor vehicle fatality.

I bring this to your attention so you will have information that comes to me from other States of the Union. The information is available to any member of this House, and, as I say, all you have to do is make an effort to find out and you get the information.

As the bill was amended yesterday, it is a perfectly good, workable piece of legislation and it will make a real contribution to the reduction of highway slaughter in Pennsylvania. Therefore, I suggest that we vote for it.

Mr. KRAMER. Mr. Speaker, I venture to say that I have probably traveled faster than any member of this House, under my own volition. I was a carrier pilot in the United States Navy during the war and I traveled in fighter planes well up to 350 and 400 miles an hour, and I loved it. I love speed up in the air where there is nobody around.

I want to tell you, I have been challenged by somebody, a personal challenge, to speak and show the courage of my convictions and I am going to do that.

I travel roads in Pennsylvania. I travel in my car, I travel with my wife and six children, and I want to tell you that I get scared, I get very scared on our highways when I am traveling along and have someone pass me at 70 or 80 miles an hour. I want to stop it, because I do not want him ramming into my car and killing my children.

I went so far, Mr. Speaker, as to spend an extra \$30 when I purchased my car to get a little device on there which tells me that I am going faster than the speed I have set on my speedometer. That is what I think of it. I will admit to anybody that I have exceeded the speed limits and, if I do that and get caught, then I ought to pay the penalty. You will find no one in this House more interested than I in the inequities that have been complained about on the floor of this House on suspensions, and I will back anybody in that fight.

What is the problem here? If there is a problem at all, it apparently is in the speed that this very House sets. Is 50 miles an hour too slow? Then this House has a right to raise it if it thinks that is too low. So, apparently, what the opponents of this bill are afraid of is getting caught. I say that anybody who speeds over the speed limits that we set should be caught.

The accuracy of radar has been brought up in this debate and I want to tell you this: I personally do not know how accurate this particular unit is that Pennsylvania proposes using, but I know from my experience that I would get away from the carrier some three or four hundred miles out over the ocean, with no landmarks, and radar brought me back. I will tell you this, I have bombed ships and installations with the use of radar miles away, not an eighth of a mile, or a half mile or a mile away. It was pretty accurate then and it saved a lot of our boys' lives.

Mr. Speaker, I say this is a good bill and I am in favor of it and I hope that all my colleagues on both sides of the aisle will vote for it.

Mr. HEAVEY. Mr. Speaker, I am going to vote for this bill because I figure it is a deterrent on speeders and speeders are no good for the safety of people on the highway.

His Excellency, the Governor, is very much in favor of this bill, and I feel that he is trying to do a wonderful job for this Commonwealth.

I would hate to see votes against this bill today, such votes as Mr. Williams who says that he has not seen the machine in operation. I would like to make a motion that we postpone action on this bill until every member of this House has seen a demonstration.

The SPEAKER. For what purpose does the gentleman from Bucks, Mr. Williams, rise?

Mr. A.D. WILLIAMS. Mr. Speaker, I would happily second that motion.

The SPEAKER. No motion has been formally placed before the House.

Does any other member of the House desire to speak? Otherwise, the majority leader will close the debate.

The Chair recognizes the gentleman from Berks, Mr. Piper.

Mr. PIPER. Mr. Speaker, I would like to comment on the remarks of the gentleman from Allegheny.

I believe he was speaking of a different type of radar. That which is in a ship is different from the type of radar that is being used on our highways today. I think there is a difference. I do not know that much about it.

I would also like to comment briefly on the amendments to this bill and the possible effect they may have. Specifically, I refer to the 5-mile tolerance amendment submitted yesterday by Mr. Sherman, the gentleman from Philadelphia.

In my opinion, while this amendment might have a beneficial effect to the motorists of this State, I feel it would weaken the basic structure of this bill by showing the courts of Pennsylvania that we, the legislature, had so little faith in what appears to be a primitive radar instrument that we had to make allowances for its accuracy.

I think we have with this amendment provided a serious loophole through which the whole purpose of the bill can now be circumvented. By admitting the need for a tolerance, or more accurately, an allowance for the accuracy of the radar unit, we are giving any appellant of a speeding citation the grounds on which any court in the State can sustain his appeal.

I am reminded that not too many years ago a similar allowance or tolerance provided the grounds for sustaining appeals from speeding convictions in my own county courts. At that time the Pennsylvania State Police used a speedometer certification form which proclaimed the tested speedometer of the State Police tracking car was accurate—and I quote—within a reasonable tolerance.

More than one speeder in Berks County appealed speeding citations and, when these appeals were heard by President Judge Warren K. Hess, he ruled that any allowance for any possible inaccuracy of a tested speedometer did not meet the letter of the law which cited that motorist on the basis of exceeding a pre-set speed limit. As a result of Judge Hess' rulings, the State Police have had to discard all of those old forms and have new certificates printed that showed the tested speedometer were accurate and needed no allowances for possible variations.

What we have done by adding this amendment is to provide a big loophole based on our lack of faith in the accuracy of radar—as we have seen it demonstrated. I do not feel we are accomplishing what we set out to do if we are going to enact a law that is not going to be effective.

I am not against radar as such, but are we sure our police will be using the most modern type of radar or an antiquated type? We have seen one type only. Should



not other types be tried? I believe there are some types that take a picture of the speeding car. I believe the element of human error would enter into this picture by use of this type of radar with a needle showing the speed.

I am not casting any reflections on our State Police. They are the finest in the world and second to none.

It is a known fact that radar is not accurate in all cases. What about cars passing each other? Or a car passing a tractor-trailer rig? A test made by a public roads administrator indicates that traffic densities exceeding 1,000 cars per hour on multi-lane highways do not provide enough spacing between vehicles to make positive identification at all speeds. That would indicate to me that radar can only be used on open highways or on straightaways where there are not too many cars traveling at one time.

John S. Parker, an engineer associated with technical development of vehicle traffic penal systems since 1933, explains that with the transmitter-receiver located at the side of the road, cars in the nearest lanes can sometimes obscure cars in lanes further away, which would cause an unjust arrest. Also, cars going in the opposite direction passing at the same time may cause an unjust arrest.

On the Garden State Parkway in New Jersey officials maintain that speed is not necessarily a primary cause of accidents. It might contribute to the severity of these accidents.

Of the 16,280 motorists arrested last year, only 6,722, or a little more than 40 percent, were arrested for speeding. Most of the violators were stopped for weaving in and out or otherwise obstructing traffic.

Now the patrol cars are equipped with radar, but the officials contend that once a motorist is caught in or has passed a radar trap he is inclined to drive faster than he normally would even to the point of exceeding the speed limit.

I believe that this feature certainly helps to deter accidents and the resultant injuries and deaths. Also, I believe that the appearance of more police on our highways will help.

New Jersey Turnpike uses radar, but it has not reduced accidents. I have here a clipping from a newspaper that was just recently dated, April 11th, in which it says driving too close behind the cars ahead caused the accident. Twenty-two cars piled up at one time on the New Jersey Turnpike.

We should encourage more realistic speed limits, which I believe would make more respect for traffic regulations generally and facilitate stricter enforcement of speed laws.

Radar is not the answer. It is usually set up on a straightaway, in a dip, or in a place reasonably straightaway. This does not curb the driver who follows the car in front too closely, or who fails to be careful at an intersection, or a driver who cuts in and out of traffic, or a slow driver, or a drunken driver. We should probably set minimum speed limits regulating both the top and minimum speeds to reasonable and realistic limits as the key to the smooth flow that would provide safety as well as maximum use of our highways.

I would like to quote from an article where New York State has been conducting tests increasing their speed limits, and this is dated February 8, by Motor Vehicles Commissioner William S. Foucks: "They have raised the speed limits on 100 state highways so far. These realistic

speed limits will contribute to highway safety by increasing the motorist's respect for traffic regulations generally and by facilitating stricter enforcement of speed laws.

"At the same time the program assures New York State motorists that the posted speed is the maximum safe speed under normal driving conditions. The State Traffic Commission's program, which is based on studies begun in 1959 by engineers under the direction of Lloyd A. Madar, Director of the Division of Traffic Engineering for the Department of Motor Vehicles, so far has accomplished 145 of the existing 1,200 state highway zones which are posted at less than the standard 50 miles per hour. In 61 of these zones, which vary in length, the limit has been raised by five miles per hour; in 25 it has been increased by 10; in 11 the boost has been 15; and in three the limit has been upped by 20 miles per hour. From the study it is also evident that existing limits should be retained on the other 45. There were no speed limit reductions. Signs indicating the new speed limits already have been installed in 46 zones, and others will follow, which would indicate that we should use radar, use it to test these roads, find out how fast the roads are capable of allowing drivers to travel on them, and then enforce the law."

Thank you.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I will be very brief, because I observe Mr. McCann is impatient there, as though a new baby were about to be born.

I believe that maybe a new baby, radar legislation, will be born in Pennsylvania through our votes in this House today.

It is a pleasure to see the members on both sides of the House debating an issue with such sincere arguments on both sides. I would be greatly gratified if in some other measures we would have the same type of debate. I hope this is not considered a Democratic measure nor a Republican measure. If there are some defections on the side of the Democrats, I hope that there are enough people who believe in highway safety on our side to make up those defections.

The SPEAKER. The Chair, with the understanding that the majority leader is to close the debate, now recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I thank the membership of this House and I thank you for the opportunity you gave each person to discuss this bill, even though many of them went far astray of Senate bill 79.

The proponents of the bill have spoken in behalf of the bill; the opponents, who questioned certain things, have stated their reasons for opposing. I ask that you vote on this bill on the merits of the legislation, not for any other reason.

I, therefore, at this point see no further advantage in debating and I ask for a roll call and I urge the membership to vote "aye."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Anderson, S. A.,  
Arlene,  
Bachman,  
Backenstoe,  
Boles,

Fox,  
Frascella,  
Galley,  
Gallagher,  
Gelfand,

Long, Wm. Jas.,  
Long, Wm. Jos.,  
Lutty,  
Maxwell,  
McCann,

Royer,  
Rubin,  
Rudisill,  
Rutherford,  
Sakulsky,

Bonner,	Gibb,	McCormack,	Scarcelli,
Branca,	Goldstein, M. H.,	McDevitt,	Schaaf,
Breth,	Gray,	McLaughlin,	Schuster,
Buchanan,	Gremminger,	McNally,	Shelton,
Capano,	Guesman,	Meholchick,	Shupnik,
Cianfrani,	Hamilton,	Mills,	Simmons,
Cioffi,	Hankins,	Monroe,	Slack,
Clarke,	Hartley,	Morley,	Stank,
Comer,	Heavey,	Mullen,	Stone,
Cooley,	Irvis,	Munley,	Sullivan, T. F.,
Crossin,	Jenkins,	Musto,	Taylor,
Curwood,	Jim,	O'Donnell, J. A.,	Thompson,
Donaldson,	Jones,	O'Donnell, J. P.,	Tomasick,
Dougherty,	Kamyk,	Pashley,	Truslo,
Doughten,	Kelly,	Petrosky,	Verona,
Ellberg,	Klein,	Piper,	Wargo,
Eshleman,	Kornick,	Polen,	Welsh,
Ewing,	Kramer,	Prendergast,	Wilt,
Farabaugh,	Lamb,	Reibman,	Wood,
Filo,	Lawson,	Reidenbach,	Yetter,
Fineman,	Lee, A. M.,	Riley,	Andrews,
Flynn,	Leonard,	Rovansek,	Speaker
Foerster,	Limper,		

## NAYS—79

Adams,	Goodrich,	Korns,	Seltzer,
Anderson, J. H.,	Gramlich,	Lee, K. B.,	Snare,
Ashton,	Gross,	Lippincott,	Stimmel,
Auker,	Guthrie,	Magee,	Stiteler,
Blair,	Heim,	Manbeck,	Strausser,
Bossert,	Henzel,	Markley,	Sullivan, J. A.,
Bower,	Hocker,	May,	Tompkins,
Bowman,	Holliday,	McCandless,	Varner,
Bush,	Holman,	McDonald,	Wall,
Davis,	Horst,	McInroy,	Weidner,
Dengler,	Isaacs,	McKeever,	Wescott,
Dennison,	Johnson, A. W.,	Merry,	Whittaker,
Down,	Johnson, R. P.,	Miller,	Willard,
Edwards,	Kelser,	Murphy,	Willaredt,
Elvey,	Kernaghan,	Odoriso,	Williams, A. D.,
Eshback,	Kessler,	Ogilvie,	Williams, E. S.,
Fetterolf,	King,	Parlante,	Worley,
Foor,	Kistler,	Polaski,	Zember,
Fulmer,	Knecht,	Pursley,	Zimmerman,
George,	Kooker,	Renwick,	

## NOT VOTING—18

Capitolo,	Haudenschild,	Needham,	Sherman,
Cauley,	Heffner,	O'Dell,	Steckel,
Fry,	Marsh,	Perry,	Ujbal,
Gibbons,	Mihm,	Price,	Walsh,
Goldstein, J. H.,	Murray,		

The majority required by the Constitution being voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## REASONS FOR VOTE

Mr. HOLMAN filed the following reasons for his vote on Senate bill No. 79.

Mr. Speaker, I submit herewith my reasons for voting against Senate bill No. 79, commonly referred to as the Radar Bill.

First, the reports of experts, as well as the State police tests conducted under the most rigidly controlled circumstances, have shown that highway radar has not progressed to the point where its accuracy is indisputable; therefore, to permit its use as legal evidence will deny to the victims of any such inaccuracy, the right to a defense. For such legislation will impose on many people criminal liability without fault. Mr. Speaker, to impose criminal liability without fault on any person is unforgivable.

Second, to operate highway radar requires at least three, and usually four, State Troopers, plus at least two

cruisers. There are at the present time less than 900 state troopers patrolling 41,000 miles of highway in our Commonwealth. To legalize such a device as is before us today would remove more men and equipment from highway patrol. Is this wise? Do we need more troopers on the highway enforcing all motor vehicle laws?

Third, realistic speed laws—adequately enforced—are what the Commonwealth needs, not radar.

Mr. Speaker, I am not an opponent of highway safety. I have just concluded that radar is not what this Commonwealth needs and will not promote safety on the highways.

(During Roll Call on Senate bill No. 79:)

Mr. FILO. Mr. Speaker, I know that nothing is in order but a roll call, but I insist that every member sitting in his seat answer to his name or vote by the mechanism.

The SPEAKER. Such is the rule of the House. Every member present in the hall of the House votes on the pending measures as they come and go.

The Chair, of course, cannot spot the places where there are members, but, where there is no record on the board, that is a matter for the respective whips of the House, to see that all the members on the respective sides vote.

## STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to compliment the members of the House. The debate and the decorum today was in keeping with the best of all possible parliamentary traditions. You can actually be proud of yourselves. The debate today would have been a credit to the members serving us at Washington on the floor of the national House of Representatives. We do not say that by way of flattery; we say it as a matter of fact.

The Chair requests the gentleman from Armstrong to preside.

## Mr. HELM IN THE CHAIR

Mr. McCANN. Mr. Speaker, I request permission to call up Senate bill 104, printer's No. 483.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, I regret to say that as hard as we worked in caucus to try to get the bills so we could do business here today, we took 79 because it was on the final passage calendar, but we did not go back to the last page and take 104. I did not realize you wanted to run it today. We have not caucused on it and, if there is no objection on our side of the House, I do not object to rolling it, but we have a firm rule that we do not roll bills that we have not caucused on.

## BILLS ON THIRD READING

## BILL PASSED OVER

There being no objection

Senate bill No. 104, printer's No. 483 was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1290, entitled:

An Act amending the "County Institution District Law"



approved June 24, 1937 (P. L. 2017) regulating taxation for institution district purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—182

Adams,	Frascella,	Leonard,	Rovansek,
Anderson, J. H.,	Fulmer,	Limper,	Royer,
Anderson, S. A.,	Galley,	Lippincott,	Rudisill,
Arlene,	Gallagher,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Auker,	George,	Lutty,	Scarcelli,
Bachman,	Gibb,	Magee,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Schuster,
Blair,	Goodrich,	Maxwell,	Seltzer,
Boles,	Gramlich,	May,	Shelton,
Bonner,	Gray,	McCandless,	Shupnik,
Bossert,	Gremminger,	McCann,	Simmons,
Bower,	Gross,	McCormack,	Slack,
Bowman,	Guthrie,	McDevitt,	Snare,
Branca,	Hankins,	McDonald,	Stank,
Breth,	Hartley,	McInroy,	Stimmel,
Buchanan,	Heavey,	McKeever,	Stiteler,
Bush,	Helm,	McLaughlin,	Stone,
Capano,	Henzel,	McNally,	Strausser,
Cianfrani,	Hocker,	Meholchick,	Sullivan, J. A.,
Cioffi,	Holliday,	Merry,	Sullivan, T. F.,
Clarke,	Holman,	Miller,	Taylor,
Comer,	Horst,	Mills,	Thompson,
Cooley,	Irvs,	Monroe,	Tomasck,
Crossin,	Isaacs,	Morley,	Tompkins,
Curwood,	Jim,	Mullen,	Trusio,
Davis,	Johnson, A. W.,	Munley,	Ujobal,
Dengler,	Johnson, R. P.,	Murphy,	Varner,
Dennison,	Jones,	Musto,	Verona,
Donaldson,	Kamyk,	O'Donnell, J. A.,	Wall,
Dougherty,	Keiser,	O'Donnell, J. P.,	Wargo,
Doughten,	Kelly,	Odorisio,	Weldner,
Down,	Kernaghan,	Ogilvie,	Welsh,
Edwards,	Kessler,	Parlante,	Wescott,
Eilberg,	King,	Pashley,	Willard,
Elvey,	Kistler,	Petrosky,	Willaredt,
Eshback,	Klein,	Piper,	Williams, A. D.,
Eshleman,	Knecht,	Polaski,	Williams, E. S.,
Ewing,	Kooker,	Polen,	Wilt,
Farabaugh,	Kornick,	Prendergast,	Wood,
Fetterolf,	Korns,	Pursley,	Worley,
Filo,	Kramer,	Reibman,	Yetter,
Flynn,	Lamb,	Reidenbach,	Zember,
Foerster,	Lawson,	Renwick,	Zimmerman,
Foor,	Lee, A. M.,	Riley,	Andrews,
Fox,	Lee, K. B.,		

#### NAYS—0

#### NOT VOTING—24

Capitolo,	Guesman,	Marsh,	Price,
Cauley,	Hamilton,	Mihm,	Rubin,
Fineman,	Haudenshield,	Murray,	Sherman,
Fry,	Heffner,	Needham,	Steckel,
Gibbons,	Jenkins,	O'Dell,	Walsh,
Goldstein, J. H.,	Markley,	Perry,	Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1166, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire ninety acres of land more or less in Canaan Township Wayne County for use of Farview State Hospital.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—180

Adams,	Fox,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Frascella,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Fulmer,	Leonard,	Royer,
Arlene,	Galley,	Limper,	Rudisill,
Ashton,	Gallagher,	Lippincott,	Rutherford,
Auker,	Gelfand,	Long, Wm. Jas.,	Sakulsky,
Bachman,	George,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Gibb,	Lutty,	Schaaf,
Blair,	Goldstein, M. H.,	Magee,	Schuster,
Boles,	Goodrich,	Manbeck,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Shelton,
Bossert,	Gray,	May,	Shupnik,
Bower,	Gremminger,	McCandless,	Simmons,
Bowman,	Gross,	McCann,	Slack,
Branca,	Guthrie,	McCormack,	Snare,
Breth,	Cianfrani,	McDevitt,	Stank,
Buchanan,	Cioffi,	McDonald,	Stimmel,
Bush,	Clarke,	McInroy,	Stiteler,
Capano,	Comer,	McKeever,	Stone,
Cianfrani,	Cooley,	McLaughlin,	Strausser,
Cioffi,	Crossin,	McNally,	Sullivan, T. F.,
Clarke,	Curwood,	Meholchick,	Taylor,
Comer,	Davis,	Merry,	Thompson,
Cooley,	Dengler,	Miller,	Tomasck,
Crossin,	Dennison,	Mills,	Tompkins,
Curwood,	Donaldson,	Monroe,	Trusio,
Davis,	Dougherty,	Morley,	Ujobal,
Dengler,	Doughten,	Mullen,	Varner,
Dennison,	Down,	Munley,	Verona,
Donaldson,	Edwards,	Murphy,	Wallo,
Dougherty,	Ellberg,	Musto,	Wargo,
Doughten,	Elvey,	O'Donnell, J. A.,	Weldner,
Down,	Eshback,	O'Donnell, J. P.,	Welsh,
Edwards,	Eshleman,	Odorisio,	Wescott,
Eilberg,	Ewing,	Ogilvie,	Willard,
Elvey,	Farabaugh,	Parlante,	Willaredt,
Eshback,	Fetterolf,	Pashley,	Williams, A. D.,
Eshleman,	Filo,	Petrosky,	Williams, E. S.,
Ewing,	Flynn,	Piper,	Wilt,
Farabaugh,	Foerster,	Polaski,	Wood,
Fetterolf,	Foor,	Polen,	Worley,
Filo,		Prendergast,	Yetter,
Flynn,		Pursley,	Zember,
Foerster,		Reibman,	Zimmerman,
Foor,		Reidenbach,	Andrews,
Fox,			Speaker

#### NAYS—0

#### NOT VOTING—26

Capitolo,	Haudenshield,	Murray,	Rubin,
Cauley,	Heffner,	Needham,	Sherman,
Fineman,	Jenkins,	O'Dell,	Steckel,
Fry,	Lamb,	Perry,	Sullivan, J. A.,
Gibbons,	Markley,	Price,	Walsh,
Goldstein, J. H.,	Marsh,	Riley,	Whittaker,
Guesman,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1167, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903) providing for promotions for certain retired major-generals.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—172

Adams,	Fulmer,	Lee, K. B.,	Renwick,
Anderson, J. H.	Galley,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Goodrich,	Lutty,	Scarcelli,
Backenstoe,	Gramlich,	Magee,	SchAAF,
Blair,	Gray,	Manbeck,	Schuster,
Boies,	Gremminger,	Maxwell,	Seltzer,
Bonner,	Guthrie,	May,	Shelton,
Bossert,	Hamilton,	McCandless,	Simmons,
Bower,	Hankins,	McCann,	Slack,
Bowman,	Hartley,	McCormack,	Snare,
Branca,	Heavey,	McDevitt,	Stank,
Breth,	Helm,	McDonald,	Stimmel,
Buchanan,	Henzel,	McKeever,	Stiteler,
Capano,	Hocker,	McLaughlin,	Stone,
Cianfrani,	Holliday,	McNally,	Strausser,
Cioffi,	Holman,	Meholchick,	Sullivan, T. F.,
Clarke,	Horst,	Merry,	Taylor,
Comer,	Irvis,	Miller,	Thompson,
Cooley,	Isaacs,	Mills,	Tomasclck,
Crossin,	Jim,	Monroe,	Tompkins,
Curwood,	Johnson, A. W.,	Morley,	Trusio,
Davis,	Johnson, R. P.,	Mullen,	Ujobai,
Dengler,	Jones,	Munley,	Varner,
Dennison,	Kamyk,	Murphy,	Verona,
Donaldson,	Keiser,	Musto,	Wall,
Doughten,	Kelly,	O'Donnell, J. A.,	Wargo,
Down,	Kernaghan,	O'Donnell, J. P.,	Weidner,
Edwards,	Kessler,	Odorisio,	Welsh,
Ellberg,	King,	Ogilvie,	Wescott,
Elvey,	Kistler,	Parlante,	Willard,
Eshback,	Klein,	Pashley,	Willaredt,
Eshleman,	Knecht,	Petrosky,	Williams, E. S.,
Ewing,	Kooker,	Piper,	Wilt,
Farabaugh,	Kornick,	Polaski,	Wood,
Fetterolf,	Korns,	Polen,	Yetter,
Flynn,	Kramer,	Prendergast,	Zember,
Foerster,	Lamb,	Pursley,	Zimmerman,
Foor,	Lawson,	Reibman,	Andrews,
Fox,	Lee, A. M.,	Reidenbach,	Speaker
Frascella,			

## NAYS—6

Bush,	Gross,	Williams, A. D.,	Worley,
Gelfand,	Shupnik,		

## NOT VOTING—28

Capitolo,	Goldstein, J. H.,	McInroy,	Riley,
Cauley,	Guesman,	Mihm,	Rubin,
Dougherty,	Haudenschild,	Murray,	Sherman,
Filo,	Heffner,	Needham,	Steckel,
Fineman,	Jenkins,	O'Dell,	Sullivan, J. A.,
Fry,	Markley,	Perry,	Walsh,
Gibbons,	Marsh,	Price,	Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

## REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, may I quickly say to the members on the Republican side that we will caucus next Monday at 2 o'clock, the same as we did last week. I see some of them are leaving and it is too late now to send out a caucus letter. We will not send out a caucus letter, but we will caucus at 2 o'clock on Monday.

The SPEAKER pro tempore. The Chair thanks the gentleman.

## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 976, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing provisions relating to the retirement of firemen.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Adams,	Frascella,	Lawson,	Reidenbach,
Anderson, J. H.	Fulmer,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Galley,	Lee, K. B.,	Rovansek,
Arlene,	Gallagher,	Leonard,	Royer,
Ashton,	Gelfand,	Limper,	Rudisill,
Auker,	George,	Lippincott,	Rutherford,
Bachman,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goodrich,	Lutty,	SchAAF,
Boies,	Gramlich,	Manbeck,	Schuster,
Bonner,	Gray,	Markley,	Seltzer,
Bossert,	Gremminger,	Maxwell,	Shelton,
Bower,	Gross,	May,	Shupnik,
Branca,	Guthrie,	McCandless,	Simmons,
Breth,	Hamilton,	McCann,	Slack,
Buchanan,	Hankins,	McCormack,	Snare,
Bush,	Hartley,	McDevitt,	Stank,
Capano,	Heavey,	McDonald,	Stimmel,
Cianfrani,	Helm,	McInroy,	Stiteler,
Cioffi,	Henzel,	McKeever,	Stone,
Clarke,	Hocker,	McLaughlin,	Strausser,
Comer,	Holliday,	McNally,	Sullivan, T. F.,
Cooley,	Holman,	Meholchick,	Taylor,
Crossin,	Horst,	Miller,	Thompson,
Curwood,	Irvis,	Mills,	Tomasclck,
Davis,	Isaacs,	Monroe,	Tompkins,
Dengler,	Jim,	Morley,	Trusio,
Dennison,	Johnson, A. W.,	Mullen,	Ujobai,
Donaldson,	Johnson, R. P.,	Munley,	Varner,
Dougherty,	Jones,	Murphy,	Verona,
Doughten,	Kamyk,	Musto,	Wall,
Edwards,	Keiser,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kelly,	O'Donnell, J. P.,	Weidner,
Elvey,	Kernaghan,	Odorisio,	Welsh,
Eshback,	Kessler,	Ogilvie,	Wescott,
Eshleman,	King,	Parlante,	Willard,
Ewing,	Kistler,	Pashley,	Willaredt,
Farabaugh,	Klein,	Petrosky,	Williams, E. S.,
Fetterolf,	Knecht,	Piper,	Wilt,
Filo,	Kooker,	Polaski,	Wood,
Flynn,	Kornick,	Polen,	Worley,
Foerster,	Korns,	Prendergast,	Yetter,
Foor,	Kramer,	Pursley,	Zember,
Fox,	Lamb,	Reibman,	Zimmerman,
			Andrews,
			Speaker

## NAYS—4

Bowman,	Magee,	Merry,	Williams, A. D.,
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## NOT VOTING—26

Capitolo,	Guesman,	Needham,	Sherman,
Cauley,	Haudenschild,	O'Dell,	Steckel,
Down,	Heffner,	Perry,	Sullivan, J. A.,
Fineman,	Jenkins,	Price,	Walsh,
Fry,	Marsh,	Riley,	Whittaker,
Gibbons,	Mihm,	Rubin,	Willard,
Goldstein, J. H.,	Murray,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 985, entitled:

An Act relating to the effect and priority of liens for



taxes and municipal or other claims in cities of the first class.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—94

Anderson, S. A.,	Galley,	Maxwell,	Reidenbach,
Arlene,	Gelfand,	McCormack,	Renwick,
Bachman,	Gray,	McDevitt,	Riley,
Boles,	Gremminger,	McDonald,	Rovansek,
Bonner,	Gross,	McKeever,	Rudisill,
Bowman,	Hamilton,	McLaughlin,	Sakulsky,
Branca,	Hankins,	McNally,	Scarcelli,
Breth,	Hartley,	Meholchick,	Schaaf,
Capano,	Heavey,	Mills,	Schuster,
Cianfrani,	Irvins,	Monroe,	Shelton,
Cioffi,	Jim,	Mullen,	Shupnik,
Clarke,	Jones,	Munley,	Stank,
Comar,	Kamyk,	Murphy,	Stone,
Cooley,	Kelly,	Musto,	Sullivan, J. A.,
Crossin,	Klein,	O'Donnell, J. A.,	Sullivan, T. F.,
Curwood,	Kornick,	O'Donnell, J. P.,	Taylor,
Doughten,	Kramer,	Parlante,	Tomasick,
Ellberg,	Lamb,	Pashley,	Trusio,
Eshback,	Lawson,	Polaski,	Verona,
Farabaugh,	Leonard,	Prendergast,	Wargo,
Filo,	Limper,	Reibman,	Welsh,
Flynn,	Long, Wm. Jas.,		Yetter,
Foerster,	Long, Wm. Jos.,		Andrews,
Frascella,	Lutty,		Speaker

## NAYS—86

Adams,	Fulmer,	Kooker,	Simmons,
Anderson, J. H.,	Gallagher,	Korns,	Slack,
Ashton,	George,	Lee, A. M.,	Snare,
Auker,	Gibb,	Lee, K. B.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lippincott,	Stiteler,
Blair,	Goodrich,	Magee,	Strausser,
Bossert,	Gramlich,	Manbeck,	Tompson,
Bower,	Guthrie,	Markley,	Tompkins,
Buchanan,	Helm,	May,	Ujobal,
Bush,	Hocker,	McCandless,	Varner,
Davis,	Holliday,	McInroy,	Wall,
Dengler,	Holman,	Merry,	Weidner,
Dennison,	Horst,	Miller,	Wescott,
Donaldson,	Isaacs,	Odorisio,	Willaredt,
Dougherty,	Johnson, A. W.,	Ogilvie,	Williams, A. D.,
Edwards,	Johnson, R. P.,	Petrosky,	Williams, E. S.,
Elvey,	Kelser,	Piper,	Wilt,
Eshleman,	Kernaghan,	Pursley,	Wood,
Ewing,	Kessler,	Royer,	Worley,
Fetterolf,	King,	Rutherford,	Zember,
Foor,	Kistler,	Seltzer,	Zimmerman,
Fox,	Knecht,		

## NOT VOTING—26

Capitolo,	Guesman,	Mihm,	Rubin,
Cauley,	Haudenschild,	Murray,	Sherman,
Down,	Heffner,	Needham,	Steckel,
Fineman,	Henzel,	O'Dell,	Walsh,
Fry,	Jenkins,	Perry,	Whittaker,
Gibbons,	Marsh,	Price,	Willard,
Goldstein, J. H.,	McCann,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 987, entitled:

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—169

Adams,	Frascella,	Lawson,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Royer,
Anderson, S. A.,	Galley,	Lee, K. B.,	Rudisill,
Arlene,	Gallagher,	Leonard,	Rutherford,
Ashton,	Gelfand,	Limper,	Sakulsky,
Auker,	George,	Lippincott,	Schaaf,
Bachman,	Gibb,	Long, Wm. Jas.,	Schuster,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Seltzer,
Blair,	Goodrich,	Lutty,	Shelton,
Bonner,	Gramlich,	Manbeck,	Shupnik,
Boles,	Gray,	Markley,	Simmons,
Bower,	Gremminger,	Maxwell,	Slack,
Bowman,	Gross,	May,	Snare,
Branca,	Guthrie,	McCann,	Stank,
Breth,	Hamilton,	McCormack,	Stimmel,
Buchanan,	Hankins,	McDevitt,	Stiteler,
Bush,	Hartley,	McDonald,	Stone,
Capano,	Heavey,	McInroy,	Strausser,
Cianfrani,	Helm,	McKeever,	Sullivan, J. A.,
Cioffi,	Hocker,	McLaughlin,	Sullivan, T. F.,
Clarke,	Holliday,	McNally,	Taylor,
Cooley,	Holman,	Meholchick,	Thompson,
Crossin,	Horst,	Miller,	Tomasick,
Curwood,	Irvins,	Mills,	Tompkins,
Davis,	Isaacs,	Monroe,	Trusio,
Dengler,	Jim,	Morley,	Ujobal,
Dennison,	Johnson, A. W.,	Mullen,	Varner,
Donaldson,	Johnson, R. P.,	Munley,	Wall,
Dougherty,	Jones,	Murphy,	Wargo,
Doughten,	Kamyk,	Musto,	Weidner,
Edwards,	Kelser,	O'Donnell, J. A.,	Welsh,
Ellberg,	Kelly,	O'Donnell, J. P.,	Wescott,
Elvey,	Kernaghan,	Odorisio,	Willaredt,
Eshback,	Kessler,	Ogilvie,	Williams, A. D.,
Eshleman,	Kistler,	Parlante,	Williams, E. S.,
Ewing,	Klein,	Pashley,	Wilt,
Farabaugh,	Knecht,	Petrosky,	Wood,
Fetterolf,	Kooker,	Piper,	Worley,
Filo,	Kornick,	Polaski,	Yetter,
Flynn,	Korns,	Polen,	Zember,
Foerster,	Kramer,	Pursley,	Zimmerman,
Foor,	Lamb,	Reidenbach,	Andrews,
Fox,			Speaker

## NAYS—8

Bossert,	Magee,	Merry,	Reibman,
King,	McCandless,	Prendergast,	Verona,

## NOT VOTING—29

Capitolo,	Guesman,	Murray,	Rubin,
Cauley,	Haudenschild,	Needham,	Scarcelli,
Comar,	Heffner,	O'Dell,	Sherman,
Down,	Henzel,	Perry,	Steckel,
Fineman,	Jenkins,	Price,	Walsh,
Fry,	Marsh,	Renwick,	Whittaker,
Gibbons,	Mihm,	Riley,	Willard,
Goldstein, J. H.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 278, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) authorizing the reassessment of certain property and imposing liability for borough taxes upon the owners thereof.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to ask the majority leader one question.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. A. D. WILLIAMS. Mr. Speaker, this bill gives the boroughs of Pennsylvania certain powers. Is it intended to have a bill come out of committee that gives the townships the same power?

Mr. McCANN. Mr. Speaker, I will try to answer that. Where we try to do one thing in one code, we try to do it in the other so it will be uniform, the first class, second class, boroughs and cities.

It is up to the committee, but I would hope that they would follow and keep it uniform in that manner.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—170

Adams,	Fox,	Lamb,	Renwick,
Anderson, J. H.,	Frascella,	Lawson,	Rovansek,
Anderson, S. A.,	Fulmer,	Lee, A. M.,	Royer,
Arlene,	Galley,	Lee, K. B.,	Rudisill,
Ashton,	Gallagher,	Leonard,	Rutherford,
Auker,	Gelfand,	Limper,	Sakulsky,
Bachman,	George,	Lippincott,	Scarcelli,
Backenstoe,	Gibb,	Long, Wm. Jas.,	Schaaf,
Blair,	Goldstein, M. H.,	Long, Wm. Jos.,	Schuster,
Boies,	Goodrich,	Lutty,	Seltzer,
Bonner,	Gramlich,	Magee,	Shelton,
Bossert,	Gray,	Manbeck,	Simmons,
Bower,	Gremminger,	Markley,	Slack,
Bowman,	Gross,	Maxwell,	Snare,
Branca,	Guthrie,	May,	Stank,
Breth,	Hamilton,	McCandless,	Stimmel,
Buchanan,	Hankins,	McCann,	Stiteler,
Bush,	Hartley,	McCormack,	Stone,
Capano,	Heavey,	McDevitt,	Strausser,
Cianfrani,	Helm,	McDonald,	Sullivan, J. A.,
Cioffi,	Hocker,	McKeever,	Sullivan, T. F.,
Clarke,	Holliday,	McLaughlin,	Taylor,
Cooley,	Holman,	McNally,	Thompson,
Crossin,	Horst,	Meholchick,	Tomasick,
Curwood,	Irviss,	Merry,	Tompkins,
Davis,	Isaacs,	Miller,	Trusio,
Dengler,	Jim,	Mills,	Ujobal,
Dennison,	Johnson, A. W.,	Monroe,	Varner,
Donaldson,	Johnson, R. P.,	Morley,	Verona,
Dougherty,	Jones,	Mullen,	Wall,
Doughten,	Kamyk,	Murphy,	Wargo,
Edwards,	Keiser,	Musto,	Weldner,
Elberg,	Kelly,	Odoorisio,	Welsh,
Elvey,	Kernaghan,	Ogilvie,	Wescott,
Eshback,	Kessler,	Parlante,	Willaredt,
Eshleman,	King,	Petrosky,	Williams, A. D.,
Ewing,	Kistler,	Polaski,	Williams, E. S.,
Farabaugh,	Klein,	Polen,	Wood,
Fetterolf,	Knecht,	Prendergast,	Worley,
Filo,	Kooker,	Pursley,	Yetter,
Flynn,	Kornick,	Reibman,	Zember,
Foerster,	Korns,	Reidenbach,	Zimmerman,
Foor,	Kramer,		Andrews,

Speaker

## NAYS—6

Munley,	O'Donnell, J. P.,	Shupnik,	Zimmerman,
O'Donnell, J. A.,	Pashley,		

## NOT VOTING—30

Capitolo,	Guesman,	Murray,	Rubin,
Cauley,	Haudenschild,	Needham,	Sherman,
Comer,	Heffner,	O'Dell,	Steckel,
Down,	Henzel,	Perry,	Walsh,
Fineman,	Jenkins,	Piper,	Welsh,
Fry,	Marsh,	Price,	Whittaker,
Gibbons,	McInroy,	Riley,	Willard,
Goldstein, J. H.,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 319, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) providing for the election of two additional supervisors in certain townships.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—151

Adams,	Frascella,	Lamb,	Rudisill,
Anderson, S. A.,	Fulmer,	Lawson,	Rutherford,
Arlene,	Gallagher,	Lee, K. B.,	Sakulsky,
Ashton,	Gelfand,	Lee, A. M.,	Scarcelli,
Auker,	George,	Limper,	Schuster,
Backenstoe,	Gibb,	Lippincott,	Seltzer,
Blair,	Goodrich,	Lutty,	Shelton,
Boies,	Gramlich,	Manbeck,	Simmons,
Bonner,	Gray,	Markley,	Slack,
Bossert,	Gremminger,	Maxwell,	Snare,
Bower,	Guthrie,	May,	Stank,
Bowman,	Hankins,	McCann,	Stimmel,
Branca,	Hartley,	McCormack,	Stiteler,
Breth,	Heavey,	McDevitt,	Stone,
Buchanan,	Helm,	McKeever,	Strausser,
Bush,	Hocker,	McLaughlin,	Sullivan, J. A.,
Capano,	Holliday,	McNally,	Taylor,
Cianfrani,	Holman,	Miller,	Thompson,
Cioffi,	Horst,	Mills,	Tomasick,
Clarke,	Irviss,	Monroe,	Tompkins,
Davis,	Isaacs,	Morley,	Trusio,
Dengler,	Jim,	Mullen,	Ujobal,
Dennison,	Johnson, A. W.,	Murphy,	Varner,
Donaldson,	Johnson, R. P.,	O'Donnell, J. P.,	Verona,
Dougherty,	Jones,	Odorisio,	Wall,
Doughten,	Kamyk,	Ogilvie,	Weldner,
Edwards,	Keiser,	Parlante,	Welsh,
Elberg,	Kelly,	Petrosky,	Wescott,
Elvey,	Kernaghan,	Piper,	Willaredt,
Eshback,	Kessler,	Polaski,	Williams, A. D.,
Eshleman,	King,	Polen,	Williams, E. S.,
Ewing,	Kistler,	Prendergast,	Wood,
Farabaugh,	Klein,	Pursley,	Worley,
Fetterolf,	Knecht,	Reibman,	Yetter,
Filo,	Kooker,	Reidenbach,	Zember,
Flynn,	Kornick,	Renwick,	Zimmerman,
Foerster,	Korns,	Rovansek,	Andrews,
Fox,	Kramer,	Royer,	Speaker

## NAYS—23

Bachman,	Goldstein, M. H.,	Meholchick,	Schaaf,
Cooley,	Gross,	Merry,	Shupnik,
Crossin,	Hamilton,	Munley,	Sullivan, T. F.,
Curwood,	Long, Wm. Jas.,	Musto,	Wargo,
Foor,	Magee,	O'Donnell, J. A.,	Wilt,
Galley,	McCandless,	Pashley,	



## NOT VOTING—32

Anderson, J. H.,	Goldstein, J. H.,	Marsh,	Price,
Capitolo,	Guesman,	McDonald,	Riley,
Cauley,	Haudenshield,	McInroy,	Rubin,
Comer,	Heffner,	Mihm,	Sherman,
Down,	Henzel,	Murray,	Steckel,
Fineman,	Jenkins,	Needham,	Walsh,
Fry,	Leonard,	O'Dell,	Whittaker,
Gibbons,	Long, Wm. Jos.,	Perry,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 323, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571) specifically exempting from taxation all property used for limited access highways.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will one of the sponsors of the bill permit himself to be interrogated? Will the gentleman from Franklin, Mr. Horst, permit himself to be interrogated?

Mr. HORST. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. GAILEY. Mr. Speaker, will the gentleman explain to this House the purpose of this bill?

Mr. HORST. Mr. Speaker, in our State we have township roads, county roads, superhighways, and now we are going to have limited access highways. In Cumberland Valley they are building a limited access highway from the Mason-Dixon line through to Harrisburg. Eventually it will go on parallel to US 11. They took three farms which have about 12½ acres of land. These farms lose the use of this land for a limited access highway. Under the present law, all roads, township, and highways are measured in, and taken out of the party's farm, and taxed. Along this limited access highway you dare not build, or have any selling frontage on it. Therefore, the people who lost this 10 or 12 acres of land went to the commissioners and they discovered in the county code there was no provision where they could be tax exempt for this land used for limited access highways. The solicitor from Franklin County and several farmers approached me about it and that is why this bill was presented.

Mr. GAILEY. I thank the gentleman.

Mr. Speaker, it seems to me however, that this bill would have a more far-reaching purpose than perhaps the purpose for which the gentleman from Franklin intends. I think this bill would force county commissioners to remove from the tax rolls any land which the State presently has an easement over for highway purposes.

As we all know, in many cases, the owners of the land have a use for it. In other words, they can grow crops on it, they can farm it, if it is still productive. Under these circumstances it seems to me that this land should be taxed.

The second argument that I would level against this is that you do have a right of recourse to your board of assessment for the revision of taxes in your county when the value of land has been diminished. If the value of the land is diminished because of some easement or rights over it asserted by either State or local governments, the county commissioners probably can be forced to make the change in the assessment.

I suggest to the members, therefore, while it may be helpful, the purpose that the gentleman has eluded to would be very limited and generally harmful for our State, and I ask all members on both sides of the House to vote against it.

Mr. HORST. Mr. Speaker, I am not a lawyer, I am a farmer and a businessman and a merchant. When this bill was presented, this proposition was presented and I did some inquiring.

I agree with the gentleman, the bill originally was to exempt all highways. I had the bill amended to exempt only limited access highways. On a regular highway, I or anyone else owning land along that highway can sell frontage, but on a limited access highway, which is something that has just started in this State in the past few years, I am not allowed to sell any land, any frontage, on that highway and I have no right of egress or regress along said highway. They come to your land, take a width of 100 or 200 feet or take out a cloverleaf. That land is gone as long as it is used for a limited access highway. Therefore I say that those people owning that land should be tax exempt, period.

Mr. GAILEY. Mr. Speaker, I do not want to belabor the point. I know we all want to finish up here and go home, but I suggest that the gentleman is mistaken in what he thinks the impact of this will be. The owner does have the right of recourse through the county commissioner's office and the reassessment of this land, and I suggest once again, that despite the fact it is limited to limited access highways it is still bad legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Franklin, Mr. Horst.

Mr. HORST. Mr. Speaker, I am not here to disagree with the eminent lawyer from York. I am only here trying to point out that the land and roads being occupied by limited access highways, which have gone out of cultivation—if I own a barn and house along this road, the State builds me a road to the nearest macadamized highway but if I sell a piece of land along this road I, or the person who buys it, has to build his own road to the nearest macadam or nearest township road. This road is only tax exempt once it is being used and occupied for a highway. If it is staked off and not put in use it does not go out of taxation. As for the valuation of the farm, that is another proposition. I am only asking, under this bill, take out the X amount of acres of ground which is occupied by a limited access highway from tax purposes. If he takes 5, 10, 15, 20, or however many acres off your farm or my farm or anyone else's farm in this Commonwealth, I say that should be tax free for a limited access highway.

While I am on the subject, so no one gets anything started, myself or any of my family have no limited access highways going to any of the farms at the present time. This is just to get the record straight.

Mr. LIPPINCOTT. Mr. Speaker, I think the gentleman from York, Mr. Gailey, has a misunderstanding concerning this bill.

I understood him to say, and I may be incorrect, but I thought he said that in some instances these people still had the right to use the land and therefore it should be taxed. This bill says that the limited access highway must actually be installed; in other words, the land used for the highway. It seems to me that it is a very reasonable thing to exempt that land from taxation. I also believe that it is technical correction to the tax assessment law because the county solicitor has ruled in that county that it cannot be taken off because there is no authority. I ask the members to vote for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—141

Adams,	Fox,	Korns,	Rovansek,
Anderson, J. H.,	Frascella,	Kramer,	Royer,
Anderson, S. A.,	Fulmer,	Lawson,	Rudisill,
Arlene,	Gallagher,	Lee, A. M.,	Rutherford,
Ashton,	Gelfand,	Lee, K. B.,	Scarcelli,
Auker,	George,	Limper,	Schuster,
Backenstoe,	Gibb,	Lippincott,	Seltzer,
Blair,	Goldstein, M. H.,	Long, Wm. Jas.,	Shelton,
Bonner,	Goodrich,	Lutty,	Shupnik,
Bossert,	Gramlich,	Magee,	Simmons,
Bower,	Gray,	Manbeck,	Slack,
Bowman,	Gross,	Markley,	Snare,
Branca,	Guthrie,	Maxwell,	Stank,
Breth,	Hankins,	May,	Stimmel,
Buchanan,	Hartley,	McCandless,	Stiteler,
Bush,	Heavey,	McCann,	Strausser,
Cioffi,	Helm,	McDevitt,	Thompson,
Clarke,	Holliday,	McKeever,	Tompkins,
Crossin,	Holman,	McLaughlin,	Trusio,
Davis,	Horst,	McNally,	Ujobal,
Dengler,	Isaacs,	Merry,	Varner,
Dennison,	Jim,	Miller,	Verona,
Donaldson,	Johnson, A. W.,	Mills,	Wall,
Dougherty,	Johnson, R. P.,	Monroe,	Waldner,
Edwards,	Jones,	Mullen,	Welsh,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Wescott,
Elvey,	Keiser,	O'Donnell, J. P.,	Willaredt,
Eshback,	Kelly,	Ogilvie,	Williams, A. D.,
Eshleman,	Kernaghan,	Parlante,	Williams, E. S.,
Ewing,	Kessler,	Petrosky,	Wilt,
Farabaugh,	King,	Piper,	Wood,
Fetterolf,	Kistler,	Polen,	Worley,
Filo,	Knecht,	Pursley,	Yetter,
Flynn,	Kooker,	Reibman,	Zember,
Foerster,	Kornick,	Reidenbach,	Zimmerman,
Foor,			

#### NAYS—30

Bachman	Hamilton,	Munley,	Schaaf,
Capano,	Hocker,	Murphy,	Stone,
Cianfrani,	Irvs,	Pashley,	Sullivan, J. A.,
Cooley,	Klein,	Polaski,	Sullivan, T. F.,
Curwood,	Lamb,	Prendergast,	Taylor,
Doughten,	McCormack,	Renwick,	Tomascik,
Gailey,	Meholchick,	Sakulsky,	Andrews,
Gremminger,	Morley,		Speaker

#### NOT VOTING—35

Boies,	Guesman,	McInroy,	Riley,
Capitolo,	Haudenshield,	Mihm,	Rubin,
Cauley,	Heffner,	Murray,	Sherman,
Comer,	Henzel,	Musto,	Steckel,
Down,	Jenkins,	Needham,	Walsh,
Fineman,	Leonard,	O'Dell,	Wargo,
Fry,	Long, Wm. Jos.,	Odorisio,	Whittaker,
Gibbons,	Marsh,	Perry,	Willard,
Goldstein, J. H.,	McDonald	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 508, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) authorizing the Treasury Department to invest certain moneys of the Commonwealth in certain types of prime commercial paper.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—158

Adams,	Fulmer,	Lawson,	Rutherford,
Anderson, J. H.,	Gailey,	Lee, A. M.,	Sakulsky,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Scarcelli,
Arlene,	Gelfand,	Limper,	Schaaf,
Ashton,	George,	Lippincott,	Schuster,
Auker,	Gibb,	Lutty,	Seltzer,
Bachman,	Goldstein, M. H.,	Manbeck,	Shelton,
Backenstoe,	Goodrich,	Markley,	Shupnik,
Blair,	Gramlich,	Maxwell,	Simmons,
Bossert,	Gray,	May,	Slack,
Bower,	Gremminger,	McCann,	Snare,
Bowman,	Guthrie,	McCormack,	Stank,
Branca,	Hartley,	McDevitt,	Stimmel,
Buchanan,	Hankins,	McLaughlin,	Stiteler,
Bush,	Heavey,	McNally,	Stone,
Capano,	Helm,	Meholchick,	Strausser,
Cianfrani,	Hocker,	Merry,	Sullivan, J. A.,
Cioffi,	Holliday,	Miller,	Sullivan, T. F.,
Clarke,	Holman,	Mills,	Taylor,
Crossin,	Horst,	Morley,	Thompson,
Davis,	Isaacs,	Mullen,	Tomascik,
Dengler,	Jim,	Munley,	Tompkins,
Dennison,	Johnson, A. W.,	O'Donnell, J. A.,	Ujobal,
Donaldson,	Johnson, R. P.,	O'Donnell, J. P.,	Varner,
Dougherty,	Jones,	Ogilvie,	Verona,
Doughten,	Kamyk,	Parlante,	Wall,
Edwards,	Keiser,	Pashley,	Wargo,
Ellberg,	Kelly,	Petrosky,	Weidner,
Elvey,	Kernaghan,	Piper,	Welsh,
Eshback,	Kessler,	Polaski,	Wescott,
Eshleman,	King,	Polen,	Willaredt,
Ewing,	Kistler,	Prendergast,	Williams, A. D.,
Farabaugh,	Klein,	Pursley,	Williams, E. S.,
Fetterolf,	Kooker,	Reibman,	Wilt,
Filo,	Kornick,	Reidenbach,	Wood,
Flynn,	Korns,	Renwick,	Worley,
Foerster,	Kramer,	Rovansek,	Yetter,
Foor,	Lamb,	Royer,	Zember,
		Rudisill,	Andrews,
			Speaker

#### NAYS—4

Foor,	Magee,	McCandless,	Murphy,
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#### NOT VOTING—44

Boies,	Goldstein, J. H.,	Marsh,	Perry,
Bonner,	Gross,	McDonald	Price,
Breth,	Guesman,	McInroy,	Riley,
Capitolo,	Haudenshield,	McKeever,	Rubin,
Cauley,	Heffner,	Mihm,	Sherman,
Comer,	Henzel,	Monroe,	Steckel,
Cooley,	Jenkins,	Murray,	Trusio,
Down,	Knecht,	Musto,	Walsh,
Fineman,	Leonard,	Needham,	Whittaker,
Fry,	Long, Wm. Jas.,	O'Dell,	Willard,
Gibbons,	Long, Wm. Jos.,	Odorisio,	Zimmerman,

The majority required by the Constitution having voted



in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 637, entitled:

An Act authorizing the Governor to provide for disaster relief under certain circumstances authorizing him to transfer certain funds to a special fund for that purpose and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—156

Adams,	Fox,	Korns,	Rutherford,
Anderson, J. H.	Frascella,	Kramer,	Sakulsky,
Anderson, S. A.,	Fulmer,	Lamb,	Scarcelli,
Arlene,	Galley,	Lawson,	Schaaf,
Ashton,	Gallagher,	Lee, A. M.,	Schuster,
Auker,	Gelfand,	Lee, K. B.,	Seltzer,
Bachman,	George,	Limper,	Shelton,
Backenstoe,	Gibb,	Lippincott,	Shupnik,
Blair,	Goldstein, M. H.,	Lutty,	Simmons,
Bossert,	Gramlich,	Magee,	Slack,
Bower,	Gray,	Manbeck,	Snare,
Bowman,	Gremminger,	Markley,	Stank,
Branca,	Gross,	Maxwell,	Stimmel,
Buchanan,	Guthrie,	McCann,	Stiteler,
Bush,	Hamilton,	McDevitt,	Stone,
Capano,	Hankins,	McKeever,	Strausser,
Cianfrani,	Hartley,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Heavey,	McNally,	Sullivan, T. F.,
Clarke,	Helm,	Merry,	Taylor,
Crossin,	Hocker,	Miller,	Thompson,
Curwood,	Holliday,	Mills,	Tomasck,
Davis,	Holman,	Monroe,	Tompkins,
Dengler,	Horst,	Morley,	Ujobal,
Dennison,	Irlis,	Munley,	Varner,
Donaldson,	Isaacs,	O'Donnell, J. A.,	Verona,
Dougherty,	Jim,	Ogilvie,	Wall,
Doughten,	Johnson, A. W.,	Parlante,	Wargo,
Edwards,	Johnson, R. P.,	Pashley,	Weidner,
Eilberg,	Jones,	Petrosky,	Welsh,
Elvey,	Kamyk,	Piper,	Wescott,
Eshback,	Kelser,	Polaski,	Willaredt,
Eshleman,	Kelly,	Polen,	Williams, E. S.,
Ewing,	Kernaghan,	Pursley,	Wilt,
Farabaugh,	Kessler,	Reibman,	Wood,
Fetterolf,	King,	Reidenbach,	Worley,
Filo,	Kistler,	Renwick,	Yetter,
Flynn,	Klein,	Rovansek,	Zember,
Foerster,	Kooker,	Royer,	Zimmerman,
Foor,	Kornick,	Rudisill,	Andrews,

Speaker

#### NAYS—4

Goodrich,	McCandless,	Murphy,	Williams, A. D.,
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#### NOT VOTING—46

Boies,	Guesman,	McDonald	Perry,
Bonner,	Haudenshield,	McInroy,	Prendergast,
Breth,	Hefner,	Meholchick,	Price,
Capitolo,	Henzel,	Mihm,	Riley,
Cauley,	Jenkins,	Mullen,	Rubin,
Comer,	Knecht,	Murray,	Sherman,
Cooley,	Leonard,	Musto,	Steckel,
Down,	Long, Wm. Jas.,	Needham,	Trusio,
Fineman,	Long, Wm. Jos.,	O'Dell,	Walsh,
Fry,	Marsh,	O'Donnell, J. P.,	Whittaker,
Gibbons,	May,	Odorisio,	Willard,
Goldstein, J. H.,	McCormack,		

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 811.

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," providing a method of paying service increments from the pension fund to employes of the city after retirement.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the Amendments. The clerk read the amendments as follows:

Amend bill, page 5, by inserting after line 4, the following: Section 3 This act shall take effect immediately

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—160

Adams,	Frascella,	Kramer,	Rutherford,
Anderson, J. H.,	Fulmer,	Lamb,	Sakulsky,
Anderson, S. A.,	Galley,	Lawson,	Scarcelli,
Arlene,	Gallagher,	Lee, A. M.,	Schaaf,
Ashton,	Gelfand,	Lee, K. B.,	Schuster,
Auker,	George,	Limper,	Seltzer,
Bachman,	Gibb,	Lippincott,	Shelton,
Backenstoe,	Goldstein, M. H.,	Lutty,	Shupnik,
Blair,	Goodrich,	Magee,	Simmons,
Bossert,	Gramlich,	Manbeck,	Slack,
Bower,	Gray,	Markley,	Snare,
Bowman,	Gremminger,	Maxwell,	Stank,
Branca,	Gross,	McCandless,	Stimmel,
Buchanan,	Guthrie,	McCann,	Stiteler,
Bush,	Hamilton,	McDevitt,	Stone,
Capano,	Hankins,	McKeever,	Strausser,
Cianfrani,	Hartley,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Heavey,	McNally,	Sullivan, T. F.,
Clarke,	Helm,	Merry,	Taylor,
Crossin,	Hocker,	Miller,	Thompson,
Curwood,	Holliday,	Mills,	Tomasck,
Davis,	Holman,	Monroe,	Tompkins,
Dengler,	Horst,	Morley,	Ujobal,
Dennison,	Irlis,	Munley,	Varner,
Donaldson,	Isaacs,	Murphy,	Verona,
Dougherty,	Jim,	O'Donnell, J. A.,	Wall,
Doughten,	Johnson, A. W.,	Ogilvie,	Wargo,
Edwards,	Johnson, R. P.,	Parlante,	Weidner,
Eilberg,	Jones,	Pashley,	Welsh,
Elvey,	Kamyk,	Petrosky,	Wescott,
Eshback,	Kelser,	Piper,	Willaredt,
Eshleman,	Kelly,	Polaski,	Williams, A. D.,
Ewing,	Kernaghan,	Polen,	Williams, E. S.,
Farabaugh,	Kessler,	Pursley,	Wilt,
Fetterolf,	King,	Reibman,	Wood,
Filo,	Kistler,	Reidenbach,	Worley,
Flynn,	Klein,	Renwick,	Yetter,
Foerster,	Kooker,	Rovansek,	Zember,
Foor,	Kornick,	Royer,	Zimmerman,
Fox,	Korns,	Rudisill,	Andrews,

Speaker

## NAYS—0

## NOT VOTING—46

Boles,	Guesman,	McDonald,	Perry,
Bonner,	Haudenschild,	McInroy,	Prendergast,
Breth,	Heffner,	Meholchick,	Price,
Capitolo,	Henzel,	Mihm,	Riley,
Cauley,	Jenkins,	Mullen,	Rubin,
Comer,	Knecht,	Murray,	Sherman,
Cooley,	Leonard,	Musto,	Steckel,
Down,	Long, Wm. Jas.,	Needham,	Trusio,
Fineman,	Long, Wm. Jos.,	O'Dell,	Walsh,
Fry,	Marsh,	O'Donnell, J. P.,	Whittaker,
Gibbons,	May,	Odorisio,	Willard,
Goldstein, J. H.,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

AMENDED HOUSE RESOLUTION RETURNED  
FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE RESOLUTION No. 16.

Creating a "Legislative Commission on Space Allocation" for offices and working space in the State capitol buildings.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 2, by inserting after the word "space" the words "used for legislative purposes"; line 3, by striking out after the word "capitol" the word "buildings" and inserting in lieu thereof the word "building"; amend resolution, page 2, line 5, by inserting after the word "space" the words "used for legislative purposes" and after the word "the" the word "main"; line 6, by striking out after the word "capitol" the word "buildings" and inserting in lieu thereof the word "building."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—160

Adams,	Frascella,	Kramer,	Rutherford,
Anderson, J. H.,	Fulmer,	Lamb,	Sakulsky,
Anderson, S. A.,	Gailey,	Lawson,	Scarcelli,
Arlene,	Gallagher,	Lee, A. M.,	Schaaf,
Ashton,	Gelfand,	Lee, K. B.,	Schuster,
Auker,	George,	Limper,	Seltzer,
Bachman,	Gibb,	Lippincott,	Shelton,
Backenstoe,	Goldstein, J. H.,	Lutty,	Shupnik,
Bialr,	Goodrich,	Magee,	Simmons,
Bossert,	Gramlich,	Manbeck,	Slack,
Bower,	Gray,	Markley,	Snare,
Bowman,	Gremminger,	Maxwell,	Stank,
Branca,	Gross,	McCandless,	Stimmel,
Buchanan,	Guthrie,	McCann,	Stiteler,
Bush,	Hamilton,	McDevitt,	Stone,
Capano,	Hankins,	McKeever,	Strausser,
Cianfrani,	Hartley,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Heavey,	McNally,	Sullivan, T. F.,

Clarke,	Helm,	Merry,	Taylor,
Crossin,	Hocker,	Miller,	Thompson,
Curwood,	Holliday,	Mills,	Tomasick,
Davis,	Holman,	Monroe,	Tompkins,
Dengler,	Horst,	Morley,	Ujobal,
Dennison,	Irvis,	Munley,	Varner,
Donaldson,	Isaacs,	Murphy,	Verona,
Dougherty,	Jim,	O'Donnell, J. A.,	Wall,
Doughten,	Johnson, A. W.,	Ogilvie,	Wargo,
Edwards,	Johnson, R. P.,	Parlante,	Weidner,
Ellberg,	Jones,	Pashley,	Welsh,
Elvey,	Kamyk,	Petrosky,	Wescott,
Eshback,	Keiser,	Piper,	Willaredt,
Eshleman,	Kelly,	Polaski,	Williams, A. D.,
Ewing,	Kernaghan,	Polen,	Williams, E. S.,
Farabaugh,	Kessler,	Pursley,	Wilt,
Fetterolf,	King,	Reibman,	Wood,
Filo,	Kistler,	Reidenbach,	Worley,
Flynn,	Klein,	Renwick,	Yetter,
Foerster,	Kooker,	Rovanssek,	Zember,
Foor,	Kornick,	Royer,	Zimmerman,
Fox,	Korns,	Rudisill,	Andrews,
			Speaker

## NAYS—0

## NOT VOTING—46

Boles,	Guesman,	McDonald	Perry,
Bonner,	Haudenschild,	McInroy,	Prendergast,
Breth,	Heffner,	Meholchick,	Price,
Capitolo,	Henzel,	Mihm,	Riley,
Cauley,	Jenkins,	Mullen,	Rubin,
Comer,	Knecht,	Murray,	Sherman,
Cooley,	Leonard,	Musto,	Steckel,
Down,	Long, Wm. Jas.,	Needham,	Trusio,
Fineman,	Long, Wm. Jos.,	O'Dell,	Walsh,
Fry,	Marsh,	O'Donnell, J. P.,	Whittaker,
Gibbons,	May,	Odorisio,	Willard,
Goldstein, M. H.,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 592, entitled:

An Act amending the "Principal and Income Act of 1947" approved July 3, 1947 (P. L. 1283) providing for the disposition of capital gains dividends and the increment in value of certain United States Treasury bills clarifying certain stock dividends.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. GAILEY. Mr. Speaker, I move that this bill be recommended to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 739, entitled:

An Act relating to apprenticeship and training, creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration.

On the question,

Will the House agree to the bill on third reading?

Mr. AUKEK asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.



Amend Sec. 3, page 2, line 18, by striking out "eight" and inserting: eleven

Amend Sec. 3, page 3, line 1, by inserting after "employers": and three members shall be representatives of the general public

Amend Sec. 3, page 3, line 14, by inserting after "Instruction": and Chief of the Bureau of Rehabilitation of the Department of Labor and Industry

Amend Sec. 4, page 4, line 19, by inserting after "Commerce": Bureau of Rehabilitation of the Department of Labor and Industry and Juvenile Forestry Camps under the Department of Public Welfare

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 866, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624) requiring banks, bank and trust companies and savings banks to pay interest on certain savings accounts.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMENDED

Mr. CURWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Banking.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1191, entitled:

An Act relating to the conservation of water resources and the protection and regulation of surface and subsurface waters under certain circumstances prescribing the duties of the Water and Power Resources Board and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 5, page 6, line 4 by inserting after "shortage" The board.

Amend Sec. 5, page 5, line 6 by inserting after "areas" Following any material decrease in demand, or upon disappearance of the threat to the available water supply, the board after notice and hearing may declare that a "protected area" is no longer protected.

Amend Sec. 7, page 6, line 8 by inserting after "act" or the act of June 24, 1939 (P. L. 842), as amended.

Amend Sec. 7, page 6, line 8 by inserting after "void"

The board may revoke, modify or impose conditions in the permits issued hereunder after notice and hearing.

Amend Sec. 9, page 7, line 6 by inserting after "hereunder" or by permit issued under the act of June 24, 1939 (P. L. 842), as amended.

Amend Sec. 14, page 10, line 18 by striking out "may" and inserting: shall.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ASHTON asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 6, page 5, lines 18 and 19, by striking out "kept for household sustenance."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1222, entitled:

An Act relating to bituminous coal mines amending revising consolidating and changing the laws relating thereto providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith \* \* \*

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMENDED

Mr. ROVANSEK. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mineral Industries.

The motion was agreed to.

#### TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 203, printer's No. 1339, on page 12 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 460, printer's No. 499, on page 13 of today's calendar, bills on final passage postponed.

## BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

## RESOLUTION

Mr. GAILEY offered a resolution which was filed with the clerk under the rules.

## ADJOURNMENT

Mr. GUTHRIE. Mr. Speaker, I move that this House do now adjourn until Monday, April 24, 1961, at 4 p. m., e. s. t.

The motion was agreed to, and (at 3:55 p. m., e. s. t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, APRIL 24, 1961.

No. 41.

## SENATE

MONDAY, April 24, 1961.

The Senate met at 2:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. MELVIN F. WALPER, Pastor of St. John's United Church of Christ, Bedford, offered the following prayer:

Great and gracious God, our Heavenly Father, we thank Thee for this day and for the tasks committed to our minds and our hands. We pray that Thou wilt give us the guidance and the wisdom and the understanding to discharge our responsibilities to men and to Thee, our God, in a way which shall be good for us and great for Thy glory.

Bless Thou, we pray, this Senate convened. By Thy guidance and direction, may this Commonwealth be led to make a worth-while contribution to the welfare of our great land. Bless, Thou, those of our number who are absent because of illness, bereavement or sorrow. Send to them Thy Holy Spirit, the promised Comforter.

We pray, our God, that Thou wilt bless all who are in places of leadership this day, not only in our Country but in our world. Give them keenness of insight, courage of heart and grant that through them, our great land may be numbered among the peacemakers, whom Thy Son, Jesus, has promised to inherit the earth.

We ask these things in His precious Name and for His Sake. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. DiSILVESTRO, further reading was dispensed with, and the Journal was approved.

## COMMUNICATION FROM THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, which was read as follows, and referred to the Committee on Executive Nominations:

## RECALLING THE NOMINATION OF HARRY A. PETERS AS A MEMBER OF THE STATE FARM PRODUCTS SHOW COMMISSION

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 16, 1961, for the appointment of Harry A. Peters, Scotland, Franklin County, as a member of the State Farm Products Show Commission, for the term of four years, and until his successor is qualified, vice Fred H. Cook, Sr., Beaver, deceased.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

## MEMBERS OF THE MONROE COUNTY BOARD OF ASSISTANCE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Monroe County Board of Assistance:

William C. Kopenhaver, M.D. (Republican), 214 Collins Street, Stroudsburg, Monroe County, until December 31, 1961, and until his successor is duly appointed and qualified, vice John Farley, Stroudsburg, resigned.

Thomas R. Joyce (Democrat), 1900 North Fifth Street, Stroudsburg, Monroe County, until December 31, 1962, and until his successor is duly appointed and qualified, vice C. Edward DePuy, Stroudsburg, resigned.

DAVID L. LAWRENCE.

## MEMBER OF THE DAUPHIN COUNTY BOARD OF ASSISTANCE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William B. Blake (Democrat), 622 South 25th Street, Harrisburg, Dauphin County, for appointment as a member of the Dauphin County Board of Assistance, until December 31,

1961, and until his successor is duly appointed and qualified, vice Vernon M. Wood, Harrisburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE CUMBERLAND COUNTY  
BOARD OF ASSISTANCE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Norman A. Booz (Democrat), R. D. 1, Shippensburg, Cumberland County, for appointment as a member of the Cumberland County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Robert W. Roschy, Carlisle, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clayton L. Shaner, Jr., 526 Broad Street, Spring City, Chester County, for appointment as Justice of the Peace in and for the Borough of Spring City, Chester County, to serve until the first Monday of January 1962, vice William H. Sutcliffe, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert C. Krause, R. D. 1, Barnesville, Schuylkill County, for appointment as Justice of the Peace in and for the Township of Rush, Schuylkill County, to serve until the first Monday of January 1962, vice Arthur L. Walter, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter E. Deutschlander, Box 214, Cottage Street, Columbus, Warren County, for appointment as Justice of the Peace in and for the Township of Columbus, Warren County, to serve until the first Monday of January 1962, vice Frank L. Betts, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dennis D. Tiger, R. D. 1, Harmony, Butler County, for appointment as Justice of the Peace in and for the Township of Lancaster, Butler County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl Dean Ramesy, 322 North Washington Street, Evans City, Butler County, for appointment as Justice of the Peace in and for the Borough of Evansburg, Butler County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to **House Resolution No. 16**, entitled:

Legislative Commission on Space Allocation.

### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 811**.

### SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 79**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be placed on the Calendar.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 8** and **428**, which were referred to the Committee on Highways.

He also presented for concurrence **HB 147, 278, 319, 323, 359, 976** and **1290**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 362** and **718**, which were referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 454, 1119** and **1120**, which were referred to the Committee on Mines and Mineral Industries.

He also presented for concurrence **HB 508, 637** and **1166**, which were referred to the Committee on State Government.

He also presented for concurrence **HB 812** and **814**, which were referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 871**, which was referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 987**, which was referred to the Committee on Judiciary General.

He also presented for concurrence **HB 1084**, which was referred to the Committee on Law and Order.

He also presented for concurrence **HB 1167**, which was referred to the Committee on Military Affairs and Aeronautics.



**BILLS SIGNED**

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

**HB 195, 346, 365, 394, 560, 620 and 648.**

**APPOINTMENTS PURSUANT TO HOUSE CONCURRENT RESOLUTION NO. 16**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the following appointments, pursuant to House Concurrent Resolution No. 16, which authorizes the appointment of the Commission on Space Allocation in the Main Capitol Building: the gentleman from Washington, Mr. Lane; the gentleman from York, Mr. Seyler; the gentleman from Allegheny, Mr. Fleming; and the gentleman from Carbon, Mr. Scott.

**RECESS**

Mr. WEINER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Rules, to be held in the Office of the President pro tempore.

Mr. HALUSKA. Mr. President, I would like to announce that during this recess, there will be a meeting of the Committee on Local Government, in Room 301.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

**AFTER RECESS**

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

**RESOLUTION REPORTED FROM COMMITTEE**

Mr. WEINER, from the Committee on Rules, reported without amendment, Senate Resolution, **Serial No. 41**, entitled: "Senate Committee to Consider Necessary Legislation Required to Solve the School Problems, as Set Forth in the Report of the Governor's Committee on Education."

The PRESIDENT. The resolution will be placed on the Calendar.

**GUESTS OF SENATOR ZEHNDER H. CONFAIR PRESENTED TO SENATE**

Mr. CONFAIR. Mr. President, at this time I would like to introduce to the Chair, and to the Members of the Senate, Boy Scout Troop No. 51, from the Trinity United Brethren Church, Williamsport. Their leader is Reverend Hummer, of that town.

I wish the Chair would extend a welcome to them.

The PRESIDENT. Would the members of Boy Scout Troop No. 51 please rise?

The Chair presents Troop No. 51, of Williamsport, to the Senate of Pennsylvania. We are very glad to have you with us. We hope that some day you will have an ambition to join the ranks of the Members of the Senate right on the Senate floor, by being elected to that august office.

**PERMISSION TO ADDRESS SENATE**

Mr. CONFAIR asked and obtained unanimous consent to address the Senate.

Mr. CONFAIR. Mr. President, rather than wait for the

bill which I am about to introduce to be reported from committee, I think I should say something now about it.

This bill is intended to eliminate something in government which we do not need and something which, recently, has not done anything for us, namely, the Boxing Commission. This bill recommends that the powers of the present Boxing Commission be eliminated and one commissioner be placed in the Department of State.

There are quite a few reasons why this Commission should be eliminated. Right after the first World War, when there was plenty of boxing in the Commonwealth of Pennsylvania and throughout the United States, this Commission was a profitable Commission and made plenty of money. It made so much money that it paid for markers to be put on the graves of those who were killed in Europe, after World War I. However, Mr. President, recently, boxing has fallen off throughout the Country and, especially, in the Commonwealth of Pennsylvania. Therefore, that is why I ask that this Commission be eliminated.

I would like to show you what has happened to this Commission financially. By the way, I had a difficult time in finding out about this Commission, financially. It seems that the Athletic Commission makes no financial reports. Even the Auditor General did not have a report on this. This, however, was not his fault because we did not require a report. During the last biennium, 1959-1960, the total expenditure for this Commission was \$123,381.33. However, think of it, Mr. President; they only took in \$74,658.07, leaving an operating loss of \$53,723.

I would like to point out one section in particular, and that is Scranton. Remember, they have a Commissioner in Scranton to whom we pay \$7,000, in addition to an office and office expenses. The total income for the Scranton location was \$1,541.63. For the biennium, it was \$5,007.36, to have a Commissioner and an office operating such as that.

As to the number of fights, in Pittsburgh we had 298 shows in two years; in Philadelphia, we had 194 shows in two years; in Scranton, we had 67 shows or 41 in 1959 and 26 in 1960. There is one unusual thing about all these shows which they have been holding. It depends on what kind of shows they have been having. For instance, in so far as professional boxing is concerned in Pennsylvania, they only had 55 professional boxing shows, 142 wrestling shows, and 55 amateur boxing shows.

I do not believe we should have a Commission to take care of professional wrestling. They advertise it as exhibitions. It is a fraud and, therefore, why should we hire a Commission to take care of a fraud? I say we should entirely eliminate it. As for amateur boxing, we do not need a Boxing Commission. We have the Amateur Athletic Union which takes care of amateur boxing.

Therefore, Mr. President, I am about to present this bill to eliminate this Commission which I think is unnecessary. We are going to need millions of dollars for education, and I really believe that we should save this money and apply it toward education rather than give it to a wasteful Boxing Commission.

**BILLS INTRODUCED AND REFERRED**

Messrs. CONFAIR, KROMER and VAN SANT presented to the **Chair SB 545**, entitled:

An Act amending the act of August 31, 1955 (P. L. 531), entitled "Pennsylvania Athletic Code," abolishing the

State Athletic Commission; designating a deputy of the Department of State, appointed by the Secretary of the Commonwealth as the State Athletic Commissioner; providing for the use of employes of the Department of State to perform duties heretofore performed by the State Athletic Commission and authorizing use of Pennsylvania State Police for investigations.

Which was committed to the Committee on State Government.

Messrs. PROPERT STEVENSON, MAHADY and YATRON presented to the Chair **SB 546**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further providing for the creation of new election districts.

Which was committed to the Committee on Elections.

Messrs. MAHADY, SCOTT, MURRAY, WOLFE and McMENAMIN presented to the Chair **SB 547**, entitled:

An Act amending the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed, agreement of sale, title insurance policy, or other instrument in writing, which sells, conveys, transfers, releases, quitclaims, or agrees to sell, convey, transfer, release, or quitclaim, or insures or agrees to insure title to the surface of land, . . ." modifying the form of notice; providing that the act does not apply to mortgage and quitclaim transactions, and specifying the situations to which the act applies.

Which was committed to the Committee on Judiciary General.

Mr. BELL presented to the Chair **SB 548**, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing that appeals to the court of common pleas from the board of adjustment shall be de novo.

Which was committed to the Committee on Judiciary General.

He also presented to the Chair **SB 549**, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," providing that appeals to the court of common pleas from the board of adjustment shall be de novo.

Which was committed to the Committee on Judiciary General.

He also presented to the Chair **SB 550**, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing that appeals to the court of common pleas from the board of adjustment shall be de novo.

Which was committed to the Committee on Judiciary General.

### PERMISSION TO ADDRESS SENATE

Mr. MAHADY asked and obtained unanimous consent to address the Senate.

Mr. MAHADY. Mr. President, I do not want to be impetuous, but time is of the essence. The owners of the various professional football clubs are gathered together in California. They will decide tomorrow where the National Football Hall of Fame will be located. It is now

narrowed down between two contestants, Canton, Ohio and Latrobe, Pennsylvania.

Therefore, Mr. President, I am offering this resolution and ask for its immediate adoption.

### SENATE RESOLUTION

#### URGING THE LOCATION OF THE PROFESSIONAL FOOTBALL HALL OF FAME IN LATROBE, PENNSYLVANIA

Mr. MAHADY, by unanimous consent, offered the following resolution (**Serial No. 46**), which was read, considered and adopted:

In the Senate, April 24, 1961.

At the 1961 Spring Meeting of the National Football League, being held in San Francisco, the location of the Professional Football Hall of Fame is scheduled to be determined.

We, in Pennsylvania, feel that the proper location for the Professional Football Hall of Fame is Latrobe, Pennsylvania. It was in Latrobe, on September 3, 1895, that the first man received payment for playing football, and by 1897 all of the players on the Latrobe team were being paid. Continuously since that time Pennsylvania has been outstanding for its professional football teams and individual players; therefore be it

Resolved, That the Senate, on behalf of the Commonwealth of Pennsylvania, hereby extends an invitation to the National Football League owners to recognize Latrobe, Pennsylvania, as the home of Professional Football, by approving it as the site for the Professional Football Hall of Fame; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Art Rooney, owner of the Pittsburgh Steelers Football Club, 139 Sixth Street, Pittsburgh, Pennsylvania, to be submitted by him to the National Football League owners, in order to make known to them the invitation hereby extended for location of the Professional Football Hall of Fame in Latrobe, Pennsylvania.

### BILLS INTRODUCED AND REFERRED

Messrs. ROONEY, STASEY, VAN SANT and SESLER presented to the Chair **SB 551**, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," increasing monthly pension allowance and maximum income allowance, establishing the sum of income and pension as a ceiling for pension receivable, and making an appropriation.

Which was committed to the Committee on Public Health and Welfare.

Messrs. SESLER, MAHADY, SHAFER and YATRON presented to the Chair **SB 552**, entitled:

An Act repealing section 58 of the act of April 28, 1899 (P. L. 133), entitled "An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania."

Which was committed to the Committee on Military Affairs and Aeronautics.

Messrs. STASEY and FLEMING presented to the Chair **SB 553**, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to grant to Upper St. Clair Township, Allegheny County, its successors or assigns, a right of way for the purpose of constructing, installing and maintaining a sanitary sewer system over property



of the Commonwealth of Pennsylvania known as the May-view State Hospital Property.

Which was committed to the Committee on State Government.

Messrs. RIPP and DEVLIN presented to the Chair **SB 554**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," authorizing the production and performance of stage shows between certain hours on Sundays in cities of the second class.

Which was committed to the Committee on Law and Order.

Messrs. RIPP and WEINER presented to the Chair **SB 555**, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for the participation of loans between banking companies.

Which was committed to the Committee on Banking.

Messrs. SILVERT and WEINER presented to the Chair **SB 556**, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended, "Banking Code," further regulating certain loans secured by mortgages on deeds of trust on real property.

Which was committed to the Committee on Banking.

They also presented to the Chair **SB 557**, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," further regulating mortgage loans.

Which was committed to the Committee on Banking.

Mr. STIEFEL presented to the Chair **SB 558**, entitled:

An Act amending the act of May 6, 1929 (P. L. 1551), entitled "An act authorizing cities of the first class to adopt and enforce zoning ordinances; . . ." authorizing applications for special exceptions and variances ninety days after refusal by the board.

Which was committed to the Committee on Local Government.

## SENATE RESOLUTION

### TRIBUTE TO THE BUCKTAIL REGIMENT OF THE 13th PENNSYLVANIA RESERVE CORPS — CIVIL WAR

Messrs. BERGER, STEVENSON and STIEFEL offered the following resolution (**Serial No. 47**), which was read as follows:

In the Senate, April 24, 1961.

WHEREAS, On April 17, 1861, Thomas L. Kane, of Smethport, McKean County, Pennsylvania, issued a call by authority of Governor Curtin for volunteer rifles and marksmen "prepared to take up arms immediately, to support the Constitution of the United States and defend the Commonwealth of Pennsylvania;" and

WHEREAS, James Landregan, while lounging in front of the Smethport headquarters, spied a deer hide hanging outside the butcher shop across the street. Noticing that the tail was somewhat larger than the average he cut it off and stuck it in his hat, little dreaming that he was about to give an entire regiment its distinctive insignia. Thomas Kane thought that there could not be a more appropriate name for an outfit from the mountains of

Northern Pennsylvania since deer abounded upon every hillside. Kane decided immediately that it would be the "Bucktails," and

WHEREAS, Volunteers from McKean, Elk and Cameron Counties responded and converged upon the town of Driftwood, Cameron County, Pennsylvania, from where, on April 27, 1861, the Cameron County Rifles under the Command of John A. Eldred, afterwards Company "C" Bucktails, mustered in June 1, 1861, mustered out June 11, 1864; the Elk County Rifles under the Command of Captain Thomas B. Winslow, afterwards Company "G" Bucktails, mustered in May 29, 1861, mustered out June 11, 1864; and the McKean County Rifles under the Command of Captain William T. Blanchard, afterwards Company "I" Bucktails, mustered in May 30, 1861, mustered out June 11, 1864; all under the leadership of Thomas L. Kane, afterwards Commanding Officer of the Regiment and later a Major General, embarked upon four rafts for Harrisburg, where they were mustered into service of the State and formed the nucleus about which the Bucktail Regiment of the 13th Pennsylvania Reserve Corps, the 42nd Pennsylvania Volunteers was organized, which, during the term of service, was almost continuously attached to the Army of the Potomac.

During their service, they participated and were engaged in the following campaigns and battles: Danesville, Mechanicsville, Gaines Mills, New Market Cross Roads, Malvern Hill, Harrisonburg, Cross Keys, Catlett's Station, Groveton, Second Bull Run, South Mountain, Antietam, Fredericksburg, Gettysburg, Wilderness, Spottsylvania Court House, North Anna and Bethesda Church; and

WHEREAS, On April 27, 1903, the Commonwealth of Pennsylvania caused to be erected at Driftwood an appropriate monument to the valor and glory of this patriotic regiment; and

WHEREAS, The Historical Societies of McKean, Elk and Cameron Counties are meeting at Driftwood on April 27, 1961, to mark the centennial of the departure of this colorful outfit for enlistment in the service of their country; and

WHEREAS, On May 30, 1961, the present Veterans' Organizations of McKean, Elk and Cameron Counties, together with descendants of this famous Regiment, will gather at the Bucktail Monument at Driftwood to commemorate the centennial of the departure of these volunteer rifles and marksmen for the war between the States; therefore, be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania pays tribute to these valiant men who constituted the volunteer rifles and marksmen who became known as the "Bucktails"; and be it further

RESOLVED, That we commend the Historical Societies of McKean, Elk and Cameron Counties, and the Veterans' Organizations of said Counties, for commemorating this centennial event, and for carrying on the spirit, the courage, the faith and the patriotism of such worthy and hardy men; and be it further

RESOLVED, That copies of this resolution be sent to the Historical Societies of McKean, Elk and Cameron Counties.

Mr. BERGER. Mr. President, before putting the question, I know there are several Senators who would desire to become cosponsors of this resolution. I ask that you permit them to step to the desk and affix their names.

The PRESIDENT. The Chair will be very happy to have any of the gentlemen step forward.

Mr. BERGER. Mr. President, I hope Senator Stiefel heard that because I am sure he might like to do so.

The PRESIDENT. The Chair would expect Senator Stiefel to be in the foreground.

Mr. STIEFEL. Mr. President, am I to say a word about this resolution?

The PRESIDENT. We would like to have your name on the resolution, Senator.

Mr. STIEFEL. Mr. President, I will add my name at

any time. What the Senator just did is something which has been delayed for a long time because Pennsylvania was overly slow in joining other States in preparing for the Centennial of the Civil War. Time is running out.

Senator Berger deserves all the commendations for taking this initial step. Therefore, I will add my name to anything which has to do with the celebration of the Centennial.

Mr. BERGER. Thank you, Senator.

On the question,

Will the Senate adopt the resolution?

The resolution was adopted.

### REPORT FROM COMMITTEE

Mr. DEVLIN, by unanimous consent, from the Committee on Judiciary General, reported, as committed, **SB 65**.

### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

#### MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

January 3, 1961.

John C. Albohm, York, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

(Mrs.) Clara Bard Leisey, Ephrata, from November 15, 1960, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF RETREAT STATE HOSPITAL

January 3, 1961.

Marlyn F. Leppert, Hughestown, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Phillip Fitelson, Mountaintop, from November 29, 1960, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

April 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified:

Dr. William J. Van Essen, 18 Thomas Avenue, Pittsburgh 5, Allegheny County. (Reappointment)

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

April 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Mrs. JoAnn M. Georgino, Penfield, Clearfield County, for appointment as Justice of the Peace in and for the Township of Huston, Clearfield County, to serve until the first Monday of January 1962, vice John E. Boyer, deceased.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

April 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ronald B. Varney, Railroad Street, Roulette, Potter County, for appointment as Justice of the Peace in and for the Township of Roulette, Potter County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Benjamin F. Whitsel, R. D. 1, Shirleysburg, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Cromwell, Huntingdon County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

### REPORTS FROM COMMITTEE

Mr. HALUSKA, by unanimous consent, from the Committee on Local Government, reported, as committed, **HB 681, 682, 683, 715, 716, 1200 and 1252**.

### BILLS INTRODUCED AND REFERRED

Messrs. SILVERT and MULLIN, by unanimous consent, presented to the Chair **SB 559**, entitled:

An Act amending the act of March 31, 1860 (P. L. 427), entitled "Criminal Procedure Act of 1860," broadening the power of magistrates to take bail.

Which was committed to the Committee on Judiciary General.

Mr. STEVENSON, by unanimous consent, presented to the Chair **SB 560**, entitled:

An Act amending the act of April 22, 1953 (P. L. 184), entitled "An act to continue the imposition of the tax on gross premiums, premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies, associations and exchanges," authorizing certain firemen's relief fund associations to send delegates to district and State firemen's conventions, and to reimburse the delegates for expenses and mileage from money's distributed to them pursuant to the act.

Which was committed to the Committee on Insurance.

### EXECUTIVE NOMINATIONS

#### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. McGINNIS, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.



## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

## NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT. The Clerk will read the nominations. The nominations were read by the Clerk as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF  
MILLERSVILLE STATE COLLEGE

January 3, 1961.

John C. Albohm, York, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

(Mrs.) Clara Bard Leisey, Ephrata, from November 15, 1960, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
RETREAT STATE HOSPITAL

January 3, 1961.

Marlyn F. Leppert, Hughestown, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Phillip Fitelson, Mountaintop, from November 29, 1960, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL  
EXAMINERS

April 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified:

Dr. William J. Van Essen, 18 Thomas Avenue, Pittsburgh 5, Allegheny County. (Reappointment)

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

April 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. JoAnn M. Georgino, Penfield, Clearfield County, for appointment as Justice of the Peace in and for the Township of Huston, Clearfield County, to serve until the first Monday of January 1962, vice John E. Boyer, deceased.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

April 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Ronald B. Varney, Railroad Street, Roulette, Potter County, for appointment as Justice of the Peace in and for the Township of Roulette, Potter County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Benjamin F. Whitsel, R. D. 1, Shirleysburg, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Cromwell, Huntingdon County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. MCGINNIS. Mr. President, I second the motion.

The motion was agreed to.

## CALENDAR

## BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

**SB 31**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 31.

Mr. RIPP. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,

Fleming,  
Haluska,  
Hawbaker,

McGinnis,  
McMenamin,  
Miller,

Shafer,  
Silvert,

Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 188—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 188.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Carnel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Staisey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### FINAL PASSAGE CALENDAR

HB 70—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was rereferred to the Committee on State Government.

#### BILL ON FINAL PASSAGE

SB 491—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHADY. Mr. President, the other day when we were discussing this bill, there were two questions raised. One question was that there was a letter of opinion, issued by the Attorney General, stating that this bill was constitutional.

I have in my hand a memorandum from Raymond C. Miller, Deputy Attorney General of the Department of Justice. I will not read the whole thing. However, the last sentence sums it all up. It says: "This bill is in proper form." It does not pass on its constitutionality nor does it go into it.

I also draw your attention to the fact that people have said to me: "I will vote for this bill merely because it enables many municipalities to finance needed municipal projects on which they are now forced to use Authority methods because of their valuation being based on valuations less than the market value as the standard. It might also help school districts," they said.

Mr. President, I draw your attention to the fact that we stand in front of a mural painting which says: "Let

us raise a standard to which wise and honest men can repair." This faces us each and every day of the week.

I was faced, when I was a freshman in college, with Taussig's two volumes of Elementary Economics, and I wondered why it was two volumes when most of the others were but one. In that book, he dedicated nine chapters to "the problem of the standard." Summing up those nine chapters, he said that without a standard, a man is like a ship without a rudder. Without a Constitution and constitutional provisions, which are followed by all those sworn servants of the Constitution, whether they live under it or whether they legislate under it, we would be a ship without a rudder.

I say to you that this day, if we pass this bill, we have crossed the Rubicon. What is the Rubicon? We have heard of it through the centuries. It is analogous to the Constitution, which is a piece of paper. If you go to Europe, you will see that the river Rubicon would be called a brook in Pennsylvania. That which stands out, stood out and has been quoted for centuries, is a mere little brook. Yet, it is an outstanding symbol.

The guide will tell you the story that when Caesar stood at this little brook, called the Rubicon, it was as a mighty river and it moved on in history as a mighty river because the laws of Italy of that day, which then had the name of Rome, stated that anyone who crossed that brook carrying arms was an enemy of the state. On the mere crossing of that river, when Caesar stood on its shores, in fear and trepidation as to whether his decision was a good one, they tell the following fable:

There came and appeared a character—a shade, if you would use the words of the poet—"of fine mien"; a man very distinct and beautiful, who was playing a flute which made music. All of a sudden, the Nervii trumpeter came up. He grabbed a trumpet, blew it, and crossed the river. Caesar said, "It is done; the die is cast," and followed. What did the crossing the river mean? It meant the fall of the greatest republic the world had ever known up to that time. It was followed by a thousand years, plus a half a thousand years, in which there was nothing but monarchy and dictatorship.

That is the same thing you are doing when you flaunt the Constitution. You are crossing the Rubicon, and you are saying to our children's children: "We shall have what Rome had and what Caesar began. Caesar followed the ghost of the shade."

What shade or ghost do we now follow? Where are we going? I do not know what shade we are following today. What pulls us on? When they say, "We need it," if need is the criteria, then constitutions will be scraped. We do not need any. All we need is legislation. That is the type of decision you are making here today, which is a pragmatic one. The need is here and we are going to do it anyhow, even if we know better. The rule of law has now passed. Take down Washington's mural and erect one to expediency.

Mr. LANE. Mr. President, I certainly did enjoy the learned gentleman's speech. However, I think all of us must be very practical, especially when it comes to the enactment of legislation here in the Senate of Pennsylvania.

I think, Mr. President, that we Members of the Senate are really on solid ground since the Attorney General of Pennsylvania reviewed this legislation and gave us an opinion. In my opinion, as a layman, I think this



legislation is constitutional. I think it is a great forward step for the political subdivisions of Pennsylvania. I believe by the passage of Senate Bill No. 491, the political subdivisions and county governments will have the opportunity to operate properly without using the Authority device, which has been abused over the years.

I believe that almost every Member of this Senate will agree with me that all we are doing here is trying to help the political subdivisions to do a proper job of financing.

Actually, Mr. President, what brought about the drafting of Senate Bill No. 491 was our problem with Senate Bill No. 88, whereby we are trying to consolidate the Institution Districts with the General Fund as a matter of efficiency and economy. We were confronted with the borrowing capacity of the General Fund in conjunction with the borrowing capacity of the Institution Districts. Very frankly, I believe that every member of the Local Government Commission was just about ready to give up because we realized that county governments would lose that two percent borrowing capacity which they have at the present time under the provisions of the General Fund duplicate.

However, after going into detail with reference to this constitutional provision, the Bureau of Municipal Affairs did a considerable amount of research with reference to this particular problem. Mr. Bullis, who represents the bureau, talked with the Attorney General and secured the opinion. Now the gentleman from Westmoreland feels this is not an opinion. However, the Attorney General did say that it was in proper form. I feel quite confident that if she thought for one moment that we were doing anything unconstitutional, she would certainly have let us know.

Therefore, Mr. President, I believe that the Members of the Senate should support Senate Bill No. 491, Printer's No. 536. It is not political in any sense of the word. I do believe, Mr. President, that it will be a step in the right direction because it will give us the opportunity to bring about a great economy throughout the sixty-six counties of Pennsylvania by eliminating these duplicate budgets which are so unnecessary in this particular day and age.

All this legislation does is change the feature from assessed value to market value. In most cases, that will give county governments and political subdivisions a borrowing capacity of approximately three or four times their present borrowing needs.

Mr. STROUP. Mr. President, I have been very much disturbed concerning House Bill No. 491. Although I am in favor of the spirit of it, and I recognize the very vital need to change this provision in the Constitution by a legislative act, I cannot possibly bring myself to find any criteria, whatsoever, which would establish it as being fit and proper and within constitutional provisions, whereby this Legislature can step around Article IX, Section 8, of the Constitution, within the purview of its own responsibilities to its citizens. I think the only way in which this particular section of the Constitution can be altered is by amendment to the Constitution.

Therefore, Mr. President, I believe that if this Legislature should enact this bill, it will enact a law which is unconstitutional.

Mr. BELL. Mr. President, I back up my colleague, Senator Stroup, in this debate. In the Constitution, we

have a debt limitation which is based on assessed valuation. I believe it was only two years ago that we went to the people, with a vote on a constitutional amendment, asking them to raise the debt limitation. They did not approve of this as a constitutional amendment. Thus, we are trying to do by an end-run what we could not do face-on. We are trying to rephrase the meaning of the words "assessed valuation" to mean "market value." This is opening the door and, perhaps, the next step will be to levy taxes on market value.

Mr. President, I do not concur with the Attorney General's interpretation of what is constitutional and what is not constitutional. Her interpretation is not binding on this Senate. For that reason, I ask that we search deeply into our thinking and vote on this matter on the merits of the bill and not on what the Attorney General said. Therefore, Mr. President, I urge everyone to vote against this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. FLEMING. Mr. President, not having answered to my name, I desire to be recorded as voting "aye".

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—27

Camiel,	Hays,	McGinnis,	Silvert,
Confair,	Kalman,	McMenamin,	Stevenson,
Devlin,	Kessler,	Mullin,	Stiefel,
DiSilvestro,	Lane,	Murray,	Wagner,
Flack,	Madigan,	Ripp,	Walner,
Fleming,	Mallery,	Sesler,	Yatron,
Haluska,	McCreesh,	Seyler,	

#### NAYS—16

Bell,	Hawbaker,	Pechan,	Stroup,
Berger,	Keller,	Probert,	Wade,
Chapman,	Kromer,	Scott,	Ware, III,
Ehrgood,	Mahady,	Shafer,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### THIRD READING CALENDAR

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 63**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I think this bill has a very desirable purpose and a very desirable end. It deals with some very unfortunate people. I think if these people require additional funds to be properly and adequately supported, we should, by increasing present veterans' benefits, pensions and so on, make it possible for them to have an adequate living. However, I think the means used here—namely, to exempt, by constitutional amendment, certain people from personal property taxation—is a step which would, it seems to me, be doing a disservice to the local communities of this Commonwealth and to the home rule, in which we all believe or, at least, give lip service.

In other words, Mr. President, I think it would be a very poor precedent. For that reason, I am persuaded

to vote "no" on this bill, even though, as I said, I think the end is very desirable and I would cheerfully support any legislation which would increase benefits to the unfortunate people who are mentioned in the current bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	
Hawbaker,	Miller,		

## NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 112**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—40

Bell,	Haluska,	McGinnis,	Shafer,
Berger,	Hays,	McMenamin,	Silvert,
Camiel,	Kalman,	Mullin,	Stevenson,
Chapman,	Keller,	Murray,	Stiefel,
Confair,	Kromer,	Pechan,	Stroup,
Devlin,	Lane,	Propert,	Taylor,
DiSilvestro,	Madigan,	Ripp,	Wagner,
Ehrgood,	Mahady,	Scott,	Ware, III,
Flack,	Mallery,	Sesler,	Weiner,
Fleming,	McCreesh,	Seyler,	Yatron,

## NAYS—3

Hawbaker, Kessler, Wade,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 115**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 132**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 156**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AMENDED

**SB 190**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SHAFER, by unanimous consent, offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "Clause LV of section" and inserting: Section

Amend Sec. 1, page 2, line 3, by inserting after "amended": by adding after clause LV, a new clause

Amend Sec. 1 (Sec. 1202), page 2, lines 7 to 14, by striking out all of said lines and inserting:

Clause LV.I. Disturbing the Peace Ordinances. To adopt ordinances defining disturbing the peace within the limits of the borough and to provide in such ordinances for the imposition of penalties not exceeding in amount the sum of ten dollars (\$10.00) for the violation thereof, notwithstanding like statutes pertaining to the same or similar offenses. All penalties imposed for the violation of such ordinances shall be paid to the borough treasurer for the use of the borough.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SHAFER.

## BILLS OVER IN ORDER

**SB 203 and 209**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 223**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT. The Chair now turns the gavel over to that stalwart member of your group, the gentleman from Allegheny, Senator Ripp, to preside.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 276**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafa,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

**SB 294**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 306**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,

Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafa,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stevenson,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**SB 307**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Ripp,
Hays,			Presiding Officer

## NAYS—1

Bell,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**HB 307**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 321**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafa,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

**SB 332**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 333**—Read at length the third time and agreed to, On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

##### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 334**—Read at length the third time and agreed to, On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

##### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

**SB 378**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 385**—Read at length the third time and agreed to, On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

##### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 425**—Read at length the third time and agreed to, On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

##### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 433**—Read at length the third time and agreed to, On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

##### NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 437**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Chapman,	Keller,	Pechan,	Stroup,
Camiel,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**SB 479**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 518**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AMENDED

**HB 556**—Read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. DEVLIN, on behalf of Mr. RIPP, by unanimous consent, offered the following amendments:

Amend Title page 1, last line of title, by inserting after "class": and first class A.

Amend Sec. 1 (Sec. 440.1), page 2, line 5, by inserting after "first": class, first class A.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 558**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,

Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Seyler,  
Shafer,  
Silvert,  
Stalsey,

Weiner,  
Wolfe,  
Yatron,  
Ripp,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 597**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 600**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Ripp,
Hawbaker,			Presiding Officer

## NAYS—1

Mahady,

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 631**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—31

Bell,	Hawbaker,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Stroup,
Camiel,	Kessler,	Probert,	Taylor,
Confair,	Lane,	Scott,	Wagner,
Devlin,	Madigan,	Sesler,	Weiner,
DiSilvestro,	Mallery,	Shafer,	Yatron,
Ehrgood,	McCreesh,	Silvert,	Ripp,
Haluska,	McMenamin,	Stevenson,	Presiding Officer

## NAYS—11

Chapman,	Kalman,	McGinnis,	Wade,
Fleming,	Kromer,	Pechan,	Ware, III,
Hays,	Mahady,	Seyler,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 690**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 730**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING POSTPONED

**SB 200**—Without objection, the bill was called up from the Postponed Calendar by Mr. LANE.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 200**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
DiSilvestro,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## SECOND READING CALENDAR

## BILL ON SECOND READING AMENDED

**SB 30**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 1 (Sec. 10), page 2, lines 7 and 10, by striking out the bracket before "any" in line 7, and after "him" in line 10, and inserting immediately thereafter: Any taxpayer may elect to pay.

Amend Sec. 1 (Sec. 10), page 2, lines 12 and 13, by striking out "shall be charged a penalty of five per centum upon such one-half of the taxes and all" and inserting: All.

Amend Sec. 1 (Sec. 10), page 2, line 13, by inserting after "taxpayers": so electing.

Amend Sec. 1 (Sec. 10), page 2, line 1, by striking out "penalties" and inserting: penalty.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

## BILL RECOMMITTED

**SB 73**—Upon motion of Mr. HALUSKA seconded by Mr. SESLER, and agreed to, the bill was recommitted to the Committee on Local Government for further study.



## BILLS ON SECOND READING

**SB 96 and 99**—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 140**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL ON SECOND READING

**SB 191**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 197**—Mr. BERGER. Mr. President, I request that Senate Bill No. 197 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, might I point out to the gentleman that this is a Senate Bill and there is an appropriation in it. It deals with migratory labor. If there is an amendment desired to this bill, I will have no objection if it is offered on Third Reading. However, I believe we must permit the school districts to know that there is some money to hire teachers and to prepare for a summer session which will begin sometime about May 1, 1961. As we are heading toward the end of April, I think they should, at least, know the intention of the Legislature to support this measure.

Therefore, Mr. President, if the gentleman has no objection, I respectfully ask that this measure be moved up to Third Reading and we can amend it at that time.

Mr. BERGER. Mr. President, I very much dislike to refuse to accede to the courteous request made by the Majority Leader. This is the first time this has appeared on the Calendar. Certain amendments are indicated to this bill and, as one of the sponsors, I feel that I could ask to have it go over in order for the amendments which I desire to put in, which I have done.

In so far as the necessity of commencing this May 1, Mr. President, under the present law I believe these children can enter school. I am also quite certain there are not going to be very many of them around on May 1. There may be some who will appear somewhere around that end of May, but as of right now there is no urgency for this bill at all.

Mr. WEINER. Mr. President, I do not want to get into a debate on this matter, but I think we should, as expeditiously as possible, move this measure. I would appreciate it if the amendments could be put in this week so we can act on this measure in order to move it along.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

## BILLS ON SECOND READING

**SB 204, HB 251 and SB 315**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 315 and 326**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILL POSTPONED

**SB 354**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was placed on the Second Reading Postponed Calendar.

## BILLS ON SECOND READING

**SB 360, HB 366, 369 and SB 371**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING AMENDED

**SB 381**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KALMAN offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 1, by inserting after "controller": the county treasurer.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. KALMAN.

## BILL OVER IN ORDER

**SB 401**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON SECOND READING

**HB 416 and 418**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 419 and SB 431**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL OVER IN ORDER TEMPORARILY

**SB 432**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, I move that Senate Bill No. 432 be recommitted to the Committee on Highways.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. KESSLER. Mr. President, I object to having this bill go back to committee. It seems to me that it is a very important measure for getting employment and keeping business in Pennsylvania. I do not have any objection to the bill going over in order for today, but I do not like to see it going back to committee.

Mr. WEINER. Mr. President, I made my motion and Senator Lane seconded the motion.

The PRESIDING OFFICER. It has been duly moved by Senator Weiner, and seconded by Senator Lane, that Senate Bill No. 432, Printer's No. 467, be recommitted to the Committee on Highways.

Mr. STROUP. Mr. President, I rise to object to this bill being recommitted to the Committee on Highways. It is a very fine piece of legislation to improve the economy of our Commonwealth. In the areas which I represent,

we have hundreds and hundreds of employees who are employed by interstate carriers that have relay systems which have large payrolls who need this type of legislation very much to improve the economy of our section of Pennsylvania. It also is valuable to other sections of the Commonwealth. I know I should not debate the merits of the bill, but I do want to say that I cannot understand why it should be recommitted. I think it should go over in order, thereby giving everybody an opportunity to study the bill thoroughly and raise their objections to it. The bill, in itself, makes a substantial change and improvement in the Motor Vehicle Code.

Therefore, Mr. President, I ask all of my colleagues on this side of the Senate, and those who are in favor of the bill on the other side of the Senate, to vote against the recommitment.

Mr. WEINER. Mr. President, may we be at ease?

The PRESIDING OFFICER. The Senate will be at ease.  
(The Senate was at ease.)

Mr. WEINER. Mr. President, I want to state for the record that this bill is not being sent back to committee in order to kill it, but merely to iron out the problems and differences that exist in this measure and which cannot be done on the floor of the Senate.

There are numerous amendments and problems connected with this matter and I believe, in all fairness, it should be recommitted in order to have those problems ironed out in committee.

Therefore, Mr. President, I again make the motion that the bill be recommitted.

Mr. BERGER. Mr. President, we have been informed and are satisfied with the statement of the Majority Leader that this bill will not be permanently buried in committee, but will again appear. Consequently, I believe we will withdraw the objection to it being recommitted. Am I correct, Senator Weiner?

Mr. WEINER. You are correct, Senator Berger.

Mr. KESSLER. Mr. President, do I understand that Senator Weiner is saying that this bill will come out of committee with various amendments?

The PRESIDING OFFICER. Does the gentleman from Philadelphia, Mr. Weiner, desire to answer the question?

Mr. WEINER. Mr. President, I will answer the question directly by saying that this bill is going back to committee so that the problems involved can be ironed out in committee. I believe that should happen as expeditiously as possible. Even though I am not a member of that committee, when that happens, I will be glad to go into this matter further.

Mr. KESSLER. Thank you.

Mr. STROUP. Mr. President, my understanding of the Majority Leader's statement is to the effect that the bill will be sent back to committee. However, I was guaranteed that it would be brought out of committee again. Now from the statement which he made on the floor, I have no assurance of that situation. I merely know that it will go to committee and it may stay there forever.

Mr. WEINER. Mr. President, I am not a Member of the Highways Committee. However, I will be very happy to discuss this matter with the people who are confronted with the problems which are involved in it. I am sure that the people on the Highways Committee will bring this measure out of committee, once these problems are ironed out. I will assure the gentleman that once the

committee sits down and discusses these problems and gets them into line, we will get this bill back on the Calendar.

Mr. PECHAN. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. PECHAN. Mr. President, does the gentleman speak for Senator Rooney, who is absent from the Senate today? Mr. WEINER. No, Mr. President. I would not speak for Senator Rooney or any other Senator here. I think they are all capable of doing that for themselves.

Mr. PECHAN. Then, Mr. President, I would suggest that the bill go over in order and we wait until Senator Rooney is here. The bill is not that important. Since the Majority Leader cannot speak for Senator Rooney, I would suggest that the bill go over in order.

The PRESIDING OFFICER. I heard the Minority Leader state that all objections were withdrawn. I could be wrong, however.

Mr. BERGER. Mr. President, I cannot withdraw the objections which were made by Senator Kessler and Senator Stroup.

And the question recurring,

Will the Senate agree to the motion?

Mr. STROUP. Mr. President, I request a roll call.

Mr. WEINER. Mr. President, may the Senate be at ease for a few moments?

The PRESIDING OFFICER. The Senate will be at ease.  
(The Senate was at ease.)

Mr. WEINER. Mr. President, I withdraw my motion to recommit Senate Bill No. 432.

Mr. LANE. Mr. President, I withdraw my second to the motion.

And the question recurring,

Will the Senate agree to the section?

Without objection, the bill was passed over in its order temporarily at the request of Mr. WEINER.

#### BILLS OVER IN ORDER

**SB 446**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 466** and **HB 474**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 481** and **482**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILL ON SECOND READING AMENDED

**SB 483**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SEYLER offered the following amendments:

Amend Sec. 1 (Sec. 2702), page 2, line 10 by striking out "president of city council" and inserting: mayor

Amend Sec. 1 (Sec. 2702), page 2, lines 11 and 12 by striking out "president of council" and inserting: mayor

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.



Without objection, the bill, as amended, was passed over in its order at the request of Mr. SEYLER.

#### BILL ON SECOND READING AMENDED

**SB 484**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 1 (Sec. 418), page 3, line 4, by striking out "at" and inserting: not later than the first day of March, and shall be adopted by council not later than

Amend Sec. 1 (Sec. 418), page 3, line 5, by inserting after "year": or if the mayor elects to do so, he may recommend the amendment and adoption of the annual budget and the levy of a tax rate under sections 1809, 1810 and 1811 of the act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662).

Amend Sec. 1 (Sec. 418), page 3, line 13 by striking out "hereafter" and inserting: otherwise

Amend Sec. 1 (Sec. 418), page 3, lines 15 to 17, by striking out "the date for the adoption of the budget ordinance for the first" in line 15, and all of lines 16 and 17.

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

#### BILLS ON SECOND READING

**SB 486 and 487**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 493**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILLS ON SECOND READING

**SB 495 and HB 529**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 533, 534 and HB 542**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**HB 568**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

**HB 571**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 10, by striking out "year" and inserting: period.

Amend Sec. 1 (Sec. 1), page 2, line 13, by striking out "year" and inserting: period.

Amend Sec. 1 (Sec. 2), page 3, line 3, by striking out "year" and inserting: period.

Amend Sec. 1 (Sec. 2), page 3, line 4, by inserting brackets before and after "before" and inserting immediately thereafter: not later than thirty days after.

Amend Sec. 1 (Sec. 2), page 3, line 5, by striking out "year" and inserting: period.

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WEINER offered the following amendments:

Amend Title, page 1, next to last line of Title, by striking out "year" and inserting: period.

Amend Title, page 1, last two lines of Title, by striking out "during the fiscal year" and inserting: not later than thirty days after such fiscal period.

They were agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

#### BILLS OVER IN ORDER

**HB 635 and 636**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**HB 649**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**HB 678**—Without objection, the bill was passed over in its order at the request of Mr. WAGNER.

#### BILLS ON SECOND READING POSTPONED

**SB 88 and 201**—Without objection, the bills were called up from the Postponed Calendar by Mr. LANE.

#### BILLS ON SECOND READING

**SB 88 and 201**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SENATE RESOLUTION, SERIAL NO. 17, CALLED UP

Mr. WEINER, without objection, called up from page 17 of the Calendar, Senate Resolution, Serial No. 17, entitled:

Commending Secretary of Highways Park H. Martin.

Mr. WEINER. Mr. President, I move that Senate Resolution, Serial No. 17, be recommitted to the Committee on Highways.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The PRESIDING OFFICER. All those in favor, please give their consent by saying "aye."

Mr. STIEFEL. Mr. President, in connection with Senate Resolution, Serial No. 17, I wish to be recorded as voting "no." Senator Rooney is not here in this Chamber. In deference to his position on the matter, as one of the authors of this resolution, I feel this action should be postponed.

I hope the Majority Leader will reconsider the situation.

Mr. WEINER. Mr. President, having deferred to my colleagues on the other side, I can do no less than defer to my colleagues on this side. I withdraw my motion that the resolution go back to committee, and ask that it remain on the Calendar.

Mr. BERGER. Mr. President, I have no feeling whatsoever in the matter, although I voted in favor of the resolution being recommitted. However, I do wish to point out to the Chair that a vote was taken.

The PRESIDING OFFICER. The Chair did not announce the result, sir.

Mr. BERGER. Very well, then.

The PRESIDING OFFICER. The Chair did not announce the result, sir.

Mr. FLEMING. Mr. President, may I respectfully ask that the reporter read back the record? I believe you did announce that the motion was agreed to.

The PRESIDING OFFICER. The Chair asked all in favor to please say "aye," and Senator Stiefel interposed. You may read the record back.

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, may I point out to the present speaker, the gentleman from Allegheny County, that it is already past the hour of 6:00 o'clock, and I am sure he does not want me to take up valuable time on this important measure. I know there is other pressing business and I certainly do not want to keep anybody from that.

Mr. STIEFEL. Mr. President, may I appeal to the Majority Leader to withdraw this motion until tomorrow? There are certain basic principles which have always been underlying courtesies of the Senate, and I do not want those courtesies to be trampled. So as not to prolong the debate and give everybody a chance to pursue their gastronomical choices, I would appreciate it if this resolution would go over in its order.

The PRESIDING OFFICER. Let the Chair dispose of one thing. The Chair announced that the vote was not taken. Do you agree with me, Senator Fleming? Are you willing to drop your objection?

Mr. FLEMING. Mr. President, if we could settle it, I do not care one way or the other what you do with it. I would like the reporter to read exactly what the Chair said from the rostrum, if you will permit her. It will only take a second.

Mr. LANE. Mr. President, in this Senate, as you know, we have a flexibility of rules on many occasions. Of course, I do not know just what the Chair said. However, in deference to my good friend, Senator Stiefel, otherwise known as the Jim Farley of the Senate, I feel we should respect his wishes since he is a cosponsor of this resolution.

Senator Stiefel, I know very well that you would never cosponsor any legislation unless it was important. Therefore, I am going to withdraw my second to the motion to recommit this resolution. I feel, gentlemen, in deference to Senator Stiefel, we should not argue about it. We will let Senator Stiefel look at it tomorrow, and probably we will recommit it tomorrow sometime.

Mr. BERGER. Mr. President, Senator Fleming has made a request that the record be read back. My recollection is that he is entirely correct. However, if Senator Weiner

will move that the vote by which the motion passed be reconsidered, I will second the motion.

Mr. WEINER. Mr. President, I so move.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. Of course, you understand the Chair has already announced that there was no vote. The Chair is going to stick to that. There was no vote.

To keep the record straight, the Chair is going to rule you both out of order.

The Chair will now recognize Senator Weiner to withdraw his motion.

Mr. WEINER. Mr. President, I believe that I moved that the motion be withdrawn.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. It has been duly moved by Senator Weiner, and seconded by Senator Lane, that the motion to recommit this bill be withdrawn. All in favor, signify by saying "aye," and all opposed—

Mr. FLEMING. Mr. President, I do not believe that was Senator Weiner's motion.

The PRESIDING OFFICER. Yes, it was.

Mr. WEINER. Mr. President, it being late in the day and I do not have an opportunity to send for counsel, if the Gordian knot will become unknotted by my withdrawing the motion, I will do so. I believe Senator Lane has already withdrawn his second, whether I withdraw my motion or not. Therefore, I believe there is no longer a motion before you. It would mean a motion without a second. Not having a second, I withdraw my motion. I believe that ends this matter.

The PRESIDING OFFICER. Senator Weiner, having moved that the motion to recommit be withdrawn, and Senator Lane, having withdrawn his second to the motion, the matter is accordingly dispensed with. The matter is not before the Senate.

Mr. BERGER. Mr. President, the motion that was last before the Chair was the motion which was made and seconded. If you care to rule that motion out of order, then Senator Fleming has requested that the record be referred to on the previous motion.

The PRESIDING OFFICER. This is what Shakespeare must have had in mind when he wrote "Much Ado About Nothing."

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease for a moment.

(The Senate was at ease.)

#### SENATE RESOLUTION, SERIAL No. 17, OVER IN ORDER

Mr. STIEFEL. Mr. President, I am now asking that this Senate Resolution go over in order.

I may say, however, that the speed with which we proceed when the magic hour of 6:00 p. m. comes near is sometimes so devastating that you cannot get up on your feet to object. I am not interested in the gastronomical delights of Harrisburg. For this reason, I can stay here until 9:00 p. m. Therefore, if the gentleman of the Senate want to forego their gastronomical arrangements, I am always happy to debate the practice of speeding at the end of the day.

Mr. President, so as to make gastronomy supreme, let us be expedient and allow this measure to go over in order until tomorrow.



The PRESIDING OFFICER. There being no objection, the resolution will go over in its order.

SB 432 CALLED UP

SB 432—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 12 of the Second Reading Calendar, by Mr. BERGER.

BILL OVER IN ORDER

SB 432—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.  
The motion was agreed to.  
The bills were as follows:

SB 65, HB 681, 682, 683, 715, 716, 1200 and 1252.  
And said bills having been read at length for the first time,  
Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS  
TUESDAY, APRIL 25, 1961

Time	Committee	Room
9:30 A. M.	ELECTIONS	301
10:00 A. M.	MINES & MINERAL INDUSTRIES	542
10:30 A. M.	AGRICULTURE (To discuss the Apple Bill—HB 337)	539
10:45 A. M.	EDUCATION	302
11:30 A. M.	JUDICIARY GENERAL	535

NOTICE

The Public Hearing scheduled for April 25, 1961, at 9:00 a.m. on Senate Bills 249, 252 and 253 by the Senate Committee on State Government has been indefinitely postponed.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 25, 1961, at 12:00 m.  
Mr. LANE. Mr. President, I second the motion.  
The motion was agreed to.  
The Senate adjourned at 6:15 p.m.

## HOUSE OF REPRESENTATIVES

MONDAY, April 24, 1961.

The House met at 4 p.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Everlasting Father, in the beauty and glory of this day, we turn to Thee with the reverence and honor which we feel and recognize toward Thee. In humble dedication and sincere consecration we bow in homage before Thee in this hour. In the light of Thy truth may we each one study Thy Word so that we may come to know Thy Way. From the truth which shines in our lives may we live by the way we know. And by the truth which is revealed in our lives may we share Thy Word with others. And may Thy Will be done in and through each one of us: through Jesus' precious name. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, April 20, 1961 will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. McCANDLESS, KING, FLYNN  
and YETTER. HOUSE BILL No. 1363.

An Act amending the "Nonprofit Corporation Law," approved May 5, 1933 (P. L. 289), authorizing the borrowing of money or acquisition and disposal of real estate by a vote of less than a majority of all members.

Referred to the Committee on State Government.

By Messrs. PIPER, MURPHY, CURWOOD  
and ZEMBER. HOUSE BILL No. 1364.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for lifting of certain suspensions of driver's licenses and learner's permits upon successful completion of instruction at driver improvement schools.

Referred to the Committee on Motor Vehicles.

By Messrs. McDEVITT, RILEY, CIANFRANI  
and J. A. SULLIVAN. HOUSE BILL No. 1365.

An Act concerning exemptions from taxation on real property of citizens and residents of this State of the age of sixty-five or more years having an income not in excess of five thousand dollars per year.

Referred to the Committee on State Government.

By Messrs. WEIDNER, ROVANSEK, ADAMS  
and RENWICK. HOUSE BILL No. 1366.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), granting occupation tax deductions to residents of any political subdivision from like taxes imposed by other political subdivisions.

Referred to the Committee on State Government.

By Messrs. SAKULSKY, WM. JOS. LONG,  
MAXWELL and ROVANSEK. HOUSE BILL No. 1367.

An Act amending the act of May 18, 1937 (P. L. 654),

entitled, as amended "An act to provide for the safety and to protect the health and morals of persons while employed; \* \* \*," increasing penalties for violation and providing injunctive relief.

Referred to the Committee on Judiciary.

By Messrs. SAKULSKY, WM. JOS. LONG,  
ROVANSEK and MAXWELL. HOUSE BILL No. 1368.

An Act regulating the manufacture, processing, sale, use, transportation storage or possessing of explosives in Pennsylvania; \* \* \*.

Referred to the Committee on State Government.

By Messrs. FINEMAN and DONALDSON.  
HOUSE BILL No. 1369.

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), providing for determination of deficiencies, redetermination, reviews and appeals therefrom and conferring additional powers and duties upon the Department of Revenue.

Referred to the Committee on State Government.

By Mr. SCARCELLI. HOUSE BILL No. 1370.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), providing for the issuance of juvenile fishing licenses to persons twelve to fifteen years of age, inclusive and prescribing the fees for such licenses.

Referred to the Committee on Fisheries.

By Messrs. KRAMER, FOERSTER, M. H. GOLDSTEIN  
and DONALDSON. HOUSE BILL No. 1371.

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," regulating credit for pension for previous employment by the city in the bureau of fire or bureau of police.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. LAMB, IRVIS and M. H. GOLDSTEIN.  
HOUSE BILL No. 1372.

An Act authorizing cities of the second class to acquire by purchase, gift, exchange or condemnation certain real property in excess of that required for present needs.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. J. H. GOLDSTEIN, DAVIS and BLAIR.  
HOUSE BILL No. 1373.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing boroughs to authorize or provide for the destruction or killing of unowned pigeons by humane means.

Referred to the Committee on Boroughs.

By Messrs. FILO and FINEMAN.  
HOUSE BILL No. 1374.

An Act relating to newspaper editorials; requiring newspapers to provide equal space for the response of persons at whom editorials are directed, and imposing penalties.

Referred to the Committee on Rules.



By Messrs. GOODRICH and RENWICK.

HOUSE BILL No. 1375.

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149), providing for payments to dealers for shrinkage, evaporation and handling losses of gasoline.

Referred to the Committee on Rules.

By Messrs. GOODRICH and RENWICK.

HOUSE BILL No. 1376.

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), providing for payments to dealer-users for shrinkage, evaporation and handling losses of gasoline.

Referred to the Committee on Rules.

By Messrs. J. A. O'DONNELL, PRENDERGAST, VERONA and Mrs. REIBMAN.

HOUSE BILL No. 1377.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the expenses of members of boards of school directors attending certain meetings and for the expenses of certain employees incurred in the furthering of the educational program of the school district.

Referred to the Committee on Education.

By Messrs. CAPANO, FLYNN and FILO.

HOUSE BILL No. 1378.

An Act requiring persons, firms or corporations supplying gas for cooking or heating purposes to inspect gas consuming devices on the premises so supplied to ensure compliance with safety ordinances, regulations and laws.

Referred to the Committee on Rules.

By Mrs. S. A. ANDERSON. HOUSE BILL No. 1379.

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

## RESOLUTIONS INTRODUCED AND REFERRED

By Mr. BONNER. RESOLUTION No. 58.

In the House of Representatives, April 20, 1961.

Recent discussion of possible relocation of the Eastern State Correctional Institution has caused consideration of areas available in which to situate the new correctional facilities.

Carbon County offers an area in which such facilities could well be located. It is in the east-central part of the Commonwealth, and has vacant land which could be used without interfering with any existing industries or established businesses.

Carbon County is a distressed area, and the establishment of the Eastern State Correctional Institution within its boundaries would offer employment to its residents in furnishing the material and services needed in building and maintaining the institution. It would locate in Carbon County an institution which would give jobs to the residents of the county in a function which is necessary, and obviate the necessity of pouring funds into the area for a dole or unnecessary activities; therefore, be it

Resolved, That the executive branch of the State government is requested to give consideration to the possibility of locating the Eastern State Correctional Institution in Carbon County when a relocation of the institution is effected; and, be it further

Resolved, That a copy of this resolution be forwarded

to the Honorable David L. Lawrence Governor of Pennsylvania.

Referred to the Committee on Rules.

By Messrs. McCANN, GAILEY and BOWER.

RESOLUTION No. 59.

In the House of Representatives, April 20, 1961.

Resolved, That the House of Representatives direct the Joint State Government Commission to make a thorough study of municipal and county pension systems. This study to include but shall not be limited to an investigation and study as to:

1. The adequacy of the municipal and county pension systems.
2. The actuarial soundness of these pension systems.
3. The cost and coverage of the administration of these systems.

And be it further

Resolved, That the Joint State Government Commission report the result of its studies and make recommendations to the first session of the 1962 General Assembly.

Referred to the Committee on Rules.

## APPOINTMENT OF COMMITTEE ON PART OF THE HOUSE TO LEGISLATIVE COMMISSION ON SPACE ALLOCATION

The SPEAKER. Pursuant to the provisions of House Resolution No. 16, printer's No. 1489, adopted by the House on January 31, 1961, adopted by the Senate with amendment April 17, 1961, and concurred in by the House on April 20, 1961, the Speaker appoints the following members on the part of the House to the Legislative Commission on Space Allocation: Messrs. Breth, Polen, Hocker, and George.

## REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Nanticoke Basketball Team.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1335, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

Mr. McCANN from the Committee on Rules, re-reported as amended, House bill No. 392, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing the designation of 4-way stop and other multi-way stop intersections in cities of the second class.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 51.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 53.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 54.

## BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1335, entitled:

An Act amending "The General State Authority Act

of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### BILLS RE-REFERRED

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 1231, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), allowing a credit for suspension imposed on Pennsylvania operators by another state.

The SPEAKER. The bill is re-referred to the Committee on Motor Vehicles.

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 1232, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring the notice of conviction for violations in other states to contain a certified record of the conviction and requiring the same to be made available.

The SPEAKER. The bill is re-referred to the Committee on Motor Vehicles.

### HOUSE RESOLUTION NO. 53

Mr. McCANN. Mr. Speaker, I call up House resolution No. 53.

The resolution was read by the clerk as follows:

In the House of Representatives, April 5, 1961.

A National Civil War Centennial Commission to which Pennsylvania belongs has been appointed to supervise the celebration of the one hundredth anniversary of that war.

The Commission has planned to meet in session at Charleston, South Carolina. This meeting originated at the invitation of the South Carolina unit of the Commission.

A member of the National Commission, Mrs. Madeline A. Williams, also a member of the Commission's New Jersey unit, is a negro. She was informed by a hotel in Charleston, South Carolina, that if she arrived with the other members of the Commission for the Charleston meeting on April 11 and 12, she could not stay at that hotel, which is to be headquarters for the National Commission, nor could she eat at the hotel dining room with the other members.

One hundred years after the onset of the Civil War some of the conditions still exist which led to that historic struggle which cost the lives of thousands of white and negro soldiers.

Pennsylvanians gave their lives in the struggle to unify this country. Pennsylvania was the battleground for part of this great war and Pennsylvania must not now participate in any activity which negates the very purposes for which the men died from 1861 to 1865; therefore be it

Resolved, That this House of Representatives hereby condemns the action of the Charleston, South Carolina, hotel in refusing its accommodations to Mrs. Williams; and be it further

Resolved, That this House of Representatives hereby requests the members of the Pennsylvania Unit of the National Civil War Centennial Commission to refuse to participate in any activities of the National Civil War Centennial Commission which involves discrimination against any one of its members; and be it further

Resolved, That copies of this resolution be sent to the Honorable David L. Lawrence, Governor of Pennsylvania, to the National Civil War Centennial Commission and to the Pennsylvania unit of that Commission.

On the question,

Will the House adopt the resolution?

The SPEAKER. Does the Chair understand that the minority does not desire action upon this resolution at the present time?

It was reported from the rules committee and the Chair placed it before the House, but, if there is objection upon the part of the minority leader, the action will be deferred and it will be found on the calendar tomorrow.

Mr. A. W. JOHNSON. Mr. Speaker, that is what we would like to do, have the resolutions printed and have them appear on the calendar for our caucus.

The SPEAKER. These resolutions have no legislative intent.

### RESOLUTION

#### CONGRATULATIONS

Mr. McCANN asked and obtained unanimous consent for the immediate consideration of a resolution reported from Committee.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 12, 1961.

Saturday night, March 25, 1961 the Nanticoke High School basketball team won the State Championship in the Farm Show Building in Harrisburg, by defeating the Hickory Township Basketball team of Mercer County. The final record of these two teams was: Nanticoke won 25 and lost but 1 game. Hickory Township won 25 games and lost only 2.

The enthusiastic welcome received by the Nanticoke players upon their return home testifies to the high esteem by which this team is held in their home town. The people of Pennsylvania are proud of this team. The team represents an enormous amount of effort and work put forth by the Coach Sylvester Bozinski and the members of the team who put out the great efforts that resulted in the championship of the State of Pennsylvania.

The City of Nanticoke and Luzerne County are justifiably proud of this team, and the State of Pennsylvania takes this method through the House of Representatives to commend the basketball team of Nanticoke, the Coach, Sylvester Bozinski, the Principal of Nanticoke High School, Anthony Diksa, the Superintendent of Schools, Joseph Siesko, and the good people of Nanticoke and Luzerne County.

The Hickory Township Basketball Team of Mercer County is also to be commended, together with Francis Webster, the head coach, for the spirit of splendid sportsmanship shown in the playoff for the championship of the State in Harrisburg. Hickory Township and Mercer County are to be congratulated on the splendid record of this team and the championship caliber it evidenced in the final playoff.

The records of these two do not entirely indicate the full meaning of this victory. Basketball has become one of the outstanding sports in this State. Each area of the State has entered the competition with consummate zeal and a will to win. As a consequence, more than half the teams faced by the winners were of championship caliber. These young men who participated in these games have received valuable experience in true sportsmanship and life's stern battle of competition. The House of Representatives of the Commonwealth of Pennsylvania is proud to hail these young men as citizens of this State; therefore be it

Resolved, That the House of Representatives hereby commends and congratulates the Basketball Team of Nan-



ticoke in winning the State Championship of Pennsylvania. We further congratulate Sylvester Bozinski, the coach of the team, Anthony Diksa, Principal of Nanticoke High School, and Joseph Siesko, Superintendent of School, for their efforts in producing a team of this caliber; and be it further

Resolved, That copies of this resolution be sent to Sylvester Bozinski, Coach, Anthony Diksa, Principal of Nanticoke High School, Joseph Siesko, Superintendent of Schools in Nanticoke and to Francis Webster, Coach of Hickory Township, Mercer County.

## RESOLUTION

### NATIONAL FOOTBALL LEAGUE

Mr. JIM offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 24, 1961.

At the 1961 Spring Meeting of the National Football League, being held in San Francisco, the location of the Professional Football Hall of Fame is scheduled to be determined.

We, in Pennsylvania, feel that the proper location for the Professional Football Hall of Fame is Latrobe, Pennsylvania. It was in Latrobe, on September 3, 1895, that the first man received payment for playing football, and 1897 all of the players on the Latrobe team were being paid. Continuously since that time Pennsylvania has been outstanding for its professional football teams and individual players; therefore be it

Resolved, That the House of Representatives, on behalf of the Commonwealth of Pennsylvania, hereby extends an invitation to the National Football League owners to recognize Latrobe, Pennsylvania, as the home of Professional Football, by approving it as the site for the Professional Football Hall of Fame; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Art Rooney, owner of the Pittsburgh Steelers Football Club, 139 Sixth Street, Pittsburgh, Pennsylvania, to be submitted by him to the National Football League owners, in order to make known to them the invitation hereby extended for location of the Professional Football Hall of Fame in Latrobe, Pennsylvania.

### BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 107, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), titled "An act fixing the pay and mileage of jurors and witnesses," requiring employers to make certain payments to employees when on jury duty in certain cases.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 169, entitled:

An Act to regulate and control the distribution sale or offering for sale of ice cream and related frozen products.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 530, entitled:

An Act amending the "Second Class County Code," ap-

proved July 28, 1954 (P. L. 723), authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards fire preventive equipment reports of fires and explosions authorizing permits to be required and fixing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1015, entitled:

An Act amending the "Bail Approval Commissioner Act," approved June 25, 1937 (P. L. 2326), increasing the fee for bail certificates.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1042, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), expanding the authority of boroughs to make annual appropriations for nursing services.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1204, entitled:

An Act providing for the abatement of nuisances arising out of unsafe buildings or premises in cities of the first class and providing for the service or posting of notices relating to the work necessary to abate such nuisances.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1279, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the removal of mobilehomes or house trailers to evade certain taxes and penalizing mobilehome or house trailer court operators for failure to make certain reports.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 463, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," permitting boroughs to make appropriations to industrial development agencies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

## ANNOUNCEMENT

Mr. McCANN. I offer the following announcement from

the Democratic caucus and I ask that it be read and inserted into the record.

The resolution was read by the clerk and follows:

### ANNOUNCEMENT BY DEMOCRATIC CAUCUS CHAIRMAN RE: MAJORITY WHIP

In the House of Representatives, Monday, April 24, 1961.  
Mr. Speaker, as Chairman of the Democratic Caucus, I have been instructed to announce, for the information of the members of the House and for the record, that the gentleman from Philadelphia, Mr. Joshua Eilberg, has resigned as Majority Whip of the House, and that the gentleman from Philadelphia, Mr. James J. Dougherty has been elected Majority Whip of the House to fill the vacancy.

ANTHONY J. PETROSKY  
Chairman, Democratic House Caucus

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. I feel that we should congratulate Mr. Dougherty on again taking his place as the majority whip. We were very sorry he had an illness earlier in the year which caused him to step aside. I think that it is wonderful that he is back in his old job and we are very pleased to have him there.

The SPEAKER. The Chair recognizes the majority whip, the gentleman from Philadelphia, Mr. Dougherty.

Mr. DOUGHERTY. I want to thank my colleagues on this side of the House for re-electing me and the members on both sides of the aisle for their great pleasure in having me back again. I am tickled to death to be here, believe me.

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. McCann for Mr. MURRAY for today because of illness.

Mr. McCann for Mr. FARABAUGH because of illness.

Mr. Tompkins for Mr. ESHLEMAN for today because of illness.

Mr. Tompkins for Mr. PRICE for the week because of illness.

The SPEAKER. The Chair is of the opinion that leaves of absence and the number of members recorded as being present should balance. This is not always the case. Beginning next week, the Chair will discuss with the minority leader and the majority leader the matter of making certain that leaves of absence and the number of members actually present balance, which has not always been the case in the past.

Mr. McCANN. Mr. Speaker, could we take a few minutes of our time on some of the amended bills?

I would like permission then, if satisfactory, to turn to page 4, bills on final passage. I call up House bill 308, printer's No. 1527, for purpose of amendment.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 308, entitled:

An Act amending the act of July 25, 1917 (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof," further providing for the paying of

premiums imposing powers and duties on the Secretary of Agriculture further determining what associations are to receive money from the Commonwealth and deleting war time and obsolete provisions.

### RECONSIDERATION OF VOTE

Mr. A. W. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. (Sec. 1), page 2, line 16, by striking out "after considering" and inserting: "from."

Amend Sec. 1 (Sec. 1), page 2, line 13, by inserting after "commission," "and such other premium lists as the Secretary of Agriculture shall determine."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 460, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. A. W. JOHNSON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, first line of Title, by striking out "Repealing section 5.1" and inserting: Amending the

Amend Title, page 2, last two lines of Title, by striking out "relating to the dissolution of and withdrawal" and inserting: changing the number of signatures required on petitions to create or to dissolve or withdraw

Amend Title, page 2, last line of Title, by inserting after "health": changing the form of the question to be



submitted to electors and limiting the frequency of the submission of the question to the electors.

Amend Bill, page 2, by inserting between the enacting clause and line 1:

Section 1 Subsection (c) of section 5, act of August 24, 1951 (P. L. 1304), known as the "Local Health Administration Law," is amended to read:

Section 5. Creation of County Departments of Health.—

(c) Any county may, by referendum, create a single-county department of health. Two or more counties may, by a separate referendum in each county, create a joint-county department of health. The referendum procedure in each county shall be as follows:

A petition requesting the creation of a single-county department of health or joint-county department of health shall be signed by qualified electors of the county equal in number to at least [one per cent (1%)] ten per cent (10%) of the highest total vote cast for any county office at the last municipal election. The petition shall be in the form required for nomination petitions by the election laws of the Commonwealth, except that the said petition shall be circulated for not more than six (6) months prior to the last filing day, which shall be ninety (90) days before the general or municipal election at which it is desired to submit the question. The petition shall be filed with the county board of elections, and the validity of the petition and any objections thereto shall be determined in accordance with the election laws of the Commonwealth.

After the validity of the petitions in all the counties affected has been determined, the county commissioners shall request a certificate of approval from the State Secretary of Health. If the approval of the State Secretary of Health is obtained as provided in subsection (a) of this section the county commissioners shall cause the question to be submitted at the next general or municipal election whichever is sooner, so long as such election is to occur at least thirty (30) days after the receipt of a certificate of approval. The question shall be submitted on the ballot or on voting machines in the manner provided by the election laws of the Commonwealth, and shall be in substantially the following forms:

(1) for the creation of a single-county department of health: Shall ..... County create a county department of health? Yes ..... No .....

(2) For the creation of a joint-county department of health: Shall ..... County join with ..... County (Counties) in the creation of a joint-county department of health? Yes ..... No .....

The election on this question shall be governed in all respects by the election laws of the Commonwealth insofar as they are applicable. For the creation of a single-county department of health or joint-county department of health, a majority of all votes cast in each county upon the question must be in favor thereof.

Nothing in this subsection shall preclude the county commissioners at any time from creating a single-county department of health, or from joining in the creation of a joint-county department of health, by resolution in accordance with subsections (b) and (d) of this section.

Amend Sec. 1, page 2, line 1, by striking out "1" and inserting: 2.

Amend Sec. 1, page 2, line 1, by inserting after "5.1" of the.

Amend Sec. 1, page 2, lines 1 and 2, by striking out "of August 24, 1951 (P. L. 1304), known as the "Local Health Administration Law".

Amend Sec. 1, page 2, line 3, by striking out "repealed" and inserting: amended to read.

Amend Sec. 1, page 2, by inserting between lines 3 and 4:

Section 5.1. Dissolution of and Withdrawal from County Departments of Health.—

(a) When a single-county department of health is created it may be dissolved by a referendum conducted in accordance with the procedure set forth in subsection (c) hereof.

(b) When a joint-county department of health is

created, any county being a member thereof may withdraw from the department by conducting a referendum conducted in accordance with the procedure set form in subsection (c) hereof.

(c) A petition requesting the dissolution or withdrawal shall be signed by qualified electors of the county equal in number to at least [one per centum (1%)] ten per centum (10%) of the highest total vote cast for any county office at the last municipal election. The petition shall be in the form required for nomination petitions by the election laws of the Commonwealth, except that the said petition shall be circulated no earlier than five years following the date of establishment of said county health department or joint-county health department and shall be circulated for not more than six (6) months prior to the last filing day which shall be ninety (90) days before the general or municipal election at which it is desired to submit the question. The petition shall be filed with the county board of elections and the validity of the petition and any objections thereto shall be determined in accordance with the election laws of the Commonwealth.

After the validity of the petitions in all of the counties affected has been determined, the county commissioners shall cause the question to be submitted at the next general or municipal election, whichever is sooner, so long as such election is to occur at least thirty (30) days after the validity has been determined. The question shall be submitted on the ballot or on voting machines in the manner provided by the election laws of the Commonwealth and shall be in substantially the following forms:

(1) For the continuance or dissolution of a single-county department of health—Shall ..... County [dissolve] continue its county department of health? Yes ..... No .....

(2) For the continuance in or withdrawal from a joint-county department of health—Shall ..... County [withdraw from] continue to be a member of the joint-county department of health? Yes ..... No .....

The election on this question shall be governed in all respects by the election laws of the Commonwealth insofar as they are applicable. Such question shall not be submitted to the electors more often than once in four years. For the dissolution of a single-county department of health or withdrawal from a joint-county department of health, a majority of all votes cast in each county upon the question must be [in favor thereof] against the continuance of such department or against the continuance of membership in such department, as the case may be.

(d) When in the case of a single-county department the voters elect to dissolve the department, or in the case of a joint-county department the voters elect to withdraw, no new department of health may be created by resolution nor may the commissioners resolve to join with another county or other counties to create a joint department within five years of such dissolution.

Amend Sec. 2, page 2, line 4, by striking out "2" and inserting: 3.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendments?  
They were agreed to.

On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.  
Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 245, entitled:

An Act authorizing the registration of persons engaged

in the business of repairing condemned rebuilt or used weighing or measuring devices regulating the conduct of such business and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. McCORMACK asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 6, page 5, by inserting between lines 2 and 3:

Any person whose application for a certificate of registration is refused by the director may within thirty days after notice thereof file a petition in the court of common pleas wherein the applicant resides or wherein he intends to conduct his business for a hearing de novo to determine whether the action of the director is lawful and reasonable. The court shall hear the petition and may make any appropriate order or decree.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 398, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the revocation of operating privilege for operating a motor vehicle while under suspension.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 616), page 2, line 18, by striking out "after the" and inserting: during the period for which the.

Amend Sec. 1 (Sec. 616), page 2, line 19, by striking out "and before such operating privilege has been reinstated."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1043, entitled:

An Act amending "The Administrative Code of 1929"

approved April 9, 1929 (P. L. 177), clarifying the Department of Public Welfare's powers and duties concerning plans for institution over which it has supervision.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1075, entitled:

An Act amending the act of June 1, 1915 (P. L. 661), entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support \* \* \*" further defining the liability of relatives and estates by the entireties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—87

Arlene,	Fry,	Leonard,	Rubin,
Auker,	Galley,	Limper,	Rudisill,
Backenstoe,	Gallagher,	Lutty,	Sakulsky,
Boles,	Gelfand,	Markley,	Scarcelli,
Bower,	Gramlich,	Marsh,	Schaaf,
Bowman,	Gray,	Maxwell,	Schuster,
Branca,	Gremminger,	McCormack,	Shelton,
Capano,	Hamilton,	McDevitt,	Sherman,
Capitolo,	Hankins,	McLaughlin,	Steckel,
Cauley,	Heavey,	McNally,	Stimmel,
Cianfrani,	Horst,	Mihm,	Stiteler,
Cioffi,	Irviss,	Mills,	Strausser,
Clarke,	Jim,	Monroe,	Sullivan, J. A.,
Comer,	Jones,	Morley,	Sullivan, T. F.,
Dougherty,	Kamyk,	Mullen,	Taylor,
Doughten,	Kelly,	Parlante,	Ujobal,
Ellberg,	Kessler,	Petrosky,	Verona,
Fillo,	Kornick,	Pursley,	Welsh,
Fineman,	Korns,	Reidenbach,	Williams, A. D.,
Flynn,	Kramer,	Renwick,	Wood,
Foerster,	Lawson,	Riley,	Andrews,
Frascella,	Lee, A. M.,	Rovansek,	Speaker

#### NAYS—103

Adams,	Gibb,	Lee, K. B.,	Rutherford,
Anderson, J. H.,	Gibbons,	Lippincott,	Seltzer,
Ashton,	Goldstein, J. H.,	Long, Wm. Jas.,	Shupnik,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Simmons,
Blair,	Goodrich,	Manbeck,	Slack,
Bonner,	Gross,	May,	Snare,
Bossert,	Guesman,	McCandless,	Stank,
Breth,	Guthrie,	McCann,	Stone,
Buchanan,	Hartley,	McDonald,	Thompson,
Bush,	Haudenschild,	McInroy,	Trusio,
Crossin,	Heffner,	Meholchick,	Tompkins,
Curwood,	Helm,	Merry,	Varnar,
Davis,	Henzel,	Miller,	Wall,
Dengler,	Hocker,	Munley,	Wargo,
Dennison,	Holliday,	Murphy,	Weldner,
Donaldson,	Holman,	Musto,	Wescott,
Down,	Isaacs,	Needham,	Whittaker,
Edwards,	Jenkins,	O'Dell,	Willard,
Elvey,	Johnson, A. W.,	Odorisio,	Willaredt,
Eshback,	Johnson, R. P.,	Ogillive,	Williams, E. S.,
Ewing,	Keiser,	Fashley,	Wilt,
Fetterolf,	Kernaghan,	Piper,	Worley,
Foor,	King,	Polaski,	Yetter,
Fox,	Kistler,	Polen,	Zember,
Fulmer,	Knecht,	Prendergast,	Zimmerman,
George,	Kooker,	Royer,	



NOT VOTING—16

Anderson, S. A.,	Klein,	Murray,	Price,
Cooley,	Lamb,	O'Donnell, J. A.,	Reibman,
Eshleman,	Magee,	O'Donnell, J. P.,	Tomascik,
Farabaugh,	McKeever,	Perry,	Walsh,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS PASSED OVER

There being no objection  
House bill No. 1085, printer's No. 1202;  
House bill No. 1098, printer's No. 1215;  
House bill No. 1099, printer's No. 1216;  
House bill No. 1100, printer's No. 1217;  
House bill No. 1101, printer's No. 1218 and  
House bill No. 1105, printer's No. 1222,  
were passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 1107, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), creating the Bedding Advisory Board within the Department of Labor and Industry and prescribing its powers and duties.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—90

Anderson, S. A.,	Gallagher,	Lutty,	Renwick,
Arlene,	Gelfand,	Maxwell,	Riley,
Bachman,	Gray,	McCormack,	Rovansek,
Boies,	Gremminger,	McDevitt,	Rubin,
Bonner,	Guesman,	McDonald,	Rudisill,
Branca,	Hamilton,	McLaughlin,	Sakulsky,
Breth,	Hankins,	McNally,	Scarcelli,
Capano,	Hartley,	Meholchick,	Schaaf,
Capitolo,	Heavey,	Mihm,	Schuster,
Caulley,	Irviss,	Mills,	Shelton,
Cioffi,	Jenkins,	Monroe,	Sherman,
Clarke,	Jim,	Morley,	Shupnik,
Comer,	Jones,	Mullen,	Stank,
Crossin,	Kamyk,	Munley,	Stone,
Curwood,	Kelly,	Musto,	Sullivan, J. A.,
Doughten,	Kessler,	Parlante,	Sullivan, T. F.,
Eilberg,	Kornick,	Pashley,	Taylor,
Flio,	Kramer,	Petrosky,	Trusio,
Fineman,	Lawson,	Polaski,	Verona,
Flynn,	Leonard,	Prendergast,	Welsh,
Foerster,	Limper,	Reibman,	Yetter,
Frascella,	Long, Wm. Jas.,	Reidenbach,	Andrews,
Gailey,	Long, Wm. Jos.,		Speaker

NAYS—101

Adams,	George,	Kooker,	Simmons,
Anderson, J. H.,	Gibb,	Korns,	Slack,
Ashton,	Gibbons,	Lee, A. M.,	Snare,
Auker,	Goldstein, J. H.,	Lee, K. B.,	Steckel,
Backenstoe,	Goldstein, M. H.,	Lippincott,	Stimmel,
Blair,	Goodrich,	Manbeck,	Stiteler,
Bossert,	Gramlich,	Markley,	Strausser,
Bower,	Gross,	Marsh,	Thompson,
Bowman,	Guthrie,	May,	Tompkins,
Buchanan,	Haudenshield,	McCandless,	Ujobal,
Bush,	Heffner,	McCann,	Varnar,
Davis,	Helm,	McInroy,	Wall,
Dengler,	Henzel,	Merry,	Wargo,
Dennison,	Hocker,	Miller,	Weidner,
Donaldson,	Holliday,	Murphy,	Wescott,
Dougherty,	Holman,	Odoriso,	Whittaker,

Down,	Horst,	Ogilvie,	Willard,
Edwards,	Isaacs,	Piper,	Willaredt,
Elvey,	Johnson, A. W.,	Polen,	Williams, A. D.,
Eshback,	Johnson, R. P.,	Pursley,	Williams, E. S.,
Ewing,	Kelser,	Needham,	Wilt,
Fetterolf,	Kernaghan,	O'Dell,	Wood,
Foor,	King,	Royer,	Worley,
Fox,	Kistler,	Rutherford,	Zember,
Fry,	Knecht,	Seltzer,	Zimmerman,
Fulmer,			

NOT VOTING—15

Cianfrani,	Klein,	Murray,	Price,
Cooley,	Lamb,	O'Donnell, J. A.,	Tomascik,
Eshleman,	Magee,	O'Donnell, J. P.,	Walsh,
Farabaugh,	McKeever,	Perry,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 1112, entitled:

An Act making an appropriation to the joint committee appointed by the House of Representatives and the Senate to act as host to the National Legislative Conference for expenses incurred by said committee for that purpose.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—183

Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rubin,
Anderson, S. A.,	Galley,	Lee, K. B.,	Rudisill,
Arlene,	Gallagher,	Leonard,	Rutherford,
Auker,	Gelfand,	Limper,	Sakulsky,
Bachman,	George,	Lippincott,	Scarcelli,
Backenstoe,	Gibb,	Long, Wm. Jas.,	Schaaf,
Blair,	Gibbons,	Long, Wm. Jos.,	Schuster,
Boies,	Goldstein, J. H.,	Lutty,	Seltzer,
Bonner,	Goodrich,	Markley,	Shelton,
Branca,	Bossert,	Marsh,	Sherman,
Breth,	Bower,	Gray,	Shupnik,
Capano,	Bowman,	Gremminger,	Simmons,
Capitolo,	Branca,	Guesman,	Slack,
Caulley,	Breth,	Guthrie,	Snare,
Cianfrani,	Buchanan,	Hamilton,	Stank,
Cioffi,	Bush,	Hankins,	Steckel,
Clarke,	Capano,	Hartley,	Stimmel,
Comer,	Capitolo,	Haudenshield,	Stiteler,
Crossin,	Caulley,	Heavey,	Stone,
Curwood,	Cianfrani,	Heffner,	Strausser,
Davis,	Cioffi,	Helm,	Sullivan, J. A.,
Dengler,	Clarke,	Henzel,	Sullivan, T. F.,
Dennison,	Comer,	Hocker,	Taylor,
Donaldson,	Crossin,	Holliday,	Thompson,
Dougherty,	Curwood,	Holman,	Tompkins,
Doughten,	Davis,	Horst,	Trusio,
Down,	Dengler,	Irviss,	Ujobal,
Edwards,	Dennison,	Isaacs,	Varnar,
Eilberg,	Donaldson,	Jenkins,	Verona,
Flio,	Dougherty,	Jim,	Wall,
Fineman,	Doughten,	Johnson, A. W.,	Wargo,
Flynn,	Down,	Johnson, R. P.,	Weidner,
Foerster,	Edwards,	Jones,	Welsh,
Elvey,	Eilberg,	Kamyk,	Wescott,
Foor,	Eshback,	Kelser,	Whittaker,
Fox,	Ewing,	Kelly,	Willard,
Frascella,	Fetterolf,	Kernaghan,	Willaredt,
Fry,	Filo,	Kessler,	Williams, A. D.,
	Fineman,	King,	Williams, E. S.,
	Flynn,	Kistler,	Wilt,
	Foerster,	Knecht,	Wood,
	Elvey,	Kooker,	Yetter,
	Foor,	Kornick,	Zember,
	Fox,	Korns,	Zimmerman,
	Frascella,	Kramer,	Andrews,
	Fry,	Lawson,	Speaker

## NAYS—8

Adams, Goldstein, M. H., Manbeck, Murphy,  
Ashton, Gross, McCormack, Worley,

## NOT VOTING—15

Cooley, Lamb, O'Donnell, J. A., Reidenbach,  
Eshleman, Magee, O'Donnell, J. P., Tomascik,  
Farabaugh, McKeever, Perry, Walsh,  
Klein, Murray, Price,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1113, entitled:

An Act making an appropriation to the Department of Commerce for defraying the expenses of the Commonwealth as host to the 1962 National Governors' Conference.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—183

Anderson, J. H.,	Gailey,	Lawson,	Rovansek,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Royer,
Arlene,	Gelfand,	Lee, K. B.,	Rubin,
Auker,	George,	Leonard,	Rudisill,
Bachman,	Gibb,	Limper,	Rutherford,
Backenstoe,	Gibbons,	Lippincott,	Sakulsky,
Blair,	Goldstein, J. H.,	Long, Wm. Jas.,	Scarcelli,
Boles,	Goldstein, M. H.,	Long, Wm. Jos.,	Schaaf,
Bonner,	Goodrich,	Lutty,	Schuster,
Bossert,	Gramlich,	Markley,	Seltzer,
Bower,	Gray,	Marsh,	Shelton,
Bowman,	Gremminger,	Maxwell,	Sherman,
Branca,	Guesman,	May,	Shupnik,
Breth,	Guthrie,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Capitolo,	Haudenschild,	McInroy,	Stimmel,
Cauley,	Heavey,	McLaughlin,	Stiteler,
Cianfrani,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Strausser,
Clarke,	Henzel,	Merry,	Steckel,
Comer,	Hocker,	Mihm,	Sullivan, J. A.,
Crossin,	Holliday,	Miller,	Sullivan, T. F.,
Curwood,	Holman,	Mills,	Taylor,
Davis,	Horst,	Monroe,	Thompson,
Dengler,	Irviss,	Morley,	Tompkins,
Dennison,	Isaacs,	Mullen,	Trusio,
Donaldson,	Jenkins,	Munley,	Ujobai,
Dougherty,	Jim,	Musto,	Varner,
Down,	Johnson, A. W.,	Needham,	Verona,
Edwards,	Johnson, R. P.,	O'Dell,	Wall,
Eilberg,	Jones,	Odorisio,	Wargo,
Elvey,	Kamyk,	Ogilvie,	Weidner,
Eshback,	Kelser,	Parlante,	Welsh,
Ewing,	Kelly,	Pashley,	Whittaker,
Fetterolf,	Kernaghan,	Petrosky,	Willard,
Filo,	Kessler,	Piper,	Williams, A. D.,
Fineman,	King,	Polaski,	Williams, E. S.,
Flynn,	Kistler,	Polen,	Wilt,
Foerster,	Knecht,	Prendergast,	Wood,
Foor,	Korner,	Reibman,	Worley,
Fox,	Kornick,	Wescott,	Yetter,
Fulmer,	Korns,	Reidenbach,	Zember,
Frascella,	Kramer,	Renwick,	Zimmerman,
Fry,	Pursley,	Riley,	Speaker

## NAYS—7

Adams, Gross, McCormack, Worley,  
Ashton, Manbeck, Murphy,

## NOT VOTING—16

Cooley, Klein, Murray, Price,  
Doughten, Lamb, O'Donnell, J. A., Tomascik,  
Eshleman, Magee, O'Donnell, J. P., Walsh,  
Farabaugh, McKeever, Perry, Yetter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1115, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the retention of seniority upon a merger jointure or union of districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—179

Adams,	Gelfand,	Leonard,	Rovansek,
Arlene,	George,	Limper,	Royer,
Auker,	Gibb,	Lippincott,	Rubin,
Bachman,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, M. H.,	Lutty,	Scarcelli,
Boles,	Goodrich,	Manbeck,	Schaaf,
Bossert,	Gramlich,	Markley,	Schuster,
Bower,	Gray,	Marsh,	Seltzer,
Bowman,	Gremminger,	Maxwell,	Shelton,
Branca,	Guesman,	May,	Sherman,
Breth,	Guthrie,	McCandless,	Shupnik,
Buchanan,	Hamilton,	McCann,	Simmons,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Capitolo,	Haudenschild,	McInroy,	Steckel,
Cauley,	Heavey,	McLaughlin,	Stimmel,
Cianfrani,	Heffner,	McNally,	Stiteler,
Cioffi,	Helm,	Meholchick,	Stone,
Clarke,	Henzel,	Merry,	Strausser,
Comer,	Hocker,	Mihm,	Sullivan, J. A.,
Curwood,	Holliday,	Miller,	Sullivan, T. F.,
Davis,	Holman,	Mills,	Taylor,
Dengler,	Horst,	Monroe,	Thompson,
Dennison,	Irviss,	Morley,	Tompkins,
Donaldson,	Isaacs,	Mullen,	Trusio,
Dougherty,	Jenkins,	Munley,	Varner,
Down,	Jim,	Murphy,	Verona,
Edwards,	Johnson, A. W.,	Musto,	Wall,
Eilberg,	Johnson, R. P.,	Needham,	Wargo,
Elvey,	Jones,	O'Dell,	Weidner,
Eshback,	Kamyk,	Odorisio,	Welsh,
Ewing,	Kelser,	Ogilvie,	Wescott,
Fetterolf,	Kelly,	Parlante,	Whittaker,
Filo,	Kernaghan,	Pashley,	Willard,
Fineman,	Kessler,	Petrosky,	Williams, A. D.,
Flynn,	King,	Piper,	Williams, E. S.,
Foerster,	Kistler,	Polaski,	Wilt,
Foor,	Kooker,	Polen,	Wood,
Fox,	Kornick,	Prendergast,	Worley,
Fulmer,	Korns,	Pursley,	Yetter,
Frascella,	Kramer,	Reibman,	Zember,
Fry,	Lee, A. M.,	Reidenbach,	Zimmerman,
	Lee, K. B.,	Renwick,	
		Riley,	

## NAYS—9

Anderson, J. H., Gross, Rutherford, Ujobai,  
Ashton, McCormack, Slack, Andrews,  
Edwards, Speaker



## NOT VOTING—18

Anderson, S. A.,	Farabaugh,	McKeever,	Perry,
Bonner,	Klein,	Murray,	Price,
Cooley,	Knecht,	O'Donnell, J. A.,	Tomascik,
Crossin,	Lamb,	O'Donnell, J. P.,	Walsh,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House bill No. 1122, printer's No. 1254, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1136, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3 acres more or less of land situate in Somerset Township Somerset County.

On the question,

Will the House agree to the bill on third reading?

Mr. STITELER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Section 1, page 1, line 3, by striking out "highest bidder" and inserting: Somerset County Firemen's Association a non-profit corporation.

Amend Section 1, page 2, line 2, by inserting after "Pennsylvania": for the sum of twenty-five dollars (\$25.00).

Amend Section 1, page 3, line 2, by inserting after "(P L 53)": and is not now being used by the Commonwealth and is to be used by the Somerset County Firemen's Association as a site for the training of volunteer firemen and the demonstration and testing of fire fighting equipment.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1139, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land in the Borough of Norristown, Montgomery County, Pennsylvania, for the use of Norristown State Hospital.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—190

Adams,	Gallagher,	Leonard,	Rubin,
Anderson, J. H.,	Gelfand,	Limper,	Rudisill,
Anderson, S. A.,	George,	Lippincott,	Rutherford,
Arlene,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Ashton,	Gibbons,	Long, Wm. Jos.,	Scarcell,
Auker,	Goldstein, J. H.,	Lutty,	Schaaf,
Bachman,	Goldstein, M. H.,	Manbeck,	Schuster,
Backenstoe,	Goodrich,	Markley,	Seltzer,
Blair,	Gramlich,	Marsh,	Shelton,
Boles,	Gray,	Maxwell,	Sherman,
Bossert,	Gremminger,	May,	Shupnik,
Bower,	Gross,	McCandless,	Simmons,
Bowman,	Guesman,	McCann,	Slack,
Branca,	Guthrie,	McCormack,	Snare,
Breth,	Hamilton,	McDevitt,	Stank,
Buchanan,	Hankins,	McDonald,	Steckel,
Bush,	Hartley,	McInroy,	Stimmel,
Capano,	Haudenschild,	McLaughlin,	Stiteler,
Capitolo,	Heavey,	McNally,	Stone,
Cauley,	Heffner,	Meholchick,	Strausser,
Cianfrani,	Helm,	Merry,	Sullivan, J. A.,
Cioffi,	Henzel,	Mihm,	Sullivan, T. F.,
Comer,	Hocker,	Miller,	Taylor,
Crossin,	Holliday,	Mills,	Thompson,
Curwood,	Holman,	Monroe,	Tompkins,
Davis,	Horst,	Morley,	Trusio,
Dengler,	Iris,	Mullen,	Ujobal,
Dennison,	Isaacs,	Munley,	Varnier,
Donaldson,	Jenkins,	Murphy,	Verona,
Dougherty,	Jim,	Musto,	Wall,
Doughten,	Johnson, A. W.,	Needham,	Wargo,
Down,	Johnson, R. P.,	O'Dell,	Weldner,
Edwards,	Jones,	Odorisio,	Welsh,
Ellberg,	Kamyk,	Ogilvie,	Wescott,
Elvey,	Kelser,	Parlante,	Whittaker,
Eshback,	Kelly,	Pashley,	Willard,
Ewing,	Kernaghan,	Petrosky,	Willaredt,
Fetterolf,	Kessler,	Piper,	Williams, A. D.,
Filo,	King,	Polaski,	Williams, E. S.,
Fineman,	Kistler,	Polen,	Wilt,
Flynn,	Knecht,	Prendergast,	Wood,
Foerster,	Kooker,	Pursley,	Worley,
Poor,	Kornick,	Reibman,	Yetter,
Fox,	Korns,	Reidenbach,	Zember,
Frascella,	Kramer,	Renwick,	Zimmerman,
Fry,	Lawson,	Royer,	Andrews,
Fulmer,	Lee, A. M.,	Riley,	Speaker
Galley,	Lee, K. B.,	Rovansek,	

## NAYS—0

## NOT VOTING—16

Bonner,	Farabaugh,	McKeever,	Perry,
Clarke,	Klein,	Murray,	Price,
Cooley,	Lamb,	O'Donnell, J. A.,	Tomascik,
Eshleman,	Magee,	O'Donnell, J. P.,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House bill No. 1146, printer's No. 1278, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1149, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township, Snyder County, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—187

Adams,	Fulmer,	Lawson,	Rubin,
Anderson, J. H.,	Galley,	Lee, A. M.,	Rudisill,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rutherford,
Arlene,	Gelfand,	Leonard,	Sakulsky,
Ashton,	George,	Limper,	Scarcelli,
Auker,	Gibb,	Long, Wm. Jos.,	Schaaf,
Bachman,	Gibbons,	Lutty,	Schuster,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Seltzer,
Blair,	Goldstein, M. H.,	Marsh,	Shelton,
Boles,	Goodrich,	Maxwell,	Sherman,
Bossert,	Gramlich,	May,	Shupnik,
Bower,	Gray,	McCandless,	Simmons,
Bowman,	Gremminger,	McCann,	Slack,
Branca,	Gross,	McCormack,	Snare,
Breth,	Guesman,	McDevitt,	Stank,
Buchanan,	Guthrie,	McDonald,	Steckel,
Bush,	Hamilton,	McInroy,	Stimmel,
Capano,	Hankins,	McLaughlin,	Stiteler,
Capitolo,	Hartley,	McNally,	Stone,
Cauley,	Haudenshield,	Meholchick,	Strausser,
Cianfrani,	Heavey,	Merry,	Sullivan, J. A.,
Cioffi,	Heffner,	Mihm,	Sullivan, T. F.,
Clarke,	Helm,	Miller,	Taylor,
Comer,	Henzel,	Mills,	Thompson,
Crossin,	Hocker,	Monroe,	Tompkins,
Curwood,	Holliday,	Morley,	Trusio,
Davis,	Holman,	Mullen,	Ujobal,
Dengler,	Horst,	Munley,	Varnar,
Dennison,	Irviss,	Murphy,	Verona,
Donaldson,	Isaacs,	Musto,	Wall,
Dougherty,	Jenkins,	Needham,	Wargo,
Doughten,	Jim,	Odorisio,	Weldner,
Down,	Johnson, A. W.,	Ogilvie,	Welsh,
Edwards,	Johnson, R. P.,	Parlante,	Wescott,
Ellberg,	Jones,	Pashley,	Whittaker,
Elvey,	Kamyk,	Petrosky,	Willard,
Eshback,	Keiser,	Piper,	Willaredt,
Ewing,	Kelly,	Polaski,	Williams, A. D.,
Fetterolf,	Kernaghan,	Polen,	Williams, E. S.,
Filo,	Kessler,	Prendergast,	Wilt,
Fineman,	King,	Pursley,	Wood,
Flynn,	Kistler,	Reibman,	Worley,
Foerster,	Knecht,	Reidenbach,	Yetter,
Foor,	Kooker,	Renwick,	Zember,
Fox,	Kornick,	Riley,	Zimmerman,
Frascella,	Korns,	Rovansek,	Andrews,
Fry,	Kramer,	Royer,	Speaker

## NAYS—0

## NOT VOTING—19

Bonner,	Lamb,	McKeever,	Perry,
Cooley,	Lippincott,	Murray,	Price,
Eshleman,	Long, Wm. Jas.,	O'Dell,	Tomasclik,
Farabaugh,	Magee,	O'Donnell, J. A.,	Walsh,
Klein,	Markley,	O'Donnell, J. P.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House bill No. 1163, printer's No. 1563 and

House bill No. 1165, printer's No. 1312,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1169, entitled:

An Act amending the act of May 29, 1956 (P. L. 1803), entitled "An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation

and training of male youth \*\*\*\*" further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. For what purpose does the gentleman from Dauphin, Mr. Bowman, rise?

Mr. BOWMAN. Mr. Speaker, I would like to interrogate one of the sponsors of this legislation.

The SPEAKER. The gentleman from Dauphin desires to interrogate one of the sponsors of this bill. The Chair recognizes the gentleman from Beaver, Mr. Stone. Will the gentleman permit himself to be interrogated?

Mr. STONE. I shall, Mr. Speaker.

Mr. BOWMAN. Mr. Speaker, could the gentleman advise me as to the per diem cost today of maintaining one of these juveniles in an institution as distinguished from a camp.

Mr. STONE. I do not have those figures, either. I believe I did supply to the other side of the House the amount these boys are paid per hour.

Mr. BOWMAN. That is in the bill. I am not inquiring about the amount the boys are paid.

Now, is it correct or not correct that these boys presently, if in an institution, are not paid any compensation for the work performed in the institution?

Mr. STONE. I am not in a position to answer that. I would judge, in making a reply to that question, that they are not paid now.

Mr. BOWMAN. Is it not one of the intents of this bill that these boys now be compensated at a per hour, per diem rate for work done if they are assigned to a camp?

Mr. STONE. That is right, 50 cents an hour, per diem \$2.50.

Mr. BOWMAN. Is it not correct that the county will bear one-half of the cost of the per diem pay, which they presently do not bear?

Mr. STONE. No, that is not so. I think the county is already paying 50 percent reimbursement.

Mr. BOWMAN. If they are paying 50 percent of nothing, that is nothing. If I understood the gentleman correctly, he said they are not being paid a per diem rate for work in institutions and this bill provides that they be paid a per diem rate for work in the camps. That means that the county would bear one-half the cost, if I understand the bill correctly, of the per diem rate in the camp.

Mr. STONE. I am not sure that we are working on a premise that we agree upon, Mr. Speaker. I answered the question with a speculation on my part. I do know that the experience has been in this situation that there was \$200,000 worth of work done in these youth camps.

Mr. BOWMAN. Mr. Speaker, if the gentleman intends to debate the bill, I will be pleased to yield. I am merely interrogating the gentleman at this time.

Mr. STONE. Proceed.

Mr. BOWMAN. Does the gentleman wish to debate the bill at this time? I will yield.

Mr. STONE. I wish I could answer the questions, Mr. Speaker.

Mr. BOWMAN. I wish the gentleman could, too, because I am neither for nor against this bill, but I cer-



tainly cannot pass on this legislation without the information I have requested. If the gentleman is unable to supply it to me and it is insisted that the bill be called today, I will be forced to vote against it.

I thank the gentleman.

Mr. STONE. Mr. Speaker, I will agree to have this put over and endeavor to supply the information.

On the question recurring,

Shall the bill pass finally?

#### BILL POSTPONED

Mr. STONE. Mr. Speaker, I move that this bill be placed on final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1172, entitled:

An Act amending the act of September 26, 1951 (P. L. 1536), entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged \* \* \*" redefining certain terms imposing powers and duties on the Department of Public Welfare and providing for provisional licenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER. Will the gentleman from Beaver, Mr. Stone, permit himself to be interrogated?

Mr. STONE. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, am I correct in concluding that if this bill becomes law the Department of Public Welfare would no longer have jurisdiction over commercial boarding homes for the aged?

Mr. STONE. That is my understanding, Mr. Speaker.

Mr. McCORMACK. And it would set up a special category of personal care homes for adults, is that correct?

Mr. STONE. That is correct.

Mr. McCORMACK. Then an elderly person in a boarding home who is ambulatory will not be covered, is that correct?

Mr. STONE. If what I think the gentleman is saying is what you did say, it would. In other words, we are adding one category. We already have the nursing homes licensed. We are going to be licensing actually personal home care for the aged. That adds a category and we would not be licensing under the Department of Public Welfare commercial boarding homes for the aged.

Mr. McCORMACK. This is a departmental bill, is it not?

Mr. STONE. It is.

Mr. McCORMACK. What is the reason why they want to take away from the Department of Public Welfare the right to license and control and regulate boarding homes for the aged.

Mr. STONE. As I understand their reasoning, Mr. Speaker, they feel that the present system of licensing commercial boarding homes for the aged has very little to do with welfare problems and they would rather license an institution that is providing personal care. In other words, commercial boarding homes for the aged

could very easily be handled like our present hotel licensing. It is really not as much in their field as it should be.

Mr. McCORMACK. Mr. Speaker, I do not know whether something is wrong with my hearing or with the amplification system, but it is rather difficult to hear some of these speakers. Can it be raised a little bit?

The SPEAKER. There is something wrong because the Chair cannot hear the gentleman from Philadelphia and certainly could not hear the gentleman from Beaver.

Do you want to try again? Start again and we will see. We will listen attentively. Maybe they have steamed up the apparatus.

Mr. McCORMACK. Mr. Speaker, is the gentleman in a position to state the money that the department receives from licensing these commercial boarding homes for the aged?

Mr. STONE. No, I am not, Mr. Speaker.

Mr. McCORMACK. Can the gentleman tell me whether or not there is enough money received in licensing fees to pay for the cost of administering these homes for the aged?

Mr. STONE. I would presume so but would not want to take a categorical position on that.

Mr. McCORMACK. That is all, thank you. Mr. Speaker, I am not too concerned with the figures, but I would like to briefly address myself to this bill on the merits.

The SPEAKER. The gentleman is in order.

Mr. McCORMACK. Mr. Speaker, when this bill came out of the Committee on Professional Licensure, I viewed it with some misgiving because of the fact that we would be taking away from the department the right to regulate and control commercial boarding homes for the aged.

There are some who believe that such commercial boarding homes for the aged, where nursing care is not administered, are analogous to private hotels or rooming houses. I submit, based on the experience that I have had with commercial boarding homes for the aged, that to leave them free from the control of the Department of Public Welfare is a dangerous thing and it is not in the interest of the elderly people who reside therein. Despite the fact that a lot of these elderly people are not in need of medical attention, they are in a peculiar position by virtue of their age and physical condition of being preyed upon by unscrupulous owners of these homes and they are, as a fact, taken advantage of.

For that reason alone I think it would be unwise on the part of the House to remove the Department of Public Welfare from administering and controlling such operations. Until it can be demonstrated or explained to me the real necessity for suddenly changing a policy that we have established in this Commonwealth and which has been in effect for a good many years, I am going to have to vote against this bill.

On the question recurring,

Shall the bill pass finally?

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final postponed passage calendar.

The motion was agreed to.

#### BILLS PASSED OVER

There being no objection

House bill No. 1773, printer's No. 1320,

House bill No. 1178, printer's No. 1579 and  
House bill No. 1179, printer's No. 1326,  
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1184, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An Act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties," further defining "receipts" to exclude fresh or frozen seafood shell-fish and fish making such definitions retroactive.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HEAVEY. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Eilberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. HEAVEY. Mr. Speaker, has the board of education asked the gentleman to put this bill before this House?

Mr. EILBERG. The board of education did not, Mr. Speaker, but they have no objection to the passage of this bill.

Mr. HEAVEY. Mr. Speaker, I do not think we should pass any tax bills here for the board of education in Philadelphia unless they are in perfect agreement with it and they tell our members to put the bill in.

Mr. EILBERG. Mr. Speaker, the board of education is aware of the contents of this bill. We have been in touch with them and they have no objections. We feel that this bill is necessary and we ask everyone to support the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—167

Adams,	Galley,	Limper,	Rudisill,
Anderson, S. A.,	Gallagher,	Lippincott,	Rutherford,
Arlene,	Gelfand,	Long, Wm. Jas.,	Sakulsky,
Ashton,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Auker,	Gibbons,	Lutty,	Schaaf,
Bachman,	Goldstein, J. H.,	Marsh,	Schuster,
Blair,	Goldstein, M. H.,	Maxwell,	Seltzer,
Bonner,	Goodrich,	May,	Shelton,
Bower,	Gray,	McCann,	Sherman,
Bowman,	Gramlich,	McCormack,	Shupnik,
Branca,	Gremminger,	McDevitt,	Simmons,
Breth,	Guesman,	McDonald,	Slack,
Buchanan,	Guthrie,	McInroy,	Snare,
Bush,	Hamilton,	McLaughlin,	Stank,
Capano,	Hankins,	McNally,	Stiteler,
Capitolo,	Hartley,	Meholchick,	Stone,
Cauley,	Haudenshield,	Merry,	Strausser,
Cianfrani,	Heffner,	Mihm,	Sullivan, J. A.,
Cioffi,	Helm,	Miller,	Sullivan, T. F.,
Clarke,	Henzel,	Mills,	Taylor,
Comer,	Holliday,	Monroe,	Thompson,
Crossin,	Holman,	Morley,	Tompkins,
Curwood,	Irvis,	Mullen,	Trusio,
Davis,	Isaacs,	Munley,	Ujobai,
Dengler,	Jenkins,	Murphy,	Varner,

Dennison,	Jim,	Musto,	Verona,
Dougherty,	Johnson, A. W.,	Needham,	Wall,
Doughten,	Johnson, R. P.,	O'Dell,	Wargo,
Down,	Jones,	Odorisio,	Weidner,
Edwards,	Kamyk,	Parlante,	Welsh,
Eilberg,	Kelly,	Pashley,	Whittaker,
Eshback,	Kernaghan,	Petrosky,	Williams, A. D.,
Ewing,	Kessler,	Polaski,	Williams, E. S.,
Fetterolf,	Kistler,	Polen,	Willard,
Flo,	Knecht,	Prendergast,	Willaredt,
Fineman,	Kooker,	Pursley,	Wilt,
Flynn,	Kornick,	Reibman,	Wood,
Foerster,	Kramer,	Reldenbach,	Yetter,
Fox,	Lawson,	Renwick,	Zember,
Frascella,	Lee, A. M.,	Riley,	Zimmerman,
Fry,	Lee, K. B.,	Rovansek,	Andrews,
Fulmer,	Leonard,	Rubin,	Speaker

#### NAYS—19

Anderson, J. H.,	Gross,	Korns,	Steckel,
Backenstoe,	Heavy,	Manbeck,	Stimmel,
Bossert,	Hocker,	Markley,	Wescott,
Donaldson,	Kelser,	McClendless,	Worley,
Foor,	King,	Ogilvie,	

#### NOT VOTING—20

Boies,	George,	McKeever,	Piper,
Cooley,	Horst,	Murray,	Price,
Elvey,	Klein,	O'Donnell, J. A.,	Royer,
Eshleman,	Lamb,	O'Donnell, J. P.,	Tomascik,
Farabaugh,	Magee,	Perry,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. PIPER. Mr. Speaker, the vote shows me as not voting on bill No. 1184. My light was still on green prior to this vote. I voted "aye" on bill No. 1184 and I wish to be so recorded.

The SPEAKER. The gentleman's remarks will be spread upon the record.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1185, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), further providing for the keeping of records and papers at the county seat.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Lawrence, Mr. Cioffi.

The SPEAKER. Will the gentleman from Lawrence, Mr. Cioffi, permit himself to be interrogated?

Mr. CIOFFI. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, this bill provides that all county offices shall have their offices in the county seat and that all their records be kept in the county seat.

This bill then provides that the records be kept in the county seat "except where by order of the court a person is permitted to remove said records or papers."

I should like to inquire as to the reason for that provision.

Mr. CIOFFI. Mr. Speaker, it is my understanding the purpose of this bill is that in many of these offices such records at times become piled up and the courts only can



direct what papers can be removed or can be taken out of there in order to make room for additional papers.

Mr. TOMPKINS. I thank the gentleman.

If that is the purpose of this bill, we do not believe that it quite spells that out. It is rather ambiguous in that connection. It should then provide that these records may be removed to other buildings in the county seat, or other places in the county seat, for that purpose, in order to provide additional space where they are cluttered up.

We interpret this bill to mean that the courts may permit the removal of these records by anybody, temporarily or otherwise. We do not believe that such power should be granted to the courts to let anybody take official records out of their lodging place and their proper spot.

We have also passed legislation authorizing these things to be taken care of by microfilm. I think there was a bill passed earlier this session where papers could be taken out for historical exhibits, and so forth, but to generally give the court power, without confining them to what papers may be taken out, or what is to be done with them, we think is very bad legislation, because a case that might be of very great public interest might have a lot of papers involved in it and the court could make an order authorizing these papers to be taken. In many cases, without imputing any improper motives to anybody, these papers could very conveniently become lost, taken out of their place in the proper files in the county offices and so forth.

Unless this bill is confined to the purpose which has been explained, we on this side certainly will vote against this bill.

Mr. MURPHY. Mr. Speaker, I would think, perhaps, as a suggestion to the sponsors of this bill that it should probably be amended to read during a certain time limit, or that they shall be microfilmed, or placed in some other place. I, this one time, agree with Mr. Tompkins. I would also be afraid that removal might mean destruction of the records, and that a public official who would want to collude with another public official might petition the court for the removal of certain records and then have them destroyed under the term "removal."

I would certainly not be in favor of voting for a bill to remove or destroy public records unless some time limit was placed that they were ancient records or unless some microfilming process were followed.

On the question recurring,  
Shall the bill pass finally?

#### BILL POSTPONED

Mr. CIOFFI. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

#### BILLS PASSED OVER

There being no objection

House bill No. 1190, printer's No. 1354,  
House bill No. 1216, printer's No. 1581,  
House bill No. 1220, printer's No. 1393,  
House bill No. 1259, printer's No. 1453,  
House bill No. 1275, printer's No. 1472,  
House bill No. 1276, printer's No. 1473,  
House bill No. 1277, printer's No. 1474,

House bill No. 1278, printer's No. 1475, and  
House bill No. 1280, printer's No. 1477,  
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 77, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," imposing duties on the secretary relating to lights on certain vehicles tractors and machinery making it illegal to operate them during certain hours and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—142

Anderson, S. A.,	Galley,	Kramer,	Polen,
Arlene,	Gallagher,	Lawson,	Reidenbach,
Auker,	Gelfand,	Lee, A. M.,	Renwick,
Bachman,	George,	Leonard,	Riley,
Backenstoe,	Gibb,	Limper,	Rovanssek,
Blair,	Gibbons,	Lippincott,	Royer,
Boies,	Goldstein, J. H.,	Long, Wm. Jas.,	Rudisill,
Bossert,	Goldstein, M. H.,	Long, Wm. Jos.,	Rubin,
Bowman,	Gramlich,	Lutty,	Sakulsky,
Branca,	Gray,	Markley,	Scarcelli,
Breth,	Gremminger,	Marsh,	Schaaf,
Capano,	Guesman,	Maxwell,	Schuster,
Capitolo,	Guthrie,	McCandless,	Seltzer,
Cauley,	Hamilton,	McCann,	Shelton,
Cianfrani,	Hartley,	McCormack,	Sherman,
Cioffi,	Haudenshield,	McDevitt,	Simmons,
Clarke,	Heavey,	McDonald,	Snare,
Comer,	Heffner,	McInroy,	Stank,
Curwood,	Helm,	McLaughlin,	Steckel,
Dengler,	Henzel,	McNally,	Stimmel,
Dennison,	Hocker,	Meholchick,	Stone,
Donaldson,	Holman,	Mihm,	Strausser,
Dougherty,	Iris,	Miller,	Sullivan, J. A.,
Doughten,	Jenkins,	Mills,	Sullivan, T. F.,
Eilberg,	Jim,	Monroe,	Taylor,
Eshback,	Johnson, A. W.,	Morley,	Trusio,
Ewing,	Johnson, R. P.,	Mullen,	Wall,
Fetterolf,	Jones,	Musto,	Wargo,
Filo,	Kamyk,	Needham,	Welsh,
Fineman,	Kelly,	Odorisio,	Willaredt,
Flynn,	Keiser,	Oglive,	Williams, A. D.,
Foerster,	King,	Parlante,	Williams, E. S.,
Foor,	Kistler,	Pashley,	Wilt,
Fox,	Knecht,	Petrosky,	Andrews,
Frascella,	Kooker,	Piper,	Speaker
Fry,	Kornick,	Polaski,	

#### NAYS—47

Adams,	Gross,	Murphy,	Varner,
Anderson, J. H.,	Holliday,	O'Dell,	Verona,
Ashton,	Horst,	Prendergast,	Weidner,
Bower,	Isaacs,	Pursley,	Wescott,
Buchanan,	Kernaghan,	Reibman,	Whittaker,
Bush,	Kessler,	Rutherford,	Willard,
Crossin,	Korns,	Shupnik,	Wood,
Davis,	Lee, K. B.,	Slack,	Worley,
Down,	Manbeck,	Stiteler,	Yetter,
Edwards,	May,	Thompson,	Zember,
Fulmer,	Merry,	Tompkins,	Zimmerman,
Goodrich,	Munley,	Ujobai,	

#### NOT VOTING—17

Bonner,	Hankins,	McKeever,	Perry,
Cooley,	Klein,	Murray,	Price,
Elvey,	Lamb,	O'Donnell, J. A.,	Tomasick,
Eshleman,	Magee,	O'Donnell, J. P.,	Walsh,
Farabaugh,			

The majority required by the Constitution having

voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Hankins, rise?

Mr. HANKINS. Mr. Speaker, on bill No. 77, I would like to know how I was recorded on that vote? I voted just before the rolls were closed, when I came in, and I do not know whether I was recorded on that particular vote.

The SPEAKER. You were not recorded.

Mr. HANKINS. Mr. Speaker, I would like to have it spread upon the record that I would have voted "yes" on Senate bill 77 if I had been in the House. At that time I was on the telephone.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The SPEAKER. The Chair recognizes the gentleman from Fulton, Mr. Elvey.

Mr. ELVEY. Mr. Speaker, I was present and voted on Senate bill 77. I would like it spread upon the record that I voted "no" on that bill.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

#### BILL PASSED OVER

There being no objection

Senate bill No. 104, printer's No. 483, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 134, entitled:

An Act amending the act of May 5, 1911 (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties . . ." increasing the jurisdiction of the County Court of Allegheny County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—191

Adams,	Galley,	Lee, K. B.,	Royer,
Anderson, J. H.,	Gallagher,	Leonard,	Rubin,
Anderson, S. A.,	Gelfand,	Limper,	Rudisill,
Arlene,	George,	Lippincott,	Rutherford,
Ashton,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Auker,	Gibbons,	Long, Wm. Jos.,	Scarcell,
Bachman,	Goldstein, J. H.,	Lutty,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Schuster,
Blair,	Goodrich,	Markley,	Shelton,
Boles,	Gramlich,	Marsh,	Sherman,
Bonner,	Gray,	Maxwell,	Shupnik,
Bossert,	Gremminger,	May,	Simmons,
Bower,	Gross,	McCandless,	Slack,
Bowman,	Guesman,	McCann,	Snare,
Branca,	Guthrie,	McCormack,	Stank,
Breth,	Hamilton,	McDevitt,	Steckel,
Buchanan,	Hankins,	McDonald,	Stimmel,
Bush,	Hartley,	McInroy,	Stiteler,
Capano,	Haudenshield,	McLaughlin,	Stone,
Capitolo,	Heavy,	McNally,	Strausser,
Cauley,	Heffner,	Meholchick,	Sullivan, J. A.,
Cianfrani,	Helm,	Merry,	

Cioffi,	Henzel,	Mihm,	Sullivan, T. F.,
Clarke,	Hocker,	Miller,	Taylor,
Comer,	Holliday,	Mills,	Thompson,
Crossin,	Holman,	Monroe,	Tompkins,
Curwood,	Horst,	Morley,	Trusio,
Davis,	Irviss,	Mullen,	Ujobal,
Dengler,	Isaacs,	Munley,	Varnar,
Dennison,	Jenkins,	Murphy,	Verona,
Donaldson,	Jim,	Musto,	Wall,
Dougherty,	Johnson, A. W.,	Needham,	Wargo,
Doughten,	Johnson, R. P.,	O'Dell,	Weldner,
Down,	Jones,	Odorisio,	Welsh,
Edwards,	Kamyk,	Ogilvie,	Wescott,
Ellberg,	Kelser,	Parlante,	Whittaker,
Elvey,	Kelly,	Pashley,	Willard,
Eshback,	Kernaghan,	Petrosky,	Willaredt,
Ewing,	Kessler,	Piper,	Williams, A. D.,
Fetterolf,	King,	Polaski,	Williams, E. S.,
Filo,	Kistler,	Polen,	Wilt,
Fineman,	Knecht,	Prendergast,	Wood,
Flynn,	Kooker,	Pursley,	Worley,
Foor,	Kornick,	Reibman,	Yetter,
Fox,	Korns,	Reidenbach,	Zemmer,
Frascella,	Kramer,	Renwick,	Zimmerman,
Fry,	Lawson,	Riley,	Andrews,
Fulmer,	Lee, A. M.,	Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—15

Cooley,	Klein,	Murray,	Price,
Eshleman,	Lamb,	O'Donnell, J. A.,	Tomascik,
Farabaugh,	Magee,	O'Donnell, J. P.,	Walsh,
Foerster,	McKeever,	Perry,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 153, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" empowering the Secretary of Highways to designate certain restrictive areas for commercial vehicles establishing speed limits and providing penalties for violations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—184

Anderson, J. H.,	Fry,	Lawson,	Royer,
Anderson, S. A.,	Galley,	Lee, A. M.,	Rubin,
Arlene,	Gallagher,	Leonard,	Rudisill,
Ashton,	Gelfand,	Limper,	Rutherford,
Auker,	George,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Gibb,	Long, Wm. Jos.,	Scarcell,
Backenstoe,	Gibbons,	Lutty,	Schaaf,
Blair,	Goldstein, J. H.,	Manbeck,	Schuster,
Boles,	Goldstein, M. H.,	Markley,	Seltzer,
Bonner,	Gramlich,	Marsh,	Shelton,
Bossert,	Gray,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Breth,	Guesman,	McCann,	Slack,
Buchanan,	Guthrie,	McCormack,	Snare,
Bush,	Hamilton,	McDevitt,	Stank,
Capano,	Hankins,	McDonald,	Steckel,
Capitolo,	Hartley,	McInroy,	Stimmel,
Cauley,	Haudenshield,	McLaughlin,	Stiteler,
Cianfrani,	Heavy,	McNally,	Stone,
Cioffi,	Heffner,	Meholchick,	Strausser,
	Helm,	Merry,	Sullivan, J. A.,



Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Ewing, Fetterolf, Flo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer,	Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Sullivan, T. F., Taylor, Thompson, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Wargo, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—7

Adams, Fulmer,	Goodrich, Lee, K. B.,	Lippincott, O'Dell,	Wescott,
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NOT VOTING—15

Cooley, Eshleman, Farabaugh, Klein,	Lamb, Magee, McKeever, Murray,	O'Donnell, J. A., O'Donnell, J. P., Perry, Prendergast,	Price, Tomasck, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. HELM IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 303, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" authorizing the Civil Service Commission to certify persons for appointments as police from examinations held within a two year period.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boies, Bonner, Bossert, Bower, Bowman, Branca, Breth, Bush,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel,
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Buchanan, Capano, Capitolo, Cauley, Cianfrani, Cloffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Ewing, Fetterolf, Flo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Hartley, Haudenshield, Heavy, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Knecht, Kornick, Korns, Kooker, Kramer, Lawson, Lee, A. M.,	McInroy, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, O'Dell, Odorisio, Ogilvie, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—1

Dennison,

NOT VOTING—14

Cooley, Eshleman, Farabaugh, Klein,	Lamb, Magee, McKeever, Murray,	O'Donnell, J. A., O'Donnell, J. P., Perry, Walsh,	Price, Tomasck,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 313, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, roads, street and bridge purposes . . ." authorizing the use of allocated money for payment of interest and principal and sinking fund charges on bonds issued for road or street improvement purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams, Anderson, S. A., Anderson, J. H., Ashton, Arlene, Auker, Bachman, Backenstoe, Blair, Boies, Bonner, Bower, Bowman, Branca,	Fulmer, Galley, Gallagher, Gelfand, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie,	Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, McCann, McCandless, McCormack, McDevitt, McDonald, McInroy,	Rudisill, Rutherford, Scarcell, Sakulsky, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank,
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Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshback, Ewing, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Hamilton, Hankins, Hartley, Haudenshield, Heffner, Helm, Henzel, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kaiser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Kramer, Lawson, Lee, A. M., Leonard, Limper,	McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Mihm, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, Odorisio, Jones, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanssek, Royer, Rubin,	Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Trusio, Ujobai, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—7

Bossert, Dennison,	George, Goodrich,	Hocker, Lee, K. B.,	Tompkins,
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## NOT VOTING—17

Coolley, Eshleman, Farabaugh, Heavey, Klein,	Korns, Lamb, Magee, May,	McKeever, Murray, O'Donnell, J. A., O'Donnell, J. P.,	Perry, Price, Tomascik, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I would ask that all the members stay. We have reconsideration motions and amendments to bills that are agreed upon and so forth.

There has been a request that committee announcements all be given to the desk, and that committee announcements for committee meetings be read very carefully, and the time of convening this House tomorrow.

The SPEAKER pro tempore. The Chair has been informed that the Secretary has the committee announcements for tomorrow morning. Without objection, the Chair will now ask the Secretary to read the committee announcements.

## COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Tuesday, April 25, at 10 a.m.

BANKING AND BUILDING AND LOAN ASSOCIATIONS, Mr. Parlante, chairman, Room 131-A, Tuesday, April 25, at 11 a.m.

CITIES-COUNTIES SECOND CLASS AND SECOND CLASS A, Mr. Luty, chairman, Room 131-C, Tuesday, April 25, at 10 a.m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Tuesday, April 25, at 11 a.m.

EDUCATION, Mrs. Reibman, chairman, Room 324, Tuesday, April 25, at 9:15 a.m.

GAME AND CONSERVATION, Mr. Curwood, chairman, Room 323, Tuesday, April 25, at 11 a.m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Tuesday, April 25, at 10 a.m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521, Tuesday, April 25, at 10:30 a.m.

PROFESSIONAL LICENSURE, Mr. Boies, chairman, Room 131, Tuesday, April 25, at 11 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Tuesday, April 25, at 11 a.m.

TOWNSHIPS, Mr. Flynn, chairman, Room 131-A, Tuesday, April 25, at 10:30 a.m.

RECONSIDERATION OF VOTE ON HOUSE  
BILL NO. 985

Mr. PETROSKY. Mr. Speaker, I move that the vote by which House bill No. 985, printer's No. 1575, entitled:

An Act relating to the effect and priority of liens for taxes and municipal or other claims in cities of the first class.

was defeated on final passage Thursday, April 20, 1961, be reconsidered.

Mr. DOUGHERTY. Mr. Speaker, I second the motion. The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Dougherty, vote on the final passage of this bill?

Mr. DOUGHERTY. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.  
On the question recurring,  
Shall the bill pass finally?

## BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar. The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE  
BILL NO. 363

Mr. TAYLOR. Mr. Speaker, I move that the vote by which House bill No. 363, printer's No. 1358, entitled:

An Act requiring common carriers by railroad to man locomotives and trains with competent employes providing for the minimum number and qualifications of men so employed and providing penalties.

was defeated on final passage Wednesday, April 19, 1961, be reconsidered.

Mr. WELSH. Mr. Speaker, I second the motion. The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Taylor, vote on the final passage of this bill?

Mr. TAYLOR. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman



from Philadelphia, Mr. Welsh, vote on the final passage of this bill?

Mr. WELSH. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.

On the question recurring,  
Shall the bill pass finally?

#### BILL POSTPONED

Mr. TAYLOR. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

#### RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1121

Mr. ROVANSEK. Mr. Speaker, I move that the vote by which House bill No. 1121, printer's No. 1505, entitled:

An Act repealing the act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office.

was defeated on final passage Wednesday, April 19, 1961, be reconsidered.

Mr. EWING. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Cambria, Mr. Rovanseck, vote on the final passage of this bill?

Mr. ROVANSEK. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Allegheny, Mr. Ewing, vote on the final passage of this bill?

Mr. EWING. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.  
On the question recurring,  
Shall the bill pass finally?

#### BILL POSTPONED

Mr. ROVANSEK. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

#### RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1048

Mr. SCHAAF. Mr. Speaker, I move that the vote by which House bill No. 1048, printer's No. 1165, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the procedure for the revocation and suspension of licenses.

was defeated on final passage Tuesday, April 18, 1961, be reconsidered.

Mr. BLAIR. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Erie, Mr. Schaaf, vote on the final passage of this bill?

Mr. SCHAAF. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Erie, Mr. Blair, vote on the final passage of this bill?

Mr. BLAIR. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.

Mr. SCHAAF. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,  
Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, (Sec. 471), page 3, line 2, by striking out the bracket before "nor"

Amend Sec. 1 (Sec. 471), page 3, line 3, by inserting a bracket before "fifteen"

Amend Sec. 1 (Sec. 471), page 3, line 3, by inserting after "fifteen]" sixty

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendments?  
They were agreed to.

On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.  
Ordered, that the bill as amended lie over for printing.

Mr. McCANN. I call up on page 3 of the calendar, House bill No. 1015 for reconsideration and amendment.

#### BILL ON SECOND READING

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1015, entitled:

An Act amending the "Bail Approval Commissioner Act," approved June 25, 1937 (P. L. 2326), increasing the fee for bail certificates.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

Mr. DOUGHERTY. Mr. Speaker, I second the motion.  
The motion was agreed to.

The first section was read.

On the question,  
Will the House agree to the section?  
Messrs. EILBERG and LIMPER offered the following amendment:

Amend Sec. 1 (Sec. 5), page 4, lines 9 and 10, by striking out "three dollars (\$3)" and inserting: two dollars (\$2)

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Mr. McCANN. Mr. Speaker, I call up on page 4, bills on final passage, House bill No. 484.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 484, entitled:

An Act amending the "Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the transfer of jurisdiction and control of certain land and improvements thereon declared surplus by an administrative department independent administrative board or commission to the jurisdiction and control of another administrative department independent administrative board or independent commission.

### RECONSIDERATION OF VOTE

Mr. TOMPKINS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, twelfth to fourteenth lines of Title, by striking out "an admin-" in twelfth line, all of thirteenth line, "mission" in fourteenth line, and inserting: the Department of Forests and Waters, the Pennsylvania Game Commission or the Pennsylvania Fish Commission

Amend Title, page 2, last three lines of Title, by striking out "another administrative" in the third from last line, all of last two lines, and inserting: either of the other two such State agencies

Amend Sec. 1 (Sec. 2402), page 3, lines 11 to 14, by striking out "an administrative department inde-" in line 11, all of lines 12 to 14, and inserting: the Department of Forests and Waters, the Pennsylvania Game or the Pennsylvania Fish Commission, to either of the other two such State agencies, with

Amend Sec. 1 (Sec. 2402), page 4, line 5, by striking out "board"

Amend Sec. 1 (Sec. 2402), page 4, line 6, by striking out "board"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1191, entitled:

An Act relating to the conservation of water resources and the protection and regulation of surface and sub-surface waters under certain circumstances prescribing the duties of the Water and Power Resources Board and providing penalties.

### RECONSIDERATION OF VOTE

Mr. GAILEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. A. W. JOHNSON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 18, page 11, line 20, by inserting after "Penalties" (a).

Amend Sec. 18, page 12, lines 1 and 2, by striking out "or any rule regulation or order issued by the board."

Amend Sec. 18, page 12, lines 5 and 6, by striking out "any rule regulation or order of the board" and inserting such provisions.

Amend Sec. 18, page 12, by inserting between lines 6 and 7

(b) Whoever violates, attempts to violate or conspire to violate any rule, regulation or order issued by the board shall, upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) or to undergo imprisonment not exceeding ten days, or both. Each day's violation of any rule, regulation or order of the board shall constitute a separate offense.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 56, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing department boards and commissions to train personnel.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.



Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 371, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships" approved April 29, 1937 (P. L. 487), providing for registration at shopping centers.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, next to last line of title, by inserting after "for" additional places of.

Amend Title, page 2, last line of title, by striking out "at shopping centers."

Amend Sec. 1 (Sec. 16), page 3, lines 12 and 14, by striking out the bracket before "and" in line 12 and after "designate" in line 14.

Amend Sec. 1 (Sec. 16), page 3, lines 14 and 15, by striking out "at local polling places."

Amend Sec. 1 (Sec. 16), page 3, lines 14 and 15, by striking out "at local polling places."

Amend Sec. 1 (Sec. 16), page 3, lines 15 and 16, by striking out "major shopping centers" and inserting places.

Amend Sec. 1 (Sec. 16), page 3, line 17, by striking out "parties" and inserting party.

Amend Sec. 1 (Sec. 16), page 3, line 17, by inserting after "and" three of which shall be selected by the county chairman of the political party enrolling the

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 616, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1204), page 2, line 15, by striking out "two" and inserting one.

Amend Sec. 1 (Sec. 1204), page 2, line 15, by striking out "periods" and inserting period.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 624, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), authorizing certain services by public utilities operating taxicabs.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1146, entitled:

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first, second and third class" increasing license fees.

On the question,

Will the House agree to the bill on third reading?

Messrs. EILBERG and GREMMINGER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by inserting after "fees" in cities of the first class.

Amend Sec. 1 (Sec 4), page 3, line 2, by inserting after "dollars" in cities of the first class and ten dollars in all other cities.

Amend Sec. 1 (Sec. 4), page 3, line 4, by inserting after "dollars": in cities of the first class and fifteen dollars in all other cities.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that the remaining bills on today's calendar not acted upon, be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

## REPORT FROM COMMITTEE

Mr. JENKINS from the Committee on Boroughs, reported as committed, House bill No. 1176, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing compensation for members of the borough planning commission and the board of adjustment.

## BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1176, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing compensation for members of the borough planning commission and the board of adjustment.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

## RESOLUTIONS

Mr. McCANN offered two resolutions which were filed with the clerk under the rules.

Mr. GAILEY offered a resolution which was filed with the clerk under the rules.

## BILLS INTRODUCED AND REFERRED

By Mr. POLEN.

HOUSE BILL No. 1380.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto" changing provisions relating to the approval of projects for reimbursement purposes.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 1381.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue in relation thereto; and providing for the payment of interest on and the redemption of such bonds; and making an appropriation.

Referred to the Committee on Appropriations.

## BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL NO. 811.

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" providing a method of paying service increments from the pension fund to employes of the city after retirement.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## ADJOURNMENT

Mr. HARTLEY. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 25, 1961, at 12 o'clock noon.

Th emotion was agreed to, and (at 6:15 p.m., e.s.t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, APRIL 25, 1961.

No. 42.

## SENATE

TUESDAY, APRIL 25, 1961.

The Senate met at 12:00 m., Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

## PRAYER

The Chaplain, Rev. MELVIN F. WALPER, Pastor of St. John's United Church of Christ, Bedford, offered the following prayer:

Gracious God, our Father in heaven, we thank Thee for another day and for the opportunities and responsibilities which Thou hast committed into our hands. We pray for Thy divine guidance and blessing.

Open, Thou, the eyes of these legislators to human need wherever it is. May they extend the merciful hands of our great Commonwealth to lift and to labor for the redemption of men. Make our minds keen, our hearts loving and our hands tender. Keep us ever conscious that whatever we do unto one of Thy children, even unto the least, we do unto Thee. Help us always to follow the way of right, even though it may not be the way of expediency, knowing that in Thy divine providence right makes might.

We pray Thy divine blessing upon the families of these Members and the sacrifices that they make on behalf of our Commonwealth. To wives and children, may they know that by their sacrifices, our days are prospered and our Commonwealth is blessed.

Fulfill Thy promise to us that Thou art with us this day and even unto the end of the world. Hear our prayer and do Thou for us that which is best for us and most for Thy glory, for the sake of Jesus Christ, our Saviour, Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. SEYLER, further reading was dispensed with, and the Journal was approved.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

## MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James J. Connor, 205 Garden Avenue, Glenolden, Delaware County, for appointment as a member of the Pennsylvania Securities Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice J. Warren Mickle, Harrisburg, resigned.

DAVID L. LAWRENCE

## MEMBER OF THE WORKMEN'S COMPENSATION BOARD

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John T. Welsh, 216 East Ashland Street, Doylestown, Bucks County, for appointment as a member of the Workmen's Compensation Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Hon. John L. Dorris, Nanticoke, resigned.

DAVID L. LAWRENCE

## MEMBER OF THE YORK COUNTY BOARD OF ASSISTANCE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sherwood F. Ritz (Democrat), 520 Lancaster Avenue, East, Red Lion, York County, for appointment as a member of the York County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Mrs. Dorothy H. Markle, York, resigned.

DAVID L. LAWRENCE

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 77, 134, 153, 303 and 313**, with the information that the House has passed the same without amendments.

### APPOINTMENTS PURSUANT TO HOUSE CONCURRENT RESOLUTION No. 16

He also informed the Senate that pursuant to House Resolution No. 16, Printer's No. 1489, the Speaker of the

House, Honorable Hiram G. Andrews, made the following appointments to the Legislative Commission on Space Allocation: Harris G. Breth, J. Dean Polen, Blaine C. Hocker and Arthur George.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 1112** and **1113**, which were referred to the Committee on Appropriations.

He also presented for concurrence **HB 1115** and **1184**, which were referred to the Committee on Education.

He also presented for concurrence **HB 1139** and **1149**, which were referred to the Committee on State Government.

#### REPORT OF JOINT LEGISLATIVE COMMITTEE ON UNEMPLOYMENT

Mr. LANE, Mr. President, pursuant to Senate Concurrent Resolution, Serial No. 109, which was adopted by the Senate on September 12, 1960 and concurred in by the House of Representatives on October 12, 1960, I wish at this time to officially file the report of this Joint Legislative Committee which studied the problem of the unemployment problems in Pennsylvania.

Therefore, on behalf of the Senate Members, Senator Donolow, Senator Flack and Senator Wagner; the House Members, Honorable Lee A. Donaldson, Jr., Honorable George W. Heffner, Honorable Anthony J. Petrosky and Honorable John J. Welsh; and the Executive Members, Honorable William L. Batt, Jr., Secretary of Labor and Industry, and Honorable William A. Davlin, Secretary of Commerce, I submit to the Senate this report.

The PRESIDING OFFICER. Thank you for your report, Senator Lane. The report will be noted in the Journal and printed in the Appendix thereto.

#### REPORTS FROM COMMITTEES

Mr. HAYS, from the Committee on Education, reported as amended, **SB 219**; as committed, **SB 386**, **505**, **506**, **507** and **HB 638**.

Mr. SILVERT, from the Committee on Judiciary General, reported, as amended, **SB 526** and **HB 470**.

Mr. MURRAY, from the Committee on Mines and Mineral Industries, reported, as committed, **HB 60** and **390**.

Mr. McCREESH, from the Committee on Elections, reported, as amended, **SB 528** and **HB 55**.

The PRESIDING OFFICER. At this time, the Chair turns the gavel over to the gentleman from Centre, Mr. Hays, to preside.

The PRESIDING OFFICER (Jo Hays) in the Chair.

#### PERMISSION TO ADDRESS SENATE

Mr. MAHADY asked and obtained unanimous consent to address the Senate.

Mr. MAHADY. Mr. President, the resolution I am about to offer, calling for a study, is of the utmost importance to education in Pennsylvania. Education in Pennsylvania has been aimed primarily at high school education for many years. We have, in the western part of the State, one of the outstanding technical schools of the Country in Carnegie Tech.

However, it is the feeling that a study should be made, asking for the establishment of an institution of scientific learning in the eastern part of the State. It is felt, in this

nuclear age and in this age of scientific discovery, that a State University should be founded.

We have no State institution as such. We have a land-grant college and colleges that receive aid from the State. We feel that in this scientific age, the State should have a scientific institution equal to, at least, Carnegie Tech and Massachusetts Institute of Technology.

Therefore, on behalf of Senator McCreesh and myself, I am offering this resolution and ask for its immediate adoption.

#### SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE ESTABLISHMENT OF A STATE TECHNICAL INSTITUTION FOR THE EASTERN HALF OF THE COMMONWEALTH

Messrs. MAHADY and McCREESH, by unanimous consent, offered the following resolution (**Serial No. 48**), which was read as follows:

In the Senate, April 25, 1961.

Resolved, That the Joint State Government Commission is directed to make a study of the feasibility and desirability of the establishment of a State Technical Institution for the eastern half of the Commonwealth of Pennsylvania. It is felt that a study of this kind may result in the establishment of an institution of scientific learning that would be of significant importance in our modern world of nuclear physics and scientific application. Further, that the Joint State Government Commission make a study as to the necessity of having a scientific school of this nature. Further, the study should include a suitable location as well as a study of modern facilities for an institution of this nature; and be it further

Resolved, That the Joint State Government Commission make recommendations for proper legislation for the establishment of a school of this type as well as recommendations as to its financing; and be it further

Resolved, That the Joint State Government Commission report to this body as soon as possible.

Mr. BERGER. Mr. President, I am in complete sympathy with the subject matter of this resolution, and I am sure everyone else is very interested in it. However, it calls for a study by the Joint State Government Commission. I believe it is customary to refer such resolutions to committee and then they are taken up in committee.

The PRESIDING OFFICER. This resolution is referred to the Committee on Education.

#### PERMISSION TO ADDRESS SENATE

Mr. McCREESH asked and obtained unanimous consent to address the Senate.

Mr. McCREESH. Mr. President, in West Philadelphia, there is a hospital called the Rush Hospital. It is a private institution which has served the people of this community for over seventy years. Located in the heart of University City, this hospital is about to close its doors because of a lack of tubercular patients and a lack of operating funds.

To allow this State-aided institution to shut down would be a tragedy to this redevelopment area, especially today when the State is desperately in search of hospital beds for its citizens and facilities for treating their ailments.

To prevent this unfortunate loss to this community, Mr. President, and to prevent unemployment for some seventy-five people employed at this hospital, I am about to introduce a bill providing for the purchase of this hospital and its facilities by the State and to have it converted to an



institution, to be known as The West Philadelphia Home for the Aged.

**BILLS INTRODUCED AND REFERRED**

Mr. McCREESH presented to the Chair **SB 561**, entitled:

An Act making an appropriation to the Department of Public Welfare to purchase the Rush Hospital in Philadelphia and to convert the same into a home for the aged.

Which was committed to the Committee on Appropriations.

Messrs. SEYLER, FLACK, HAYS, KALMAN and WAGNER presented to the Chair **SB 562**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for supplemental payments by the Commonwealth on account of kindergartens.

Which was committed to the Committee on Education.

**RECESS**

Mr. BERGER. Mr. President, I request a half-hour recess of the Senate for the purpose of holding a Republican Caucus.

Mr. LANE. Mr. President, I also request a half-hour recess of the Senate for the purpose of holding a Democratic Caucus.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a half-hour recess of the Senate.

**AFTER RECESS**

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

**STUDENTS WELCOMED TO THE SENATE**

Mr. VAN SANT. Mr. President, during the past several weeks, it has been my pleasure to present to the Senate several groups of students from Lehigh County. As a matter of fact, it has become such a regular habit that one of our Senate employees made the comment, "Don't they ever go to school in Lehigh County?" They do. They are such good students that they are afforded extra days off in order to come to Harrisburg and learn more about their State Government.

Today, we have a very fine group with us from the Borough of Emmaus. They are students from the East Penn Union School District. Accompanying them is their head teacher, Mr. Albert K. Deischer, and Mr. Charles T. Treichler. They are sixth graders from the Washington School, in Emmaus.

They are interested in government and we are delighted to have them here today.

The PRESIDING OFFICER. The Chair asks that the young citizens from Emmaus will please rise in order for the Senate to recognize them.

On behalf of the Members of the Senate, the Chair is happy to have you with us. We hope you will find this to be an interesting and instructive experience. The Chair should also say that the regular presiding Officer, the Lieutenant Governor, John Morgan Davis, is not in the Chair. I am a substitute. Some of you probably know what happens sometimes when a substitute teacher is present. However, we will do our best.

**NOMINATIONS BY THE GOVERNOR  
REFERRED TO COMMITTEE**

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

**JUSTICE OF THE PEACE**

April 25, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Philip Fengfish, 53 South Main Street, Manchester, York County, for appointment as Justice of the Peace in and for the Borough of Manchester, York County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

**JUSTICE OF THE PEACE**

April 25, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Agnes Taylor, R. D. 3, Slippery Rock, Butler County, for appointment as Justice of the Peace in and for the Township of Worth, Butler County, to serve until the first Monday of January 1962, vice Frank V. Patterson, deceased.

DAVID L. LAWRENCE

**BILLS INTRODUCED AND REFERRED**

Messrs. VAN SANT and MILLER presented to the Chair **SB 563**, entitled:

An Act amending the act of August 5, 1941 (P. L. 752), entitled "Civil Service Act," redefining the term "director" further extending the scope of unclassified services; extending the provisions regarding appointment and removal of the director; further extending the merit provisions of the act; increasing the duties and obligations of the commission and of the director; providing for systematic and meritorious salary increments; clarifying salary provisions of employment; changing examination requirements; according regular status to employees with required periods of service; making definite provisions covering sick leave and vacation leave and strengthening the provisions covering furlough and reemployment.

Which was committed to the Committee on State Government.

Messrs. HALUSKA and MALLERY presented to the Chair **SB 564**, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Blair County.

Which was committed to the Committee on Highways.

Messrs. HALUSKA, MAHADY, STEVENSON and CHAPMAN presented to the Chair **SB 565**, entitled:

An Act making an appropriation to the Senate of Pennsylvania for the payment of expenses of certain Senators.

Which was committed to the Committee on Appropriations.

Messrs. STEVENSON, SCOTT, CONFAIR and PECHAN presented to the Chair **SB 566**, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of paying a part of the cost of repairs to certain local public school buildings.

Which was committed to the Committee on Appropriations.

Mr. BELL presented to the Chair **SB 567**, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law," requiring the Secretary of Highways to furnish plans to the recorder of deeds within thirty days of the approval of the plans.

Which was committed to the Committee on Highways.

Messrs. WADE and WEINER presented to the Chair **SB 568**, entitled:

An Act amending the act of June 4, 1937 (P. L. 1643), entitled "An act relating to certain existing beneficial societies; . . .," further regulating contracts and payments of death benefits.

Which was committed to the Committee on Insurance.

Mr. PROPERT presented to the Chair **SB 569**, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," clarifying the provisions of existing law.

Which was committed to the Committee on Local Government.

## STUDENTS WELCOMED TO THE SENATE

Mr. YATRON. Mr. President, I would like to request the Chair to acknowledge a group of students from Berks County. They consist of a group from the Wilson Joint High School and are here visiting our Capitol today, under the direction of Mr. Griesmer and Mr. Miller. They have come here from Berks County and are now seated in the balcony.

The PRESIDING OFFICER. The Chair, on behalf of all the Members of the Senate, is glad to welcome the young citizens from Wilson Joint High School, the constituents of Senator Yatron.

Will this group please rise in order for us to recognize you?

It is our hope that you will find this an interesting and instructive experience.

## CALENDAR

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

**SB 79**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 79.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—35

Berger,	Haluska,	Mullin,	Staisey,
Camiel,	Kalman,	Murray,	Stiefel,
Confair,	Lane,	Pechan,	Stroup,
Devlin,	Mahady,	Ripp,	Van Sant,
DiSilvestro,	Mallery,	Rooney,	Wagner,
Donolow,	McCreesh,	Sarraf,	Weiner,
Ehrgood,	McGinnis,	Sesler,	Yatron,
Flack,	McMenamin,	Seyler,	Hays,
Fleming,	Miller,	Silvert,	Presiding Officer

### NAYS—15

Bell,	Kessler,	Scott,	Wade,
Chapman,	Kromer,	Shaffer,	Ware, III,
Hawbaker,	Madigan,	Stevenson,	Wolfe,
Keller,	Probert,	Taylor,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## THIRD READING CALENDAR

### BILLS OVER IN ORDER

**SB 88**—Mr. BERGER. Mr. President, I request that Senate Bill No. 88 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. LANE. Mr. President, with reference to Senate Bill No. 88, this bill has been on the Calendar for, I would say, several weeks. I believe that the bill is now in proper order. I have received communications from quite a number of county solicitors, whereby they feel that the bill should now be passed in this Senate.

I understand there is some question as to the opinion about which we talked yesterday. However, I do feel that that opinion, being inserted in the record, indicates the legislative intent of this legislation. If there is any question as to whether or not this opinion is in proper order, I think it could be determined over in the House where they can hold the bills. If possible, Mr. President, I would like to move this whole package because it is very important that we arrive at a definite conclusion.

I would appreciate it if Senator Berger would withdraw his request for this bill to go over in order. Let us pass it today and send it over to the House. They can hold it and then, of course, if there is any question over there or here in the Senate, you can then take it up with the Attorney General.

Mr. BERGER. Mr. President, I certainly have no objection to the subject matter of this bill. There is a real question, however, as to the constitutionality of another bill which, I think, has to key in with it. It is quite possible that we will be able to get that question resolved at the Session next week.

It does not seem to me to be the best policy to pass this bill and then inquire as to the constitutionality of a supporting measure after the bill is passed. I think we might determine that before we pass it and then act with that guidance when it comes time to vote on the bill. I am in sympathy with Senator Lane's attitude, but I feel it should not go over in order until next week so that we can determine whether or not it is going to be supported by the other legislation.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?



Mr. BERGER. I will, Mr. President.

Mr. LANE. Senator Berger, in your last statement, you said that you people were going to determine whether or not Senate Bill No. 491 is constitutional. How do you propose to do that?

Mr. BERGER. Mr. President, I fear the gentleman misunderstood me. He suggested that the bill be passed and sent over to the House. Then, if there was any question as to the constitutionality of the supporting legislation, it could be determined after it got over there. I suggested that we retain the bill and that the constitutionality of the other legislation be determined or, rather, that we receive advice on it before we pass it.

I would say further, Mr. President, that the gentleman on the other side, Senator Lane, might take it upon himself to obtain that intelligence so we could then pass the bill.

Mr. LANE. Mr. President, if my memory serves me correctly and if my ears are in proper order, I thought Senator Berger said that his side was going to determine whether or not the bill was constitutional. This does not pertain particularly to Senate Bill No. 88, but it does to Senate Bill No. 491, which changes the borrowing capacity of the institution and General Fund by changing the assessed value to market value.

If the gentleman on the other side will take the intelligence which I received from the Attorney General, I will be very happy to go over there immediately after the Session and ask the Attorney General for an opinion. If you gentlemen will accept it, then, of course, we will pass it sometime next week. Is that all right with the gentleman from Potter, Senator Berger?

Mr. BERGER. Mr. President, that certainly is all right with me. However, reverting to what the gentleman said beforehand, I think I used the generic term "we" which would include us and the other gentlemen of the Senate also, as to getting the question disposed of prior to passage of the legislation.

Mr. LANE. Mr. President, I do not wish to prolong this rather asinine argument which we are having here today. However, I do not believe our intelligence is going to be any better next week than what it is this week. I anticipate that probably this is a left-handed way of killing this legislation. If so, it certainly is a lot of wasted effort on our part.

Mr. BERGER. Mr. President, I wish to take some exception to that statement. Certainly, if we do not receive any intelligence concerning the constitutionality of that bill, it will not be our fault at all. I expect that Senator Lane will do just as he suggested; namely, try to get that opinion after this Session.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**BILLS ON THIRD READING AND FINAL PASSAGE**

**SB 96**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 99**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,  
On the question,  
Shall the bill pass finally?  
(During the calling of the roll, the following occurred:)  
Mr. SEYLER. Mr. President, I desire to be recorded as voting "no".  
The PRESIDING OFFICER. The gentleman will be so recorded.  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Murray,	Stiefel,
Berger,	Keller,	Pechan,	Stroup,
Camiel,	Kessler,	Propert,	Taylor,
Chapman,	Kromer,	Ripp,	Van Sant,
Confair,	Lane,	Rooney,	Wade,
Devlin,	Madigan,	Sarraf,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,
Donolow,	Mallery,	Sesler,	Weiner,
Ehrgood,	McCreesh,	Shafer,	Wolfe,
Flack,	McGinnis,	Silvert,	Yatron,
Fleming,	McMenamin,	Staisey,	Hays,
Haluska,	Miller,	Stevenson,	Presiding Officer
Hawbaker,	Mullin,		

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**BILL OVER IN ORDER**

**HB 132**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**BILLS ON THIRD READING AND FINAL PASSAGE**

**SB 156**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?  
Mr. MAHADY. Mr. President, I want to say at this time that this bill is not a matter which was put on here lightly. It missed the Omnibus Bill two years ago. It concerns a high school jointure which was a new building, which is just about complete, and will be used in September.  
This bill appears on the Calendar at the request of

the school authorities to try to get this through, because part of the route that will be fixed by the State is township and it must go into the complete whole. In other words, the State does not have jurisdiction over the road that runs down almost to it, and the rest of the way is State road where a new State road will be built.

For this reason, it was decided by the powers that be that we need legislation, and this is what they are waiting for. This is the reason I requested that the bill be placed on the Calendar.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 190**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 191**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 201**—without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 203**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## REMARKS UPON PASSAGE OF SENATE BILL No. 203, PRINTER'S No. 209

Mr. LANE. Mr. President, I want to make one brief comment. I might say, with reference to the passage of Senate Bill No. 203, Printer's No. 209, that I have endeavored to have this legislation passed for the past twelve years. I was fortunate in this Session to have the legislation passed in the Senate, and I hope I am just as successful in the House of Representatives.

Mr. WEINER. Mr. President, I just want to add an addendum. This just shows you what these fellows will do after they get to know you.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 204**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Yatron,
Fleming,	McMenamin,	Silvert,	Wolfe,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

**SB 209**—Read at length the third time,  
On the question,  
Will the Senate agree to the bill on third reading?  
Messrs. BERGER and YATRON, by unanimous consent, offered the following amendments:

- Amend Title, page 1, fifth line of Title, by striking out "requiring" and inserting: and the attendance of
- Amend Title, page 1, next to last line of Title, by striking out "to attend" and inserting: at
- Amend Sec. 1 (Sec. 609), page 3, line 13, by striking out "require" and inserting: request
- Amend Sec. 1 (Sec. 609), page 3, line 16, by inserting after "attending": Provided that in emergencies, a person otherwise qualified as a school bus driver may operate such bus for a period of two weeks.

On the question,  
Will the Senate agree to the amendments?  
They were agreed to.  
Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

**HB 251**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER TEMPORARILY

**SB 294**—Mr. BERGER. Mr. President, I request that Senate Bill No. 294 go over in its order.  
The PRESIDING OFFICER. Is there objection?  
Mr. WEINER. Mr. President, I wonder if the gentleman would allow this bill to go over temporarily. I understand that the Chairman of the Highways Committee has some amendments for this bill which he is getting now from his desk, and he has not returned to the floor.  
Mr. BERGER. Mr. President, certainly. That is the only reason I requested that the bill go over in its order.  
The PRESIDING OFFICER. There being no objection, the bill will go over in its order, temporarily.

BILL OVER IN ORDER

**HB 307**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

**SB 315**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.  
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

**SB 332**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

**SB 360**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,  
On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,

Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Staisey,	Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 366**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Staisey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 369**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Hawbaker, Haluska,	Kalman, Keller, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Staisey, Stevenson,	Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—3

Flack,	Kessler,	Propert,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 371**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—45

Berger, Camiel, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Kalman, Keller, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Staisey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wagner, Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—5

Bell,	Chapman,	Kessler,	Propert, Wade,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 378**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 416**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Staisey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 418**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner,
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Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Sesler, Seyler, Shafer, Silvert, Stalsey,	Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING AMENDED

**SB 479**—Read at length the third time,  
On the question,  
Will the Senate agree to the bill on third reading?  
Mr. STEVENSON, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 23), page 2, line 6, by inserting after "installments": "of which no annual installment, including principal and interest, shall be of greater amount than five thousand dollars (\$5,000) or twenty (20) per centum of any preceding year, whichever is greater.

Amend Sec. 1 (Sec. 623), page 2, line 7, by striking out "three" and inserting: "five."

On the question,  
Will the Senate agree to the amendments?  
They were agreed to.  
Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 486**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 487**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Kalman, Keller, Kessler, Kromer, Lane, Mahady, Madigan, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 495**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 518**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 529**—Read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Hays, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 556**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 568**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 649**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

### SECOND READING CALENDAR

#### BILL OVER IN ORDER

**SB 30**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**SB 65**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 140**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 197**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 315 and 326**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILL ON SECOND READING

**SB 381**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 401**—Mr. WEINER. Mr. President, I am awaiting to find out the constitutionality of this bill and I have not gotten an answer as of this moment. Therefore, I will ask that it go over in its order, and I promise to have an answer for the Members of the Senate tomorrow.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

#### BILL ON SECOND READING

**HB 419**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 431**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL RECOMMITTED

**SB 432**—Mr. WEINER. Mr. President, I move that Senate Bill No. 432 be recommitted to the Committee on Highways.

Mr. LANE. Mr. President, I second the motion.



On the question,

Will the Senate agree to the motion?

The PRESIDING OFFICER. All those in favor of the motion, give their consent by saying "aye"; those opposed, "no."

(A voice vote was then taken.)

The PRESIDING OFFICER. The "ayes" have it and the motion is agreed to.

VOICES: Roll call.

Mr. WEINER: Mr. President, I believe the Chair announced that the "ayes" have it, and there was no specific request for a roll call. I believe that concludes this matter. If I am incorrect, I would like someone to correct me. I believe the Chair announced that the "ayes" have it.

The PRESIDING OFFICER. The Chair announced that the "ayes" had carried the motion. I think that is correct.

Mr. BERGER. Mr. President, the Chair may have announced it, but I do not think anybody on this side happened to hear you.

Mr. WEINER. Mr. President, I think that can be corrected if we read from the record what has been stated by the Presiding Officer.

The PRESIDING OFFICER. The motion was to recommit this bill to the Committee on Highways and the motion has already been agreed to.

#### BILL ON SECOND READING

**SB 446**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 466** and **HB 474**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 481, 482, 483, 484** and **493**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILL ON SECOND READING AMENDED

**SB 533**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SESLER offered the following amendments:

Amend Sec. 1 (Sec. 607), page 2, line 16 by striking out "and over" and inserting: to 124,999

Amend Sec. 1 (Sec. 607), page 2, by inserting between lines 16 and 17: Cities of 125,000 and over \$16,000 \$2,300 \$2,600

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SESLER.

#### BILL OVER IN ORDER

**SB 534**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 542** and **571**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 635, 636** and **678**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 681, 682, 683** and **715**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL REFERRED

Upon motion of Mr. WEINER, seconded by Mr. HALUSKA, and agreed to, **HB 715**, the bill just read, was referred to the Committee on Appropriations.

#### BILL ON SECOND READING

**HB 716**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL REREFERRED

Upon motion of Mr. WEINER, seconded by Mr. HALUSKA, and agreed to, **HB 716**, the bill just read, was referred to the Committee on Appropriations.

#### BILLS ON SECOND READING

**HB 1200** and **1252**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SENATE RESOLUTION, SERIAL No. 17, CALLED UP

Mr. WEINER, without objection, called up from page 14 of the Calendar, Senate Resolution, Serial No. 17, entitled:

Commending Secretary of Highways Park H. Martin.

#### RESOLUTION RECOMMITTED

Mr. WEINER. Mr. President, I move that Senate Resolution, Serial No. 17, be recommitted to the Committee on Highways.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The PRESIDING OFFICER. All those in favor of the motion, give their consent by saying "aye"; those opposed, "no."

(A voice vote was then taken.)

The PRESIDING OFFICER. The "ayes" have it and the motion is agreed to.

Mr. STIEFEL. Mr. President, I want to say a few words about this resolution.

The PRESIDING OFFICER. The Chair recognizes Senator Stiefel and apologizes.

Mr. STIEFEL. Mr. President, I am not going to stand in the way of the Senate in connection with this motion to recommit because I feel that the resolution, as it stands now, is not paying enough of a tribute to Secretary Park Martin. He deserves even more commendatory words.

Therefore, in the meeting of the committee some people wanted to tone it down and some people wanted to add to it, and in order not to block the resolution so it could be brought to the floor of the Senate, I went along.

I feel that Park Martin has done a great service for the Commonwealth of Pennsylvania. He is a man of great

vision and great courage. He is a man in whose hands you can entrust the Department of Highways. In all, the Department of Highways is an empire unto itself, and putting at the head of it a man of such caliber as Park Martin, I believe involved the finest decision of Governor Lawrence.

Time and again I have risen to the floor of this Senate and did not speak in flowery terms about an empress. We have an emperor at the head of one department and an empress at the head of another big department here on Capitol Hill. I wish I could speak about her in similar terms, but I cannot.

Therefore, I am not going to object to this resolution because I feel that the committee, under its capable chairman, assisted by Senator Kalman and myself who are members—his lieutenants—will add to the glory of Park Martin instead of detracting. I feel we owe him a great debt of gratitude for the work he is doing now in Pennsylvania.

Mr. BERGER. Mr. President, because it is always a pleasure to listen to the words of Senator Stiefel, I did not raise a point of order. However, I would suggest that when the remarks were made, they are out of order for the reason that nothing was before the Senate except the announcement of the vote on the motion.

Mr. WADE. Mr. President, I wish to make a few comments on the resolution before us.

Mr. President, I want to laud the gentleman from Philadelphia for the high tribute he has paid to practically the only Republican in this Democratic Administration, since Mr. Martin retains his Republican registration. I think, too, that he is doing a good job. However, I certainly do not hope that Senator Stiefel means to imply that his predecessors, Mr. Joseph Lawler and Mr. Lewis Stevens, did not do a good job. I hope that was not written between the lines.

Mr. STIEFEL. Mr. President, by praising one man, you do not necessarily lower the prestige of another man. Probably I was amiss in my duty when I did not praise the great Mr. Lawler, from Lackawanna, and the other man, Lewis Steven, from Philadelphia. I should have done it long ago. I should even have praised the Colonel or General who was head of the Department of Highways and who was from Shenandoah. He was not only the head of the Department of Highways, but he was a prominent manufacturer and he did a good job.

Pennsylvania is fortunate in having good Secretaries of Highways. However, this time I awoke, and as a result of my awakening, I am standing here singing the praises of Park Martin.

Mr. LANE. Mr. President, in order to augment the words of one of the deans of the Senate, Senator Stiefel, I would like to inform the distinguished gentleman from the other side of the river, Senator Wade, that all Democratic Secretaries of Highways have always been great men and great administrators.

Mr. BERGER. Mr. President, I could make a comment, but it would violate what I am about to suggest to the Chair, and that is that I will now raise the point of order.

The PRESIDING OFFICER. The gentleman from Potter, Mr. Berger, will state it.

Mr. BERGER. Mr. President, there is nothing before

the Senate except the announcement of the vote on the motion.

Mr. ROONEY. Mr. President, I would like to voice my objection to this resolution being sent back to committee.

Mr. BERGER. Mr. President, will the Chair rule upon my point of order?

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, restate his point of order?

Mr. BERGER. Mr. President, there is nothing before the Senate except the announcement of the vote on the motion.

The PRESIDING OFFICER. The Chair thought he had announced the vote on the motion before Senator Stiefel spoke.

Mr. BERGER. Mr. President, then the gentleman is out of order speaking on it.

The PRESIDING OFFICER. In the opinion of the Chair, Senator Berger, the gentleman was giving his reasons for voting "no".

Mr. BERGER. Mr. President, I will not appeal that ruling.

Mr. ROONEY. Mr. President, I wholeheartedly concur with the remarks made by my distinguished colleague from Philadelphia, Senator Stiefel, about the manner in which the Secretary of Highways, Park H. Martin, has conducted himself as Secretary of Highways of the Commonwealth of Pennsylvania.

Recently, I believe my colleague, Senator Wade, attended a convention of the Pennsylvania Road Constructors, in Atlantic City. Mr. Martin was praised by every member of that organization for the outstanding job he has done during his tenure as Secretary of Highways. As public officials, I cannot understand why we will not support this type of a resolution. It is a mere piece of parchment, saying something good about a man who has been subjected to so much criticism for such a long period of time.

We, as State Senators, receive letters daily condemning us for certain actions we take in this Senate. Very seldom do we receive a thank-you letter. This resolution merely bestows praise upon a gentleman who has done a great job. If this resolution goes back to committee, I can assure you it will be reported out as soon as possible.

Mr. MCGINNIS. Mr. President, Park Martin comes from Pittsburgh. Pittsburgh is a rebuilt city. If there is one man who did more than any other man to rebuild the city of Pittsburgh, it is Park Martin.

I am glad that our Governor, when he sees a good Republican, puts him in an important office.

Mr. EHRGOOD. Mr. President, referred to the remarks made by the good Senator from Allegheny, I heard, in 1958, that it was the Governor who is responsible for Pittsburgh.

### SENATE RESOLUTION, SERIAL No. 41, CALLED UP

Mr. WEINER, without objection, called up from page 14 of the Calendar, Senate Resolution, Serial No. 41, entitled:

Senate Committee to Consider Necessary Legislation Required to Solve the School Problems, as Set Forth in the Report of the Governor's Committee on Education.

On the question,



Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, I have heard no motion that the resolution be adopted.

#### SENATE RESOLUTION, SERIAL No. 41, DEFEATED

Mr. WEINER. Mr. President, I move that the Senate do adopt this resolution.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, this resolution is the one which was introduced to provide for the appointment of a committee to study and to solve the school problems, as set forth in the Report of the Governor's Committee on Education. Mr. President, as I recall it, this was proposed in a Joint Session, when the Governor stated that he would like to have a bipartisan committee appointed to do this work.

When this resolution was introduced and the motion was made for its immediate adoption, I objected and stated my reasons. I will not go over them at length, but I simply will say that they are the same today as they were then. Mr. President, this proposes that a committee be appointed, equally divided between both parties, to solve the school problems. What that implies, I cannot say. However, I am sure that it means to consider proposed legislation and, probably, to make a report.

Mr. President, we have in the Senate and in the House, in accordance with the rules of the Senate and House, Committees on Education which are set up to do this very thing. Also, in conformity with the rules, those committees are appointed by the President pro tempore of the Senate and the Speaker of the House and are dominated by the Majority Parties in the House and the Senate. Mr. President, I see no reason whatever to deviate from that practice and to appoint a committee for this special purpose, when the Standing Committees are perfectly capable, composed of both Members of the Democratic Party and the Republican Party and people who have had experience and are able in that respect to take care of educational matters. Consequently, Mr. President, I will ask my colleagues to vote "no" on this resolution.

Mr. WEINER. Mr. President, in order that we understand exactly what we are discussing, this resolution only asks that Members on both sides of the aisle provide four Members to serve on this committee. I was hopeful that the two Members who served on the Governor's Bipartisan Committee might also serve on this committee. I am referring to—and if I am incorrect, I hope I will be corrected—Senator Wagner, who is the ranking Member on the Education Committee and who, for many years, was Chairman of the Education Committee, and Senator Shafer. I believe they would have a great deal to add and could contribute much to this committee. On our side of the aisle, we have Senator Hays and Senator Seyler. Senator Hays is the Chairman of the Education Committee and Senator Seyler is the Vice-Chairman. Both of these men have a background in the educational field.

We felt we should put people on this committee, as well, who are Members of the Finance Committee and the Appropriations Committee in order to round it out. If the House followed what we were doing, we would then have sixteen members to deal with, which is not an un-

wieldy group. I had hoped that when the bills are ready, which is supposed to be sometime next week, to send these bills to this sixteen-man committee and have them make recommendations so that we would know, when the bills appeared on our Calendar, they would pass. These bills immediately would then be taken up and be handled in the usual fashion in which we handle any special order of business, like we did here on the Library Bill and other measures of that nature.

We did not ask that these members, appointed to this committee, be prejudiced either in favor of education or against education. We asked that they be appointed to deal with these measures. If they saw fit, in their wisdom, not to deal with these matters or ask that this Legislature not deal with them, that would be the end of it. If we could ostensibly have from the middle of May until the Legislature adjourns sine die,—which we hope will be approximately June 1 or June 15—or one solid month of work on these problems, we could resolve this matter. There are not that many measures which have to be worked on. If there were a program that had to go with it to provide the money, this would also be thrown on the table and either they would agree or disagree at that point to either work on it or not work on it. We would then be able to set our sights and see exactly where we are going in the field of education. We could say to the public at large that either the Legislature is attuned to these matters or it feels that they are not worthy to be handled or we cannot get an agreement on them.

I feel that education is not a problem which happens to be Republican or Democratic in nature. I think the children who go to school and the people who take higher education are not necessarily there because of their political affiliations. I think we should deal with this matter primarily as the Governor's Committee did, in a bipartisan fashion.

I am not saying that if you approve this resolution, you are approving the report. I am not saying that if you disapprove this resolution, you are disapproving the report. However, I think the record will show that if you are not willing to go along and even appoint a bipartisan committee to look into this matter, I think you are basically saying that you are not interested in the educational problems and that the committee which is going to handle them is set up on a partisan basis, and that the measures they are going to bring out are partisan in nature. I do not think that is the manner in which we want to handle this matter. I do not think we should deal with it in that manner.

There has been some talk here that there should be a Special Session of the Legislature to deal with this. What is wrong with dealing with it in this Session? What is wrong with spending one month on it with people who are devoted to it? As long as the committee will consist of Members from the House and Senate,—and the Senate Members will make up one-half of the group— they will be in a better position to bring to the general committee and to the Legislature their views on this matter.

We are merely asking that you give us the names of four Members. If you refuse to do that,—and you gentlemen seem to be in the position that you do not want to go along with this and you do not want to give us any Members to serve—the only conclusion I can come to is that we are not going to deal with this matter on a bi-



partisan vein. We are going to throw the bills in committee and deal with them like we do with any other measure, in which event some of these measures will not pass. I certainly do not think that is indicated. It might be there are some measures that the committee is asking for which perhaps we cannot deal with during this Session. However, I will have the basis of their thinking and so will everyone else before the matter comes before us here on this floor. Either you will or will not give us the votes to pass them. At that time, we will know. Other than that, we will have no indication as to just what the general feeling is on this matter and what we should do to plan ahead for the next ten years.

Therefore, Mr. President, I am asking my colleagues to vote "aye" on this resolution. I certainly hope that my friends on the other side of the aisle will do likewise. We are merely asking that a bipartisan committee deal with this very, very important problem. As you can see, it is not limited to Pennsylvania. It is related to the entire world, where the Russians are making great advances into space. They have a man who has gone into space and who has orbited the earth. Perhaps we are behind because some of us do not have the technological advances. Perhaps many good minds are going by the board because they do not have the opportunity to have this kind of education. I think we can no longer afford the luxury of overlooking these matters and deal with them when we get ready to. I think they are here before us now.

Mr. BERGER. Mr. President, I was very much afraid for a moment there that the Majority Leader was not going to get out of orbit.

I want to say, Mr. President, that the distinguished gentleman who presently occupies the Chair in this Senate is the Chairman of the Education Committee, and there is nothing that I know of to prevent him from appointing a subcommittee, composed of the same number of people as called for by this resolution, to study this problem of education and the Governor's Committee Report. Then, Mr. President, the bills can be reported, if they are approved, in the same manner that all bills are reported from committee.

There is nothing very obscure about this. What is intended by this resolution is apparently the ducking of responsibility or the creation of a sort of coalition government. If that is the case, I suggested before that we will be glad to accept equal representation on all committees which deal with important legislation. If the Majority Leader cares to do that, we will await his decision, and that of the President pro tempore, and we will be glad to accept our responsibility as equal members of the committees.

However, at the present time, Mr. President, this Education Committee is composed of eleven Democratic Members and seven Republican Members. There are four Republicans available for a subcommittee and four Democrats available for a subcommittee to do this very thing. It does not require the creation of a special committee to make this study or to do this work.

Mr. President, as far as doing this in the present Session and going right along with our other work, I am sure that practically every Member of this Senate is aware of the fact that with all of the other distractions and all of the other things that we have to do here, it would be almost physically impossible to take the recommendations, study them, prepare legislation and make recommenda-

tions to this Senate, or to do the same thing in the House, while we are in regular Session.

Mr. President, I submit that the only proper and sensible way to do this is to have a Special Session, when all other considerations are out of the way, and deal with this problem as it should be dealt with, without distractions or any kind of thing that would prevent us from doing a full job.

Mr. LANE. Mr. President, with reference to this resolution, I might say that the Republicans on the other side should have considered their position. I imagine some Republicans turned this microphone around because they possibly did not want to hear me. It is probably sabotage.

In cases like this, Mr. President, where you make excuses, it is an indication that a major political party is trying to evade a responsibility that is really here today.

Let me say, Mr. President, the problem of education is not just an ordinary problem. We have worked over the years trying to work out a bona fide setup as far as education is concerned. I recommended many, many times that there should be a Constitutional amendment passed, earmarking certain revenues to finance education here in Pennsylvania.

Now we are more or less at the crossroads, and we know very well that the Republicans on the other side are not going to assume their proportionate share of responsibility, due to the evasive tactics of the Minority Leader. Therefore, there is only one thing we can do, and that is take it from here.

Last week, when they took action against this resolution and placed it in the Rules Committee, it was indicative that they wanted nothing to do with a bipartisan setup.

Mr. President, I think that the people of Pennsylvania should know today just what is going on. The people of Pennsylvania assume that this is a Democratic Administration, with Democratic majorities in the House and in the Senate. However, gentlemen of the Senate, you know that is not true. You know very well that we cannot pass any legislation without support from your side. You know very well, too, that you should participate in this program. If you did not intend to participate in this program and work with us on a bipartisan basis, you should not have accepted appointments on the Governor's Committee to start with.

So, you have changed the rules again. You are using fast footwork. What you want to do is evade this. You are afraid taxes are going to be levied. You do not want to participate in this because you feel you will be part and parcel of the entire program.

Let us be very honest about the thing. That is really the trouble. I stated in the Governor's Office—and my statement was entirely correct—several months ago that we, in the Democratic Party, are going to have to assume all responsibility. We are going to take that responsibility. We are the Administration. The Republicans do have control, actually, because they always have more votes over there than we do, due to circumstances beyond our control. They are the ones who are going to sit by and they are going to say to us, like they used to say during the Leader Administration: "You pass a tax program in the House, send it over to the Senate, and we will look it over. If we like it, we will accept it and, if not, we will veto it." It used to be the Molotov veto. We sent program after program over here. I think those tax programs are actually what killed off George Leader politically. You



people really did the job. I must say that you did a very good job, too.

Again, we are confronted with the same thing. There are going to be taxes. The Ways and Means Committee of the House will bring over a program and you people will say: "We do not like that. We cannot go for that." Therefore, we will be here all year. You will not accept a bipartisan setup, although you know—you gentlemen are all intelligent and very able persons—very well that we are really confronted with a crisis when it comes to the problem of education. But you will not help. I say that you will not. I do not anticipate any help at all. I anticipate, Mr. President, that we will probably be here the rest of this year.

Mr. BERGER. Mr. President, that is one of the finest expositions on the evasion of responsibility that has come to my ears in many, many years.

Mr. President, perhaps the gentleman did not hear what I said before. If he did not, I will be very glad to repeat it. I said that the Chairman of the Education Committee—the gentleman who is at the moment presiding over this Senate—may appoint a subcommittee, composed of the same number as required by this resolution, and they can do exactly the same work that this resolution provides.

Mr. President, the bills, if any, will then be handled in the ordinary and customary manner and it will not require the addication of the majority status by the Members on the other side.

It is just that simple, Mr. President. It is not quite susceptible to the same explanation in the House, however, where I understand a similar resolution is being introduced. They do not have a situation where the vote is tied. They can assume the responsibility in the regular course of affairs in the House of Representatives. But, no; what they are doing is asking that a similar committee be set up in the House where the Democrats have clear majority. Still they wish to avoid and evade the responsibility which is rightfully theirs.

Mr. President, when we were in the majority, we accepted and were very glad to have the responsibility for these things, and we will be glad to accept it again anytime. Meanwhile, if you wish to have equal representation on other committees, we will be glad to accept it and will accept it on this one as well.

Mr. SEYLER. Mr. President, I think no one here should underestimate the interest throughout the Commonwealth in the report of this committee and what might happen to it.

From its inception, the committee was conceived as a nonpartisan committee. It had bipartisan appointments. Today, there are five members of the committee present in this Chamber and there is one member of the staff of the committee present in this Chamber. I believe all six of those persons would agree that in the deliberations of the committee, there was not a partisan division, but rather all these matters were considered on a nonpartisan basis.

I think the Governor, having received the report, very sincerely desired to continue this kind of an approach to the problem; that is, to have the consideration in this Legislature on a bipartisan basis. Perhaps the Party which is apparently going to oppose this resolution, as a unit, has the feeling that at this point bipartisanship should stop.

If that is their opinion, then, of course, that is their opinion and I regret it. When we talk about responsibility, as the Minority Leader has, this immediately puts the matter on a Party basis. If you say a Party has the responsibility to take these bills and push them through, this makes an assumption that bipartisanship stops here and, from now on, we have Party politics as usual.

In my own opinion, I think this is unfortunate because I believe the people of the Commonwealth who are watching will ask what happened to this report. They are interested in seeing that the results which come out here are results which are arrived at on a nonpartisan basis.

However, Mr. President, regardless of what decision is made, whether we turn down the idea of bipartisan procedure here and proceed with our usual committee procedure or whatever technique we adopt, I hope we will not get into the position where we have bloc or Party voting on this matter. This is too important a matter, it seems to me, to have that kind of a position taken. Regardless of what kind of a decision we make here today, I would plead that all of us resolve to keep this matter a matter which we will vote on as concerning the welfare of all the citizens of the Commonwealth and not as an opportunity to make a Party record for or against, but rather to consider the good of the educational system of the Commonwealth.

Mr. MAHADY. Mr. President, in the past, I have been accused of being starry-eyed and idealistic. I also want every Member of this Body to know that I do not want to change.

I say to them, in all sincerity, that this disagreement appears to be in a lack of vision as to what the committee is supposed to do. After all, we have a ten-year plan in general terms. We must first reduce the general terms to specifics and then we must make a timetable. There is nothing precluding this group. We talk about bills. I have heard talk about handling the bills. What bills? When? What is the plan? The plan which we have is in general terms over a ten-year period. As I see it, the purpose of this is that this group will get together and they will say: "Here is how we will implement the report. This is the timetable we will use."

This is not the time to talk about Special Sessions. It is a question of a study by this committee to say: "What shall we do and when shall we do it?" It requires that we do not make a political football out of it. There has been a suggestion made regarding a subcommittee. In there lies a great danger. The regular committee then may overrule or bottleneck what the subcommittee recommends.

The committee which is proposed is a policy committee. It is not an operational committee. It is the one which will determine how we will implement the report, and over what period of years we shall do what. You cannot make this report overnight and everybody admits that. You cannot put a ten-year plan into one. How shall we do it and when shall we do it? With that in mind, as I look at it, what is wrong with this resolution?

Mr. SILVERT. Mr. President, the Governor appointed a Committee on Education which came back with a report that has thrilled a great many people in the Commonwealth of Pennsylvania. The report involves the future of our children. It involves the future of children of Democrats and Republicans.

Senator Berger has made the comment that someone is ducking responsibility. I raise the question as to which side here is ducking responsibility. Since when should the Republicans object to being given an equal voice in a matter of such wide importance? After all, let us look at the practical side of this plan.

Governor Lawrence, above all, is a practical man. He recommended this select committee, composed of equal numbers, because it is obvious that if we pass any legislation at all, in furtherance of the committee's plan, it will involve the expenditure of money. As a matter of fact, the report shows that it will cost the Commonwealth of Pennsylvania, to implement this report for the first thirteen months, the sum of \$35,000,000.

We know that it is going to take taxes. We know that we do not have the majority here to pass those taxes. We know that it has to be done by consent of both Parties. Why the Republicans should reject an equal voice and equal responsibility in a problem which affects everyone equally, throughout the Commonwealth, is very hard to understand.

Mr. EHRGOOD. Mr. President, it becomes very difficult to restrain one's self when one sees occurring in the Commonwealth of Pennsylvania today not only evasion and not only ducking, but the abrogation of all leadership by the Party in power.

The Governor of this Commonwealth has had a committee. He has also received a report. What has occurred? He now sends it to the Legislature and, in effect, dumps it in the legislative lap. Well and good. I do not admire the Governor of the Commonwealth of Pennsylvania for abrogating his responsibility. He cannot avoid it by saying that this is nonpartisan.

If you go through your Capital Fund Budget or through your Motor License Fund, you will see that the Governor, at least, takes the authority there to recommend and implement certain programs. Why does this not apply to education? Is that in a class by itself? Is that something which the Governor does not want to do or does not understand? Why then have a study group in the first place? We could have done it ourselves.

Mr. President, I certainly agree that the Legislature, since the Governor has abrogated his responsibility, must do something about it and I think we should do it. However, it seems to me we should do it in accord with established practices and not to evade, to the contrary of what Senator Lane pointed out, the responsibility of the leadership of this Senate, for example. The Party in power is the Democratic Party, unfortunately. I am hopeful this will be changed two years hence. I believe, with the abrogation of leadership by the Democratic Party, that that will occur. I certainly re-echo again Senator Berger's remarks concerning the manner in which this should be done.

Mr. SESLER. Mr. President, I think there are a few points which should be brought out.

The gentleman from Lebanon said that we have refused to accept our responsibility, thereby emphasizing again that in all cases all issues should be political. I would like to point out at least two things that have not been said here. One, we are talking about an educational program which we hope to foresee and which we should undoubtedly plan for ten years. There certainly is not a business corporation in this Commonwealth or in this

Country which does not make capital planning projects at least ten or more years into the future. It is only good business, it is only good government, and it is only common sense to try to project a program based on anticipated needs for years in the future. This committee was established to do that. You merely have to read this report to recognize some of the evils that we do have with us.

Therefore, Mr. President, does this mean then that we should say, "Let this Administration bring on its program and struggle through with whatever help it can get?" Then, for example, with a change in Administration, we will have a new program because we will have a new Party. That is another reason for this. I, for one, am learning a lot since I have been here. If we had twenty-eight or thirty Senators here, I would gladly say that we will take the leadership and we will lead it and make the program. However, the question is whether a program of education should be held in abeyance until there are adequate majorities or whether we are offering the hand of bipartisanship to work on this.

There is also another element. It has been suggested that we form subcommittees in the Senate and in the House. Let us recognize the basic fact, namely, that we have a limited amount of time. We hope, as a practical matter, to adjourn within a reasonable period of time. To have a joint committee, composed of House and Senate Members, would seem to me to be most expeditious. It actually is the same thing. They say we should have a subcommittee composed equally of Democrats and Republicans. What, basically, is the difference between that and the committee proposed by the resolution in question? I think there is no difference. I think if you really want to accept the program, this resolution should be favorably voted upon.

Mr. WEINER. Mr. President, I do not think I can add a great deal to what has been said here. I think we have pretty well covered the ground. However, I would like to point out that it is not the Governor's program and it is not the Legislature's program. This is a bipartisan committee which has brought back a program and it is up to the Legislature to act on it. The Governor cannot pass any of this legislation unless the Legislature passes it and sends it on to him. The fact that the Governor does not do anything about it does not mean that he has abrogated his leadership. He has appointed this committee and he did not have to do that if he did not want to.

Therefore, Mr. President, this matter is now before us for us to act on it. If we do not act and if we do not handle this matter in an expeditious and nonpartisan manner, then I think the only thing left to do is to handle it in the usual course of events so that the gentlemen on the other side cannot complain about what happens.

Mr. BERGER. Mr. President, all I wish to do further in this debate is to propound a single question; that is, whether or not it is contemplated to introduce further resolutions whereby there will be equal representation upon the Appropriations Committee and upon the Finance Committee in the Senate.

Mr. SEYLER. Mr. President, I rose to reply to Senator Ehrgood. However, since Senator Berger has asked the question, I would say to him that most of the people who are concerned with this problem do not feel that the problem of public education in the next ten years is a



problem which should be treated as politics-as-usual, but rather that it is a problem that should be approached in a distinctively new and nonpartisan method.

Replying to Senator Ehrgood, I do not feel that this resolution is any abrogation of responsibility, authority or anything else. I think it offers to the Minority Party and the Majority Party—it offers to both parties—an opportunity to rise to the level of statesmanship on a very important matter in this Commonwealth. Whether or not either Party will decline to rise to that level is, of course, up to them.

Mr. LANE. Mr. President, I am going to be very brief.

In answer to the Minority Leader's statements with reference to equal representation on committees, it is sort of silly. They are throwing up a smoke screen to try to justify the position they are taking, Mr. President.

Let me say further that the educational problems in Pennsylvania should be bipartisan. As a matter of fact, they are bipartisan, and everyone knows that. I do not believe that, politically, anyone is going to gain any votes or lose any votes with reference to positions taken here by the Minority Party. However, I want them to know that we have a moral responsibility as far as education is concerned. I feel they are making a mistake—and I believe they will realize that later—by taking the position that they are taking today, especially on this resolution which really does not amount to too much.

Therefore, it is indicative to me that if they vote "no" on this resolution, they have their minds made up.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. LANE and were as follows, viz:

#### YEAS—22

Camiel,	Mahady,	Ripp,	Staisey,
Devlin,	McCreesh,	Rooney,	Stiefel,
DiSilvestro,	McGinnis,	Sesler,	Weiner,
Haluska,	McMenamin,	Seyler,	Yatron,
Kalman,	Miller,	Silvert,	Hays,
Lane,	Murray,		Presiding Officer

#### NAYS—24

Bell,	Fleming,	Mallery,	Taylor,
Berger,	Hawbaker,	Pechan,	Van Sant,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Wolfe,

So the question was determined in the negative, and resolution was defeated.

### MEMBERS OF PENNSYLVANIA INDEPENDENT TELEPHONE ASSOCIATION PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair would like to note the presence of some visitors in the gallery. We understand that these visitors represent about fifty members of the Pennsylvania Independent Telephone Association, who are attending an Eastern Area District Meeting. The Chair would be pleased if these guests would rise so that we might recognize them.

All of the Senators are proud of the fact that you took time from your busy schedule to come and see a part of the government of Pennsylvania in action. Do come back again.

### BILLS ON FIRST READING

Mr. DEVLIN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. KALMAN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 219, 386, 505, 506, 507, 526, 528, HB 55, 60, 390, 470 and 638.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor:

#### MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

April 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified:

Dr. Bernard Kushner, 1413 North 75th Street, Philadelphia 31, Philadelphia County, vice Dr. Richard R. VanKirk, Oil City, whose term expiread.

DAVID L. LAWRENCE.

#### MEMBER OF THE WORKMEN'S COMPENSATION BOARD

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John T. Welsh, 216 East Ashland Street, Doylestown, Bucks County, for appointment as a member of the Workmen's Compensation Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Hon. John L. Dorris, Nanticoke, resignead.

DAVID L. LAWRENCE.

### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. LANE, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stiefel,
Berger,	Keller,	Pechan,	Stroup,
Camiel,	Kessler,	Propert,	Taylor,
Chapman,	Kromer,	Ripp,	Van Sant,
Confair,	Lane,	Rooney,	Wade,
Devlin,	Madigan,	Sarraf,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,
Donolow,	Mallery,	Sesler,	Weiner,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	Yatron,
Fleming,	McMenamin,	Silver,	Hays,
Haluska,	Miller,	Staisey,	Presiding Officer
Hawbaker,	Mullin,	Stevenson,	

## NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. LANE. Mr. President, I second the motion. The motion was agreed to.

## SENATE CONCURRENT RESOLUTION

## REQUESTING THE STATE ADMINISTRATION TO IMMEDIATELY IMPLEMENT THE KERR-MILLS ACT

Messrs. WADE, SCOTT, EHRGOOD, SHAFER, WARE, STROUP and VAN SANT, by unanimous consent, offered the following resolution (Serial No. 115), which was read and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, April 25, 1961.

Whereas, The August 1960 Session of Congress passed the Kerr-Mills amendments to the Social Security Law providing a system of Federal-aid in the field of the medically needy senior citizens of the United States. The proposals of the current National administration in this field would take effect in October 1962, if enacted by Congress by such date; and

Whereas, Immediate action by the General Assembly to implement the provisions of current Federal law would bring prompt relief to our older citizens who are unable to afford medical care, our hospitals and Blue Cross programs. The State Administration to date has failed to act to this and to the detriment of our citizens; and

Whereas, The full cooperation of the State Department of Public Welfare, the Governor and other administration officials is required in the promotion of the necessary legislation; therefore, be it

Resolved (the House of Representatives concurring), That the administration urgently is requested to immediately implement the Kerr-Mills Act, and submit legislation as soon as possible to this session of the General Assembly to accomplish such implementation;" and, be it further

Resolved, That a copy of this resolution be transmitted to the Honorable David L. Lawrence, Governor of Pennsylvania, and the Honorable Ruth Grigg Horting, Secretary of Public Welfare.

## PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, there has been a great deal of to-do about this Kerr-Mills Act. I believe Senator Bell and I debated this once.

I would like to have the record state very clearly that we do not have to take any action on this matter until

June of this year. I can assure the Members of the Senate that we will take action on this matter sometime in May, unless there would be some other Act passed in the Congress which would be more beneficial to us.

Although we appreciate the sentiment and we appreciate having this brought to our attention, please be advised that we are aware of this matter. It is constantly before us and we are constantly in touch with our Congressional Delegation, as well, to see if any other Acts are passed. If nothing else is passed, I assure you we will take action in some area to implement whatever legislation is on the books so that we get the full advantage of it.

## PERMISSION TO ADDRESS SENATE

Mr. BELL. Mr. President, I would like to have unanimous consent to make a very brief statement in so far as I heard my name being mentioned by the Majority Leader.

The PRESIDING OFFICER. The Chair hears no objection. You may proceed, Senator Bell.

Mr. BELL. Mr. President, with respect to the Kerr-Mills Act, every month that passes without Pennsylvania's supplement is costing our hospitals real dollars. It has been costing one hospital in my district \$3,000 a month. January, February, March, April, May, and now we hear June. That is \$18,000 for one hospital.

I urge that we do not wait until June. I urge that we do something to help these hospitals now.

## BILL INTRODUCED AND REFERRED

Mr. STIEFEL, by unanimous consent, presented to the Chair **SB 570**, entitled:

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

Which was committed to the Committee on Local Government.

## PETITIONS AND REMONSTRANCES

Mr. PECHAN. Mr. President, this morning, a public hearing was scheduled by the Chairman of the State Government Committee to study various bills that pertain to mental health. One of those bills happened to be a bill which I introduced in 1959 and reintroduced during this Session, along with a Republican colleague and four Democratic colleagues from the other side.

I look over this Chamber and see that Senator Mullin is not present. I was not even extended the courtesy yesterday of being notified that the meeting was called off. Physicians and interested people from all over Pennsylvania were here this morning and then we found out, at a late hour, that the hearing was called off.

I do not know whether there is a skeleton in the closet of Mrs. Horting and the Department of Public Welfare. I do not know for what reason the hearing was called off. I am wondering if my favorite "copart" on the other side, the Whip, would answer some questions. I wonder if Senator Lane will allow himself to be interrogated.

The PRESIDING OFFICER. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. PECHAN. Senator Lane, can you tell the Senate why this hearing was so abruptly called off?



Mr. LANE. Senator Pechan, in reply to your interrogation, I cannot answer that question. I read about it in the newspapers. I cannot give you too much information. However, there must be extenuating circumstances because I believe that Senator Mullin is more or less on your team as far as your thinking is concerned.

Of course, I feel also that Mrs. Horting does not have a skeleton in her closet. I think that she will be able to take care of herself when we do have the public hearing because she appears to be quite efficient and vociferous in this particular field.

Mr. PECHAN. Mr. President, when the bills were under study, I did not know that Senator Mullin was on my team. He must have joined since he went to Philadelphia today. He never played on my team before, believe me.

Mr. LANE. Senator, are you interrogating now or telling me?

Mr. PECHAN. Mr. President, I am following the pattern of Senator Lane. I am speaking off-the-cuff, too, a little bit.

Thank you very much.

Mr. LANE. Thank you, Senator.

Mr. PECHAN. Mr. President, I am not finished.

Mr. LANE. I know, Mr. President, but I want to speak now.

The PRESIDING OFFICER. Senator Pechan has the floor. Will you proceed, Senator Pechan?

Mr. PECHAN. Mr. President, the bills that were introduced were the result of a study that we made of the Public Welfare Department. We made these recommendations because of the condition in which mental health presently finds itself. We feel that the people who are in mental institutions are mentally ill and should not be under a custodial department, such as the jails and the various bureaus in the Department of Public Welfare.

I was one of those who helped to integrate the various bureaus and departments into one Department of Public Welfare. However, very shortly after that was done, we realized that we made a mistake. We made it for several reasons. It has been very difficult. I think Pennsylvania is tremendously fortunate in continuing to have the services of Doctor John Davis. I think Doctor John Davis is doing a remarkable job, under the circumstances.

I know that all of the psychiatric societies, from their presidents on down, and those who teach in our various schools in Pennsylvania, agree that we should have an autonomous department of Mental Health, such as they have in California, Connecticut and Massachusetts. We do not believe that the Director of Mental Health should be responsible to a lay person, such as Mrs. Horting, who does a very fine job—and I am not criticizing her—in the Department of Public Assistance, because it is certainly far removed from taking care of mental health.

We train people in Pennsylvania, and we find after we train them that they leave for other States because they are receiving better pay. We have attendants in zoos—zoo keepers—who make more money attending to animals than we pay our attendants in these mental institutions.

For that reason, I would like to have a public hearing. I think all of this should be aired.

Senator Rooney was on the committee last year when we investigated the Department of Public Welfare. Of

course, we did not agree. I do not suppose he concurs in what I say to this day.

However, I do believe that we should have the Chairman of the Committee call another meeting and apologize to those people who did not know that the meeting was called off until this morning.

I could go on and give the various reasons why we should have a separate Mental Health Department. I am not going to go into it today, however. There will be another time when we can go into it.

I do hope that those of you who are the leaders on the other side will prevail upon your Chairman to call this public hearing and let us air this thing once and for all.

Mr. WEINER. Mr. President, I would like to ask the gentleman whether he was in this Chamber yesterday. He does not have to answer me if he does not wish to. However, if he was, he would have heard the Secretary announce that the hearings had been called off. I might also point out to the gentleman that there were telegrams sent out last Wednesday and again on Thursday, and there was a release given to the newspapers on Thursday afternoon, stating that these hearings had been called off. It might have been Friday morning when this announcement appeared in the press.

If the gentleman will recall, when this matter was before us two or three years ago,—not only this matter, but the matter of amalgamating the Department of Welfare along with the Department of Public Assistance—I believe the gentleman from Armstrong is one of the people who attended the meetings and I also believe he is one of the people who spoke at one or two of these meetings. After what appeared to be general agreement that they should amalgamate the department, the next thing I found, along with all the other Members of the General Assembly, was that I was being beleaguered on all sides to take pieces or parts out of it. This is going to exist as long as we are Members of the General Assembly. We are always going to have people who think things should be done one way and after everybody conforms to that way of thinking and you finally do it, along comes another group which tells you that you did the thing absolutely insanely and we should take it apart and we then go along and do it. It is very much similar to the old Aesop fable of the man, the boy and the donkey. I hope you will forgive that reference; it is not partisan in nature. However, this is the kind of a situation in which we always find ourselves.

I received a letter, and I am sure that everyone here also did. It was a mimeographed letter and went into great detail about this being a Russian plot to get this Commissioner of Mental Health to be out there by himself. The letter went on to quote about what the Chief Officer of Russia, the late Mr. Beria, said. It went into great detail about how he was going to operate this procedure. It said that anyone who went into this thing must be communistically inspired and so on and so forth. Knowing how the gentleman feels about those situations, I felt that he would be somewhat moved by that reference. The letter also went into great detail to point out how it had been done in other areas and what they had suffered and what they had found by putting too much power in one man's hands.

I do not know whether this is a good or bad thing. I remember when Secretary Shapiro was trying to make

these reforms and the great problems we had over here. Some of you gentlemen who are sitting on the other side, not being of the same political faith, were quite helpful to Secretary Shapiro in getting the department under way. However, it was not done overnight and it did not happen without a long harangue and battle, both in committee and on the floor of this Senate. I think we should go slowly on this matter. Let us live with it for a few more years and see where we are going and see whether people are being released from mental institutions or being cured, or living under this out-patient treatment, and see what kind of life they are finding. I am hopeful that perhaps we can arrive at an answer on this thing.

For the record, incidentally, Senator Mullin is in Harrisburg and he can be here within fifteen or twenty minutes. He was in this Chamber earlier. He had to step out for a moment on other business, but he will be back here very shortly. If you want to interrogate him, I will be happy to produce him for you. He did not leave and he is in the city of Harrisburg now.

Mr. STIEFEL. Mr. President, two years ago, I served on a committee on which three Republicans and two Democrats had to consider matters of the same kind. At that time, I took a different view. However, in fairness to Senator Pechan, I want to assure him that in the light of my experiences during the last year, if I were to serve again on the same committee, I would adhere to his views.

I pointed out to Senator Mullin the entire problem confronting us. I wish to say that I appeared before the Committee on State Government, although I am not a member. At that time, Senator Pechan was not here. I took the chance and I spoke, with the permission of Senator Mullin, in favor of these bills. However, action was postponed.

The entire problem of this situation is the fact that two years ago we had a brilliant administrator. I would say that the word "brilliant" does not even apply to him. You would have to say a super-brilliant administrator. He was a super-brilliant administrator, by the name of Harry Shapiro. This super-brilliant administrator was the cause of this amalgamation. Only a man of Harry Shapiro's brilliance, knowledge, energy and dedication could have attended to the sprawling empire. Today, the empire is gone; Mr. Shapiro is not here. Instead of the emperor, there is an empress. I doubt whether she is fit to be an empress. This is the reason why I am going to fight for these bills. Whatever was done before to suit the abilities of Mr. Shapiro should be taken apart and reduced to normalcy.

For this reason, Mr. President, I am going to appear before the Committee on State Government, and on the floor of this Senate, and fight to the last drop of blood for the passage of these bills.

Mr. BELL. Mr. President, I was a member of the Committee on State Government before which Senator Stiefel appeared. I was tremendously impressed with his argument. I think he is right. I believe we should have a public hearing, whether by the State Government Committee or by someone else, to determine whether or not the interest of the people of Pennsylvania in the Mental Health Program of Pennsylvania is not so important that it have a separate department.

I do not know whether Senator Stiefel was correct or

not, but I think there is some fire behind the smoke here. I think the only way we can find out is by having a public hearing. I was disappointed when we did not have one. I am going to support Senator Stiefel in his endeavors to have a public hearing on whether or not there should be a Department of Mental Health in the Commonwealth of Pennsylvania.

Mr. PECHAN. Mr. President, I wish to make one further brief statement relative to this matter.

I think everybody knows who Charles H. Frazier is. He is the President of Pennsylvania Mental Health, Inc. Charlie Frazier and his group did a tremendous job in coordinating and helping to unify the Department of Welfare. I just want to read one paragraph from a letter that I received from Mr. Frazier since the department has been joined into one Department of Public Welfare. It reads as follows:

"I was instructed by the Executive Committee to transmit to you the enclosed statement which represents the position taken by our organization. The Executive Committee wishes to record its agreement with testimony presented to your Committee showing that present practices in the Department of Public Welfare with respect to mental health fall short of the intention and desires of the General Assembly and of the recommendations of the Governor's Committee on Merger of the Department of Welfare and Public Assistance."

I just wanted to point that out, Mr. President. If I may interrupt the conversation here between the three bigwigs, I would like to ask Senator Weiner, when he gets time, to read the trash from which he quoted just a little while ago. I received that thing and I threw it in my wastebasket, believe me.

Mr. WEINER. Mr. President, I would like to mention to the Senator that he would do well to read all of his mail because I am liable to write him about an important bill I would want him to favor, and I hope he does not give it the same kind of treatment.

However, I think it is important that all of these people take the time to write. Some of these people may not be too well when they write these things, but I think they are entitled to be heard. If someone takes the trouble to write your name on an envelope and put a stamp on it, I think they are entitled to have it read and the courtesy of a reply.

This person is one who took the time to send me a three or four page memorandum. I read it and I wanted to bring it to the attention of the Senator.

Mr. PECHAN. Mr. President, I had the same thing, but I threw it in the wastebasket.

Mr. LANE. Mr. President, I want to be very brief. I just want to make an observation, if I may.

I have always given Senator Pechan credit for having a lot of foresight. He has indicated today that he is greatly concerned about setting up an individual and separate mental health unit in Pennsylvania. I believe that is necessary because if we continue along as we are going now, there will probably be a lot of candidates from the Senate in there.

The PRESIDENT pro tempore (ANTHONY J. DiSILVESTRO) in the Chair.



**BILLS SIGNED**

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills: **SB 31, 77, 79, 134, 153, 188, 303, 313, HB 63, 276, 321, 333, 334, 425, 558, 597, 600, 631, 690, 730 and 811.**

The PRESIDING OFFICER (Jo Hays) in the Chair.

**RECONSIDERATION OF SB 213**

Mr. EHRGOOD. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 213 failed of final passage on April 17, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. EHRGOOD. Mr. President, I voted with the prevailing side.

Mr. SEYLER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. SEYLER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I request that Senate Bill No. 213 appear on tomorrow's Final Passage Calendar.

The PRESIDING OFFICER. There being no objection, Senate Bill No. 213 will appear on tomorrow's Final Passage Calendar.

**ANNOUNCEMENTS BY THE SECRETARY**

The following announcements were read by the Secretary of the Senate:

**COMMITTEE MEETINGS**

WEDNESDAY, APRIL 26, 1961

TIME	COMMITTEES	ROOM
9:00 A.M.	MINES AND MINERAL INDUSTRIES	542
11:00 A.M.	APPROPRIATIONS	252

**ADJOURNMENT**

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 26, 1961, at 9:30 a.m.

Mr. McCREESH. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 4:29 p.m.

## HOUSE OF REPRESENTATIVES

TUESDAY, April 25, 1961

The House met at 12 o'clock noon, e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Almighty God, Who hast instructed Thy holy Church with the heavenly doctrine of Thy Evangelists, we thank Thee for the life and writings of St. Mark whom we honor today. Give us grace, that being not like children carried away with every blast of vain doctrine, we may be established in the Truth of Thy holy Gospel; through Jesus Christ, Thy Son, our Lord, Who liveth and reigneth with Three and the Holy Ghost, ever One God, world without end. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, April 24, 1961, will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. McCANN, POLEN, WOOD  
and BOWER. HOUSE BILL No. 1382.

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), by further providing for optional membership.

Referred to the Committee on Appropriations.

By Messrs. McCANN, POLEN, WOOD  
and BOWER. HOUSE BILL No. 1383.

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), by changing definition of "State employee" and permitting certain members of the school employees retirement system to elect to become members.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD, BOWER  
and MIHM. HOUSE BILL No. 1384.

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employees; amending, revising, consolidating and changing the laws relating thereto," clarifying the provisions relating to the computation of allowances payable to members of the joint coverage group.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD, BOWER  
and MIHM. HOUSE BILL No. 1385.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees; amending, revising, consolidating and changing the laws relating thereto," providing credit for out-of-State service for certain contributors employed at State colleges.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD, BOWER  
and MIHM. HOUSE BILL No. 1386.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees; amending, revising, consolidating and changing the laws relating thereto," clarifying the provisions relating to the computation of allowances payable to members of the joint coverage group and to the filing of applications for withdrawal allowances.

Referred to the Committee on Appropriations.

By Messrs. FINEMAN and LIPPINCOTT.  
HOUSE BILL No. 1387.

An Act amending the "Statutory Construction Act," approved May 28, 1937 (P. L. 1019), authorizing the changing of certain errors in the punctuation of laws, and removing the provision that the punctuation of laws shall not control or affect the intention of the Legislature in the enactment thereof.

Referred to the Committee on Judiciary.

By Messrs. FINEMAN and LIPPINCOTT.  
HOUSE BILL No. 1388.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing provisions relating to the punctuation of laws by the Department of State.

Referred to the Committee on Judiciary.

By Messrs. HAMILTON, WILT, DONALDSON  
and POLASKI. HOUSE BILL No. 1389.

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382), enlarging the right of Authorities to charge a tapping fee, and providing for the payment of said tapping fee to the person or corporation paying for the installation of the sewer system or water main.

Referred to the Committee on Municipal Corporations.

By Messrs. HAMILTON, WILT, FLYNN  
and POLASKI. HOUSE BILL No. 1390.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), increasing the expense allowance for the delegates to meetings of the State associations of township officers.

Referred to the Committee on Townships.

By Mr. A. D. WILLIAMS, Jr. HOUSE BILL No. 1391.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), further regulating the acquisition of property and property rights for highway purposes.

Referred to the Committee on Highways.

By Messrs. CAPANO and FLYNN.  
HOUSE BILL No. 1392.

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), requiring public utilities to make certain refunds to patrons when such public utilities realize an excessive return by reason of a labor dispute.

Referred to the Committee on State Government.

By Messrs. KNECHT, HEFFNER  
and MURPHY. HOUSE BILL No. 1393.

An Act amending the act of July 20, 1953 (P. L. 550), entitled "An act providing for and regulating the annexa-



tion of parts of a second class township to boroughs, cities and townships," providing that a majority of the owners of the real estate must petition requesting annexation.

Referred to the Committee on State Government.

By Messrs. HAMILTON, HANKINS, STIMMEL  
and WILLAREDT. HOUSE BILL No. 1394.

An Act amending the act of May 1, 1933 (P. L. 102), entitled "A supplement to the act, approved the second day of June,, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred sixty-two), entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; \* \* \*'" clarifying the responsibilities of the Insurance Commissioner for inspection and examination of the State Workmen's Insurance Fund, changing the period for such inspection and examination and changing the title.

Referred to the Committee on Insurance.

By Messrs. KAMYK, LUTTY, WILT  
and DONALDSON. HOUSE BILL No. 1395.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), authorizing the conducting, staging, operating, managing and engaging in basketball games on Sunday, and authorizing the labor and business necessary to conduct, manage, operate or stage such games.

Referred to the Committee on Rules.

By Mr. MURPHY, Mrs. KOOKER, Mr. FILO  
and Mrs. KERNAGHAN. HOUSE BILL No. 1396.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) increasing the expense allowance for delegates to meetings of the State Association of Boroughs.

Referred to the Committee on Boroughs.

By Mr. POLEN. HOUSE BILL No. 1397.

An Act making an appropriation to the Department of Public Instruction for payment into The State School Fund of Pennsylvania for assisting public school districts and state teachers' colleges to comply with required safety standards in certain cases.

Referred to the Committee on Rules.

By Messrs. CROSSIN, SCARCELLI, K. B. LEE  
and WESCOTT. HOUSE BILL No. 1398.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the salary schedule of vocational teachers or teachers in the technical schools in certain cases.

Referred to the Committee on Rules.

By Messrs. AUKER, STONE, CAPANO  
and A. M. LEE. HOUSE BILL No. 1399.

An Act amending the "Incompetents' Estates Act of 1955," approved February 28, 1956 (P. L. 1154), authorizing the creation of a trust fund to pay the funeral expenses of incompetents.

Referred to the Committee on Judiciary.

By Messrs. VARNER and DENNISON.  
HOUSE BILL No. 1400.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) authorizing statements by delegates or alternate delegates to national party conventions, specifying his or her support for a particular

candidate for President and providing for notice of such support to be placed on official primary ballots.

Referred to the Committee on Elections.

By Messrs. DONALDSON, IRVIS, CLARKE  
and HAUDENSHIELD. HOUSE BILL No. 1401.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for higher education in the public school system in counties of the second class through the establishment and operation of junior colleges; conferring powers and duties on school directors, county superintendents, county boards of school directors, the Superintendents of Public Instruction and the State Council of Education, and providing for advancements and reimbursements by the Commonwealth.

Referred to the Committee on Rules.

By Messrs. CROSSIN, SHUPNIK, NEEDHAM  
and HEFFNER. HOUSE BILL No. 1402.

An Act to provide for the creation and administration of an Anthracite Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers thereto; \* \* \*.

Referred to the Committee on Mines and Mineral Industries.

## SIXTH GRADE STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the Gallery of a group of sixth grade students of Emmaus, Lehigh County, who are here under the supervision of their teacher, Mr. Albert Deischer. The visitors are the guests of the lady from Lehigh, Mrs. Markley, and the gentleman from Lehigh, Mr. Steckel.

## DOBBINS VOCATIONAL HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. We also note that we have as visitors, forty boys and girls from the Dobbins Vocational High School who are here under the sponsorship of the North Philadelphia branch of the YMCA. They are accompanied by Mrs. Creswell and Chuck Creswell, Mr. Ogburn of the North Philadelphia branch of the YMCA and Miss Crowther, history teacher at Dobbins Vocational High School. They are the guests of the gentlemen from Philadelphia, Mr. Frascella and Mr. Welsh.

## RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. DOWN, BLAIR, POLASKI,  
VARNER and SCHAAF. RESOLUTION No. 60.

In the House of Representatives, April 24, 1961.

In 1957 the State Planning Board of the Commonwealth of Pennsylvania conducted a study to determine the practicability of a canal joining Lake Erie and the Ohio River, and the effect of such a canal on the future economic status of the area it would serve. It was the conclusion of said report that the construction of such a canal was not practicable at that time.

For more than seventy-five years, the Federal Government has made numerous studies for a Lake Erie-Ohio River Canal. Once again, the Federal Government has made an allocation of funds for studying such a project.

In order that the Commonwealth of Pennsylvania may be properly apprised of the impact a canal joining Lake Erie and the Ohio River would have on the economy of Western Pennsylvania and our State as a whole, particularly if the proposed Beaver-Mahoning Rivers Route is decided upon, it is important that the aforementioned

study conducted by the State Planning Board be reactivated. We will then be in a better position to substantiate our position in relation to such a project; therefore be it

Resolved, That the House of Representatives hereby requests that the study and report of the practicability of a Lake Erie-Ohio River Canal be reactivated by the State Planning Board in order to determine if the conditions existing at the time of filing the original report in 1957, which report found that such a project would be detrimental to our Commonwealth, still exist; and be it further

Resolved, That copies of this resolution be transmitted to the State Planning Board and to the Governor.

Referred to the Committee on Rules.

By Mr. McCANN. RESOLUTION No. 61.

In the House of Representatives, April 24, 1961.

Whereas, The Governor's Committee on Education sets forth the various problems presently facing the schools of Pennsylvania; and

Whereas, The solution of some of these school problems require legislation, that is, some legislation in the general field of education and some legislation in the field of taxation; and

Whereas, The legislative process takes time and thought, consideration and debate in order to arrive at the finished product of a law; and

Whereas, The earlier the House of Representatives can take up these problems, the sooner their legislative solution can be arrived at; therefore be it

Resolved, That the Speaker of the House of Representatives appoint a House Committee of four members of the Democratic Party and four members of the Republican Party to consider the necessary legislation required to solve the school problems as set forth in the Report of the Governor's Committee on Education; and be it further

Resolved, That the said House Committee shall from time to time meet with a similarly constituted committee of the Senate so that they may jointly determine the legislative program which in their opinion will constitute the legislative goals of this session in the field of school legislation.

Referred to the Committee on Rules.

By Mr. McCANN. (Concurrent) RESOLUTION No. 62.

In the House of Representatives, April 24, 1961.

Whereas, There has been introduced in the 87th Congress on January 3, 1961, The Equal Rights For Women Amendment which has been referred to the Committee on the Judiciary, and

Whereas, This amendment reads as follows: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex," therefore be it

Resolved, (The Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States to adopt the Equal Rights For Women Amendment, and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States and to each member of the Senate and the House of Representatives from the State of Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Messrs. GAILEY, IRVIS, DONALDSON  
and HEFFNER. RESOLUTION No. 63.

In the House of Representatives, April 24, 1961.

Resolved, That the House of Representatives direct the Joint State Government Commission to make a study of all laws relating to criminal proceedings against juveniles; juvenile courts after commitment; length of sen-

tence; rehabilitation process; and treatment of juveniles while under commitment. The study shall also include the constitutional rights of juveniles and whether or not these rights are being protected by the courts, under commitment and all related matters; and be it further

Resolved, That the Joint State Government Commission report with recommendations at the first session of the General Assembly in January 1962.

Referred to the Committee on Rules.

## SENATE MESSAGE

April 24, 1961.

The clerk of the Senate being introduced informs the House of Representatives that pursuant to House Resolution No. 16, printer's No. 1489, the President Pro Tempore of the Senate, Honorable Anthony J. DiSilvestro, has made the following appointments:

Legislative Committee on Space Allocation

1. Senator William J. Lane
2. Senator Harry E. Seyler
3. Senator Robert D. Fleming
4. Senator William Z. Scott

## SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED  
IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 31.

An Act authorizing the licensing of public weighmasters defining their powers and duties providing for the collection and disposition of license fees and imposing penalties for violations.

SENATE BILL No. 188.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" changing provisions relating to election of city charter commissioners.

## SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 63.

A Joint Resolution proposing an amendment to article nine, section one, of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

HOUSE BILL No. 276.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), further providing for the accepting of bids and the awarding of contracts.

HOUSE BILL No. 321.

An Act amending the act of March 22, 1907 (P. L. 31), entitled, "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases," extending the benefits of the act.



## HOUSE BILL No. 333.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), requiring a report from a laboratory approved by the Department of Agriculture when a claim covering death due to rabies is made.

## HOUSE BILL No. 334.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), further regulating the transfer of dog and kennel licenses making it unlawful to fail to produce a license certificate or to fail to restrain dogs in certain cases and providing for the payment of damages in certain cases.

## HOUSE BILL No. 425.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for alternates to serve on the joint school committee.

## HOUSE BILL No. 558.

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania, authorizing the Department of Commerce to make grants, and provide assistance to properly designated tourist promotion agencies; conferring powers and imposing duties on the governing bodies of certain political subdivisions.

## HOUSE BILL No. 597.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing appropriations of moneys to airports operated by municipality authorities.

## HOUSE BILL No. 600.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), clarifying certain duties of the supervisors township superintendents and roadmasters.

## HOUSE BILL No. 631.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing third class cities to install traffic signals on all local highways within such cities without prior approval of the Secretary of Highways subject to uniform standards.

## HOUSE BILL No. 690.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing clerks of orphans' courts courts to join with registers of wills for the purpose of State associations and authorizing payments by the county pertaining to their annual meetings.

## HOUSE BILL No. 730.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the amount which supervisors may expend on abandoned cemeteries.

With the information that the Senate has passed the same without amendment.

## SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 112, 115, 200, 223, 304, 385, 433, 437 and 491.

Amended House Bill returned for concurrence No. 306.

## REPORTS FROM COMMITTEE

Mr. GIBB from the Committee on Motor Vehicles, reported as committed, House bill No. 48, entitled:

An Act amending the act of April 27, 1927 (P. L. 414),

entitled, as amended, "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; \* \* \*" making it unlawful to take the fingerprints or photographs of persons in custody who are charged with a violation of "The Vehicle Code," with certain exceptions.

Mr. ISAACS from the Committee on Judiciary, reported as committed, House bill No. 123, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles.

Mr. IRVIS from the Committee on Education, reported as committed, House bill No. 317, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for architects' plans to be furnished by the Department of Public Instruction.

Mr. CLARKE from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 345, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing counties to acquire, for certain purposes, by purchase, gift, exchange or condemnation, real property or interests in real property in excess of present needs.

Mr. WARGO from the Committee on Appropriations, re-reported as committed, House bill No. 351, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further regulating leaves of absence for presidents and faculty members of State Colleges.

Mr. A. M. LEE from the Committee on Education, reported as committed, House bill No. 566, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), defining and providing for special education of exceptional children.

Mr. DOUGHTEN from the Committee on Game and Conservation, reported as committed, House bill No. 577, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating the use of resident hunter's license fees.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 757, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 804, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

Mr. ODORISIO from the Committee on Townships, reported as committed, House bill No. 853, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), authorizing a change in the compensation of certain township commissioners.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 914, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 915, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 916, entitled:

An Act making an appropriation for moneys in the Korean Conflict Veterans' Compensation Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 917, entitled:

An Act making an appropriation from the Korean Conflict Veterans' Compensation Act."

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 918, entitled:

An Act making an appropriation from various funds of the Commonwealth to the Department of Labor and Industry for the payment of the Commonwealth's share of Social Security taxes.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 919 entitled:

An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 920, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 921, entitled:

An Act making an appropriation to the Department of State out of various funds for payments on account of the Annuity Reserve Account No. 2 Contingent Reserve Account and State Police Retirement System to meet the obligations of the funds to the State Employees Retirement System.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House bill No. 922, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act."

Mr. IRVIS from the Committee on Education, reported as committed, House bill No. 944, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further defining "professional employe" and teacher" to include manager of school food services.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 1076, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith.

Mr. AUKER from the Committee on Game and Conservation, reported as committed, House bill No. 1109, entitled:

An Act providing that the Pennsylvania Game Commission shall have exclusive power to regulate hunting in this Commonwealth; prohibiting ordinances and resolutions of political subdivisions which regulate hunting therein; and invalidating such ordinances and resolutions.

Mr. GELFAND from the Committee on Appropriations, re-reported as amended, House bill No. 1174, entitled:

An Act relating to public works contracts providing for prevailing wages imposing duties upon the Secretary of Labor and Industry providing remedies penalties and repealing existing laws.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 1186, entitled:

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania \*\*\*" extending the provisions thereof to members of the Delaware River Port Authority Police.

Mr. STECKEL from the Committee on Judiciary, reported as committed, House bill No. 1213, entitled:

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), fixing a fee for issuing search warrants.

Mr. DENGLER from the Committee on Education, reported as committed, House bill No. 1224, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the payments by the Commonwealth for certain equipment used for the instruction of handicapped children.

Mr. CIANFRANI from the Committee on Motor Vehicles, reported as committed, House bill No. 1225, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for the use of operators' licenses prior to the license period.

Mr. O'DELL from the Committee on Motor Vehicles, reported as committed, House bill No. 1229, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing an exemption from electric clearance lamp requirements for logging trucks.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 1262, entitled:

An Act amending the "State Workmen's Insurance Fund Law" approved June 2, 1915 (P. L. 762), extending the purpose of the fund to include the insuring of employers against employer's liability and the issuance of additional medical coverage at the option of the board.



Mr. RUDISILL from the Committee on State Government, reported as committed, House bill No. 1282, entitled:

An Act regulating the manufacture, processing, sale, use, transportation storage or possessing of explosives in Pennsylvania; regulating the location, operating, maintenance, equipment and conduct of explosive manufacturing plants and of explosive storage magazines; providing for licenses and applications for licenses and fees for such licenses; providing for renewal of licenses and fees in connection therewith; providing for the maximum amount of explosives in any magazine; providing for labeling or imprinting explosives with serial numbers; providing for the keeping of records and providing penalties for violations of the act and appeal procedures.

Mr. WILLARD from the Committee on Game and Conservation, reported as committed, House bill No. 1327, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the expiration date of permits issued by the Commission.

Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 1368, entitled:

An Act regulating the manufacture, processing, sale, use, transportation, storage or possessing of explosives in Pennsylvania; \*\*\*.

Mr. RUDISILL from the Committee on State Government, reported as committed, House bill No. 1369, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), providing for determination of deficiencies, redetermination, reviews and appeals therefrom and conferring additional powers and duties upon the Department of Revenue.

Mr. KAMYK from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1372, entitled:

An Act authorizing cities of the second class to acquire by purchase, gift, exchange or condemnation certain real property in excess of that required for present needs.

Mr. FINEMAN from the Committee on Judiciary, reported as committed, House bill No. 1387, entitled:

An Act amending the "Statutory Construction Act," approved May 28, 1937 (P. L. 1019), authorizing the changing of certain errors in the punctuation of laws, and removing the provision that the punctuation of laws shall not control or affect the intention of the Legislature in the enactment thereof.

Mr. FINEMAN from the Committee on Judiciary, reported as committed, House bill No. 1388, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing provisions relating to the punctuation of laws by the Department of State.

Mr. ODORISIO from the Committee on Townships, reported as committed Senate bill No. 173, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" authorizing the condemnation of land for land fill purposes.

Mr. SAKULSKY from the Committee on Counties, reported as committed, Senate bill No. 346, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" specifying more accurately the duties of coroners in issuing certificates of cause of death.

Mr. HORST from the Committee on Townships, reported as committed, House bill No. 733, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), requiring copies of plans for relocation of State highways to be submitted by the Department of Highways to boards of supervisors of second class townships prior to the time of actual relocation.

Mr. McCORMACK from the Committee on Appropriations, reported as amended, House bill No. 58, entitled:

An Act amending the act of November 19, 1959 (P. L. 1548), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System, \*\*\*\*" extending the time for receipt of benefits and including disability annuitants.

Mr. McCORMACK from the Committee on Appropriations, reported as amended, House bill No. 59, entitled:

An Act amending the act of November 21, 1959 (P. L. 1590), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System, \*\*\*\*" extending the time for receipt of benefits and including disability annuitants.

Mr. FILO from the Committee on Motor Vehicles, reported as amended, House bill No. 719, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), eliminating duplicate suspensions arising out of same event or occurrence.

Mr. McCORMACK from the Committee on Appropriations, reported as amended, House bill No. 766, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1937) and making an appropriation" and for the repair, improvements or additions of certain sewage treatment plants.

Mr. McCORMACK from the Committee on Appropriations, reported as amended, House bill No. 768, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

Mr. McCORMACK from the Committee on Appropriations, reported as amended, House bill No. 808, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth; interest on the public debt and for public schools for the fiscal period June 1, 1961, to June 30, 1962, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending May 31, 1961.

Mr. RENWICK from the Committee on Motor Vehicles, reported as amended, House bill No. 1281, entitled:

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110), further regulating the contents of installment sales contracts.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 48, entitled:

An Act amending the act of April 27, 1927 (P. L. 414),

entitled, as amended, "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; \*\*\*" making it unlawful to take the fingerprints or photographs of persons in custody who are charged with a violation of "The Vehicle Code," with certain exceptions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 123, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 317, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for architects' plans to be furnished by the Department of Public Instruction.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 345, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing counties to acquire, for certain purposes, by purchase, gifts, exchange or condemnation, real property or interests in real property in excess of present needs.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 566, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), defining and providing for special education of exceptional children.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 577, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating the use of resident hunter's license fees.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 757, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 804, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 853, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), authorizing a change in the compensation of certain township commissioners.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 914, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 915, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 916, entitled:

An Act making an appropriation for moneys in the Korean Conflict Veterans' Compensation Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 917, entitled:

An Act making an appropriation from the Korean Conflict Veterans' Fund to the Department of Military Affairs for certain administration expenses necessary in the administration of the "Korean Conflict Veterans' Compensation Act."

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 918, entitled:

An Act making an appropriation from various funds



of the Commonwealth to the Department of Labor and Industry for the payment of the Commonwealth's share of Social Security taxes.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 919, entitled:

An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 920, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 921, entitled:

An Act making an appropriation to the Department of State out of various funds for payments on account of the Annuity Reserve Account No. 2 Contingent Reserve Account and State Police Retirement System to meet the obligations of the funds to the State Employees Retirement System.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 922, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act."

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 944, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further defining "professional employee" and "teacher" to include manager of school food services.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1109, entitled:

An Act providing that the Pennsylvania Game Commission shall have exclusive power to regulate hunting in this Commonwealth; prohibiting ordinances and resolu-

tions of political subdivisions which regulate hunting therein; and invalidating such ordinances and resolutions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1213, entitled:

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), fixing a fee for issuing search warrants.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1224, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) providing for the payments by the Commonwealth for certain equipment used for the instruction of handicapped children.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1225, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for the use of operators' licenses prior to the license period.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1229, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing an exemption from electric clearance lamp requirements for logging trucks.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1282, entitled:

An Act regulating the manufacture, processing, sale, use, transportation storage or possessing of explosives in Pennsylvania; regulating the location, operating, maintenance, equipment and conduct of explosive manufacturing plants and of explosive storage magazines; providing for licenses and applications for licenses and fees for such licenses; providing for renewal of licenses and fees in connection therewith; providing for the maximum amount of explosives in any magazine; providing for labeling or imprinting explosives with serial numbers; providing for the keeping of records and providing penalties for violations of the act and appeal procedures.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1327, entitled:

An Act amending "The Game Law," approved June 3,

1937 (P. L. 1225), changing the expiration date of permits issued by the Commission.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1368, entitled:

An Act regulating the manufacture, processing, sale, use, transportation, storage or possessing of explosives in Pennsylvania; \* \* \*

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1369, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), providing for determination of deficiencies, redetermination, reviews and appeals therefrom and conferring additional powers and duties upon the Department of Revenue.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1372, entitled:

An Act authorizing cities of the second class to acquire by purchase, gift, exchange or condemnation certain real property in excess of that required for present needs

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1387, entitled:

An Act amending the "Statutory Construction Act," approved May 28, 1937 (P. L. 1019), authorizing the changing of certain errors in the punctuation of laws, and removing the provision that the punctuation of laws shall not control or affect the intention of the Legislature in the enactment thereof.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1388, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing provisions relating to the punctuation of laws by the Department of State.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 173, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing the condemnation of land for land fill purposes.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 346, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" specifying more accurately the duties of coroners in issuing certificates of cause of death.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 733, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), requiring copies of plans for relocation of State highways to be submitted by the Department of Highways to boards of supervisors of second class townships prior to the time of actual relocation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### BILL RE-REFERRED

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Utilities and Corporations, House bill No. 1312, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053) further providing for a method of valuating property of a public utility.

The SPEAKER. The bill is re-referred to the Committee on Public Utilities and Corporations.

### WILSON HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of students from Wilson High School, West Lawn, Pennsylvania. They are here under the supervision of their teachers, Mr. Floyd Miller and Mr. Greisemer. They are the guests of the gentleman from Berks, Mr. Piper.

### REPORT OF JOINT LEGISLATIVE COMMITTEE ON UNEMPLOYMENT

Mr. DONALDSON. Mr. Speaker, I have the honor of presenting the report of the Joint Legislative Committee on Unemployment, created by Senate Concurrent Resolution No. 109 of the 1960 session of the General Assembly.

Copies of this report have been placed on the desks of the members. I would ask that the report be noted in the Journal and printed in full in the appendix.

The SPEAKER. The report will be noted in the Journal and printed in full in the appendix.

(For report, see appendix.)

### BIRTHDAY

The SPEAKER. I understand that today is the birthday of the gentleman from Philadelphia, Mr. Taylor. Will Dr. Dengler swing into action and serenade the gentleman from Philadelphia, Mr. Taylor.

Mr. DENGLE. Mr. Speaker, perhaps in this case instead of singing "Happy Birthday," we should sing, "I've Been Working on the Railroad" for Marty. But let us sing, "Happy Birthday, Dear Marty."



(Members joined in singing, "Happy Birthday.")

Mr. TAYLOR. Mr. Speaker, I never knew anybody in the House knew I had a birthday except Charlie Smith and "Stu" Helm. In fact, I am a little bit surprised about it all. Of course, I know myself I am 67 years of age, and I hope that each and every member of this House lives to be 67 years old, or more, and that I live to bury them.

### ANNOUNCEMENT

The SPEAKER. The man who took the picture of the House as a whole asks the Chair to say: "Would you make an announcement that I have the pictures in the lobby and they will not let us put them in the lockers. So would the members of the House who have either purchased the pictures, or who desire to do so, pick them up in the lobby? Many thanks, Schultz."

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 107, entitled:

An Act amending the act of May 22, 1933 (P. L. 851) entitled, "An act fixing the pay and mileage of jurors and witnesses"; requiring employers to make certain payments to employes when on jury duty in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1160, entitled:

An Act amending the "Urban Redevelopment Law" approved May 24, 1945 (P. L. 991) extending the provisions of the act to include certain boroughs except in counties of the second class.

The first to the fifth sections inclusive were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI offered the following amendments:

Amend the bill, page 8, by inserting between lines 4 and 5:

"Section 6. Subsection (a) of section 11 of the act is amended by adding after clause (4-1) a new clause to read:

"Section 11. Provisions of the Redevelopment Contract  
 "(a) The contract between the Authority and a redeveloper shall contain, without being limited to, the following provisions

"(4-2) If a redeveloper is an individual, partnership or private corporation, a requirement that the redeveloper pay each public utility such costs as shall be or have been incurred by such public utility in removing, altering, constructing, reconstructing, locating, relocating, or otherwise changing any of its facilities from, within, or outside the redevelopment area covered by the contract as a result of the redevelopment, or as a result of any municipal or governmental action in dedicating, closing, vacating, paving, installing, grading, regrading, or improving any street, highway, road, roadway, alley, or sidewalk in aid of or incident to the redevelopment: Provided, however, That where facilities constructed in lieu of removed facilities have a service capacity greater than that of the

removed facilities, the redeveloper shall pay the public utility an amount equal to the cost of constructing facilities of the same service capacity as that of the removed facilities."

Amend Sec. 6, page 8, line 5, by striking out "6" and inserting in lieu thereof: "7."

They were agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI offered the following amendment:

Amend Sec. 7, page 9, line 1, by striking out "7" and inserting in lieu thereof: "8."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI offered the following amendment:

Amend Title, page 2, last line of title, by inserting after "class": "and requiring private developers to reimburse public utilities for the costs of removing, altering, constructing, reconstructing, or otherwise changing their facilities in certain cases."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1176, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) authorizing compensation for members of the borough planning commission and the board of adjustment.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1335, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

### RESOLUTION

### CONGRATULATIONS

Mrs. S. A. ANDERSON and Mr. IRVIS offered a resolu-

tion and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 24, 1961.

Edward Stanley Temple, son of Mr. and Mrs. C. R. Temple residing in Harrisburg, was born on September 20, 1927. He attended public schools in this city and graduated from John Harris High School in June of 1946. That same year he entered Tennessee A. and I. State University at Nashville on a work-aid scholarship from where he graduated in 1950.

He is married to the former Charlie B. Law and has two children, Lloyd Bernard and Edwina, aged seven and four respectively.

He became assistant women's track coach at A. and I. in 1950, and in 1951 a member of his track team won the 200 meter race in the Pan American Games at Buenos Aires. He later became head coach of the women's track team at A. and I.

In 1954 he produced winning teams placing sixth in the NAAU Outdoor Championships in Harrisburg. Again in 1955 he had winning teams and sent six members to the Pan-American Games in Mexico City. In the 1956 Olympics six of his proteges were on the U. S. teams. 1957, 1958 and 1959 his teams won the indoor and outdoor NAAU Championships. Also in 1958 seven of the members of the U. S. team competing in International matches in Europe were members of Temple's teams.

Edward Temple was selected head coach of the women's track team for the United States 1960 olympics. This team made history for the United States headed by Wilma Rudolph won victories in sprints, and relays and won for the United States of America three gold medals; therefore be it

Resolved, That it is both fitting and proper that the House of Representatives of the Commonwealth of Pennsylvania should at this time, congratulate Edward Stanley Temple on his success and achievements as a coach. We commend him as a native son for the honor he brought not only to his native City of Harrisburg, but the entire Commonwealth of Pennsylvania also for the honor he brought to his school and to his adopted state, Tennessee as well as the entire nation; and be it further

Resolved, That a copy of this resolution be sent to Edward Stanley Temple at Tennessee A. and I. State University in Nashville, Tennessee.

Mr. McCANN. Mr. Speaker, we would like to set up our plans at this time for our lunch and caucus and then proceed to work straight through to the closing of the session today.

I have been requested by others to go back to bills and reports of committees before we recess. I assume we must have missed some at one point.

#### STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, could I have a couple minutes for a statement before recess to help clear a bill that will be considered in caucus?

The SPEAKER. The gentleman knows that the two floor leaders are privileged to address the House at any time upon any subject of their choice.

The gentleman will proceed.

Mr. McCANN. Mr. Speaker, this last week end there was a newspaper story on the front page, the heading of which indicated, "Payment Held Up On Roadside Rest Costing \$86,000." This was the story, and the reason I am speaking on it now is because we will be debating and voting on House bill 636 after caucuses today. This deals with roadside rests.

I do not know from what source they credit the infor-

mation, indicating that the Deputy Auditor General released this information on a roadside rest costing \$86,000.

This story deals with an area in Fulton County. The name of the people in the story are the same as in the papers I have here, Frederick R. Hocking and Julia Hocking, his wife. In Fulton County the road from Breezewood across, I think it is 126, was placed on and is part of the inter-state highway system. There is located in this county, in this area, alongside that road a motel with 4.5 acres of ground. The story indicates that \$86,000 was paid for a roadside rest, when the story should have honestly said that the money is being paid to the owners of the property for condemnation, because a fence must be built, whenever you build an interstate road by which you cut off access to the road.

But the Department of Highways, in its wisdom and rightfully so, since it must pay for this property, decided that this property meets the specifications to make a roadside rest, not costing \$86,000, but costing \$7,000.

This is certainly much different from the story. The maps are here and the complete records are here, and I hope that the membership of this House when they will be debating House Bill 636, both in their caucuses and on the floor, will bear in mind the fact that there have not been any roadside rests built within this Commonwealth in excess of the present law and that this is the main reason not very many have been built.

I think the newspapers that wrote the story should also correct such misinformation, and the source from which it came should be checked to see that the proper information is given to the public and to the members of this House.

I have the complete file here in my possession, including the photographs, the highway maps, the ground involved, the Auditor General's report, the Department of Highway's report, the right-of-way division and the bureau of public roads' reports, the complete file, and there is no place in this file that an authorization was ever made for any such payment in any way, except for proper payment of right-of-way condemnation proceedings.

I hope the membership will bear that in mind when debating this important bill, which I believe is extremely important in construction of roadside rests in Pennsylvania in the future.

Mr. Speaker, I thank you.

The SPEAKER. Will either one of the gentlemen from Allegheny yield to the other one? The Chair does not like to distinguish between these two friends.

Mr. M. H. GOLDSTEIN. I yield to the gentleman from Allegheny, Dr. Boies.

#### INTERROGATION

Mr. BOIES asked and obtained unanimous consent to interrogate the majority leader, Mr. McCANN.

Mr. BOIES. I would like to know if he is assuming the defense of the members of the House and the House itself and the administration all on his shoulders, in view of the Speaker's latest timely letter and the floor leader's remarks if we can depend on the floor leader to defend the members against misleading and fraudulent statements in the newspapers from here on?

Mr. McCANN. Mr. Speaker, there is no question but



that at any time I or anyone else certainly would do that whenever we have the information and the facts.

Mr. BOIES. Well, for my part, not speaking for myself but for some other members, I will put the burden on the floor leader's shoulders and call his attention to the fact that several editorials in the Pittsburgh papers in the last week come under that category and I would request that he look them over and see if they do not need a few remarks.

Mr. McCANN. Mr. Speaker, I shall be most pleased to do it. As you know, all the newspaper editorials of the major papers are clipped each day and I do get a chance to check them toward the end of each week.

### INTERROGATION

Mr. M. H. GOLDSTEIN asked and obtained unanimous consent to interrogate the majority leader, Mr. McCann.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I have been informed, I do not know whether reliably or otherwise, that in connection with the roadside rests, there have been roadside rests already constructed in the Poconos in violation of the restrictions of the act of 1957. Before we have our debate on the amendments which I intend to present, will the majority leader get me reliable information as to whether or not that is factual?

Mr. McCANN. Will the gentleman repeat that? Is it in violation of the 1957 act that there have been roadside rests built in the Poconos in violation of that law, which is the present law? Is that the question?

Mr. M. H. GOLDSTEIN. That is the question.

Mr. McCANN. All right. Does the question deal with the violation of the amount of money allowed to be spent under the law?

Mr. M. H. GOLDSTEIN. No, the question deals with the prohibition against having a roadside rest adjacent to commercial enterprises.

Mr. McCANN. Mr. Speaker, I will have that information for him within the matter of an hour.

Mr. M. H. GOLDSTEIN. Thank you.

### DEMOCRATIC CAUCUS

Mr. McCANN. Mr. Speaker, I am going to request a thirty-minute recess for lunch, from 1 to 1:30, a caucus of one hour to cover the bills, and then ask that this House will work from 2:30 to 6 or 6:30, voting until 6 o'clock, but cleaning up the desk after the last vote.

### REPUBLICAN CAUCUS

Mr. TOMPKINS. Mr. Speaker, there will also be a Republican caucus promptly at 1:30, and will the members please bring their calendars with them?

### RECESS

The SPEAKER. There being no objection, the Chair declares a recess until 2:30.

### AFTER RECESS

The time of recess having expired, the House was called to order.

### Mr. HELM IN THE CHAIR

### LOCK HAVEN BOY'S CHOIR WELCOMED

The SPEAKER pro tempore. We are happy to wel-

come today the Lock Haven YMCA Boys' Choir. The choir is under the direction of Mr. Vannaucker, music director of the Bald Eagle-Nittany Joint High School. They are here today as the guests of the gentleman from Clinton, Mr. Bossert, and the present occupant of the Chair.

We welcome you here today and will be happy to listen to your music at this time.

(The Choir presented a program for the members.)

The SPEAKER pro tempore. The Chair would like to thank Mr. Vannaucker and his splendid group. I am sure by the enthusiastic applause you hear you know that the members have appreciated it. Welcome to the hall and thank you very much.

### BILLS INTRODUCED AND REFERRED

By Mr. YETTER.

HOUSE BILL No. 1403.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey .78 acres, more or less, of land situate in the Borough of East Stroudsburg, Monroe County.

Referred to the Committee on State Government.

By Messrs. IRVIS, FOERSTER, LAMB,

and M. H. GOLDSTEIN. HOUSE BILL No. 1404.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the penalty provisions for collection of per capita taxes in school districts of the first class less than 1,500,000 population.

Referred to the Committee on Rules.

By Messrs. KAMYK, LUTTY, DOUGHERTY,

and McCORMACK. HOUSE BILL No. 1405.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), requiring removal of snow on State highways at the expense of the Commonwealth in cities of the first and second class.

Referred to the Committee on Highways.

### SENATE MESSAGE

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 79.

An Act amending the act of April 29, 1959 (P. L. 58) entitled, "The Vehicle Code" authorizing the use of radio-microwave equipment in timing speed further regulating convictions prescribing powers and duties of the Secretary of Revenue and the Secretary of Highways and prescribing penalties.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 31.

An Act authorizing the licensing of public weighmasters defining their powers and duties providing for the collection and disposition of license fees and imposing penalties for violations.

## SENATE BILL No. 77.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" imposing duties on the secretary relating to lights on certain vehicles, tractors and machinery making it illegal to operate them during certain hours and providing penalties.

## SENATE BILL No. 79.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the use of radio-micro-wave equipment in timing speed; further regulating convictions; prescribing powers and duties of the Secretary of Revenue and the Secretary of Highways; and prescribing penalties.

## SENATE BILL No. 134.

An Act amending the act of May 5, 1911 (P. L. 198), entitled, "An act to establish a county court for the county of Allegheny and prescribing its powers and duties . . .", increasing the jurisdiction of the County Court of Allegheny County.

## SENATE BILL No. 153.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," empowering the Secretary of Highways to designate certain restrictive areas for commercial vehicles, establishing speed limits, and providing penalties for violations.

## SENATE BILL No. 188.

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" changing provisions relating to election of city charter commissioners.

## SENATE BILL No. 303.

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" authorizing the Civil Service Commission to certify persons for appointments as police from examinations held within a two-year period.

## SENATE BILL No. 313.

An Act amending the act of June 1, 1956 (P. L. 1944) entitled, "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns, and townships for their roads, street, and bridge purposes . . ." authorizing the use of allocated money for payment of interest and principal and sinking fund charges on bonds issued for road or street improvement purposes.

## HOUSE BILL No. 63.

A Joint Resolution proposing an amendment to article nine, section one, of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

## HOUSE BILL No. 276.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), further providing for the accepting of bids and the awarding of contracts.

## HOUSE BILL No. 321.

An Act amending the act of March 22, 1907 (P. L. 31), entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" extending the benefits of the act.

## HOUSE BILL No. 333.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), requiring a report from a

laboratory approved by the Department of Agriculture when a claim covering death due to rabies is made.

## HOUSE BILL No. 334.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), further regulating the transfer of dog and kennel licenses making it unlawful to fail to produce a license certificate or to fail to restrain dogs in certain cases and providing for the payment of damages in certain cases.

## HOUSE BILL No. 425.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for alternates to serve on the joint school committee.

## HOUSE BILL No. 558.

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies conferring powers and imposing duties on the governing bodies of certain political subdivisions.

## HOUSE BILL No. 597.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing appropriations of moneys to airports operated by municipality authorities.

## HOUSE BILL No. 600.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), clarifying certain duties of the supervisors township superintendents and roadmasters.

## HOUSE BILL No. 631.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing third class cities to install traffic signals on all local highways within such cities without prior approval of the Secretary of Highways subject to uniform standards.

## HOUSE BILL No. 690.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing clerks of orphans' courts to join with registers of wills for the purpose of State associations and authorizing payments by the county pertaining to their annual meetings.

## HOUSE BILL No. 730.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the amount which supervisors may expend on abandoned cemeteries.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

## SENATE BILL No. 112.

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945" changing the rights powers and duties of Authorities heretofore or hereafter created.

Referred to the Committee on Municipal Corporations.



## SENATE BILL No. 115.

An Act making an appropriation to the committee appointed by the 1960 General Assembly to study the unemployment problem in Pennsylvania.

Referred to the Committee on Appropriations.

## SENATE BILL No. 200.

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law" making eligible for assistance certain persons in public medical institutions and regulating obligations for and payments of certain funds.

Referred to the Committee on Welfare.

## SENATE BILL No. 223.

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947" providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

Referred to the Committee on Judiciary.

## SENATE BILL No. 307.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the purchasing of used supplies of the first class.

Referred to the Committee on Rules.

## SENATE BILL No. 385.

An Act authorizing arraignments in courts of quarter sessions of the peace and courts of oyer and terminer and general jail delivery.

Referred to the Committee on Judiciary.

## SENATE BILL No. 433.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" prohibiting the purchase of insurance from or through any person employed by the school district in a teaching or administrative capacity.

Referred to the Committee on Rules.

## SENATE BILL No. 437.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing in certain cases for continuing operation of joint school systems which constitute approved administrative units.

Referred to the Committee on Rules.

## SENATE BILL No. 491.

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" changing the definition of assessed valuation.

Referred to the Committee on State Government.

## MIQUON SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House today a group of students from Miquon School, Miquon, Pennsylvania, one member of which is the daughter of Representative Fineman, Janice Fineman.

We hope you enjoy your visit with us today.

## LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Dougherty for Mr. MURRAY because of illness.

Mr. McCANN. Mr. Speaker, I request permission to turn to page 22 of today's calendar, and call up bills on third reading, Senate bill 463, printer's No. 505.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 463, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" permitting boroughs to make appropriations to industrial development agencies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Adams,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Galley,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Lippincott,	Rudisill,
Ashton,	George,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibbons,	Lutty,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schaaf,
Blair,	Goldstein, M. H.,	Markley,	Schuster,
Boles,	Goodrich,	Marsh,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Shelton,
Bossert,	Gray,	May,	Sherman,
Bower,	Gremminger,	McCandless,	Shupnik,
Bowman,	Gross,	McCann,	Simmons,
Branca,	Guesman,	McCormack,	Slack,
Breth,	Guthrie,	McDevitt,	Snare,
Buchanan,	Hamilton,	McDonald,	Stank,
Bush,	Hankins,	McInroy,	Steckel,
Capano,	Hartley,	McKeever,	Stimmel,
Capitolo,	Haudenshield,	McLaughlin,	Stiteler,
Cauley,	Heavey,	McNally,	Stone,
Cianfrani,	Heffner,	Meholchick,	Strausser,
Cioffi,	Helm,	Merry,	Sullivan, J. A.,
Clarke,	Henzel,	Mihm,	Sullivan, T. F.,
Comer,	Hocker,	Miller,	Taylor,
Cooley,	Holliday,	Mills,	Thompson,
Crossin,	Holman,	Monroe,	Tomascik,
Curwood,	Horst,	Morley,	Tompkins,
Davis,	Irvis,	Mullen,	Trusio,
Dengler,	Isaacs,	Munley,	Ujobai,
Dennison,	Jenkins,	Murphy,	Varnier,
Donaldson,	Jim,	Musto,	Verona,
Dougherty,	Johnson, A. W.,	Needham,	Wall,
Doughten,	Johnson, R. P.,	O'Dell,	Walsh,
Down,	Jones,	O'Donnell, J. A.,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. P.,	Weidner,
Eilberg,	Keiser,	Odorisio,	Welsh,
Elvey,	Kelly,	Ogilvie,	Wescott,
Eshback,	Kernaghan,	Parlante,	Whittaker,
Eshleman,	Kessler,	Pashley,	Willard,
Ewing,	King,	Perry,	Willaredt,
Farabaugh,	Kistler,	Petrosky,	Williams, A. D.,
Fetterolf,	Klein,	Piper,	Williams, E. S.,
Filo,	Knecht,	Polaski,	Wilt,
Fineman,	Kooker,	Polen,	Wood,
Flynn,	Kornick,	Prendergast,	Worley,
Foerster,	Korns,	Pursley,	Yetter,
Foor,	Kramer,	Reibman,	Zember,
Fox,	Lamb,	Reidenbach,	Zimmerman,
Frascella,	Lawson,	Renwick,	Andrews,
Fry,	Lee, A. M.,	Riley,	Speaker

## NAYS—0

## NOT VOTING—3

Magee,

Murray,

Price,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. McCANN. Mr. Speaker, I request permission of this House to go to a package of labor bills. Mr. Johnson has requested when we call the first bill that he be given an opportunity to speak on the entire package.

I would like to ask permission, then, to go to page 14. There will be a series of bills, but the first bill will be House bill 863, printers No. 948, on page 14 of today's calendar.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 863, entitled:

An Act amending the "Labor Anti-Injunction Act" approved June 2, 1937 (P. L. 1198) by removing certain restrictions on the application of the act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson, who has asked for unanimous consent of the House to speak on the entire labor package.

The Chair hears no objection. The gentleman will proceed.

Mr. A. W. JOHNSON. Mr. Speaker, I am not going to speak specifically on any particular bill at this time, but I would just like to give the House a few observations as I view the action that is contemplated to be taken in the House today with respect to this package.

As you all know, two weeks ago the four labor leaders in the State, the major ones, proceeded to announce that they planned to meet with Governor Lawrence on that particular Monday to see whether the Governor is with us, whether he will be neutral, or whether he will oppose the program in this legislature.

As you know, the meeting was held, and I believe it was announced that the Governor was in full accord with the aims of the four labor leaders and that message was accordingly, as we understand it, conveyed. As a result of this meeting the green light was turned on, and we have on this calendar today the two full-crew bills and seven or eight other bills which we are terming the so-called labor package.

What does this mean to Pennsylvania?

I will give you some figures and let you draw your own conclusions. Do not get the idea that we are, any of us, against the laboring man or his aims, but we are trying to make Pennsylvania a greater and greater State. What is the situation in Pennsylvania today? I called the Department of Labor and Industry, the bureau of statistics over in employment security, and I questioned them on their bulletin of February 1961, when they said that the total unemployment in Pennsylvania was 504,000 people. Eleven percent of the working force is out of work. I asked them how that figure compared with today's figure. The figure is 505,000, according to the newest com-

putations they have and, with respect to a new way of figuring it, there is 10.8 percent of the working force of Pennsylvania out of work. That is a huge number of unemployed persons in this great State of ours.

What should we be doing in this General Assembly? What should Governor Lawrence be doing? He should be straining his utmost to try to put this 504,000 or 505,000 people back to work. He should have called in the leaders of the four big industries in Pennsylvania, as well as the four big men of labor, and said to them, to the steel, to the railroads, to coal, and the other miscellaneous industries, there is a package of bills that is going to be put on the calendar, certain moves that are going to be made on the labor side of the picture. How will they affect you? How will it affect prospective manufacturers who intend to come into Pennsylvania? What can we, the Democratic Party, do to bring in more industry, employ more people, have bigger payrolls, create a favorable business climate in Pennsylvania?

No, there is not one line in the newspapers of any such conference in the Governor's office with the people in this State that would really put men back to work.

Now, I am not going to discuss the merits of these bills on this calendar today because we will talk about them as they come up, but every one of these bills has a certain deterrent to the businessman, be he in the State or be he out of the State, whether he plans to locate here or not.

I called the State Treasurer yesterday; I wanted to know how the unemployment compensation fund was. Bob Kent, a former member here, reported that there is \$59,838,000 remaining in the unemployment compensation fund. There are 264,357 people drawing unemployment compensation. Last week they paid out \$14 million; over a million dollars every day of the week is being paid out of that fund. They expect about \$21 million to be paid into the fund when the payments come in in the middle of May, and, by fall, goodness knows what the effect on our unemployment compensation fund will be.

In other words, in that fund has been put \$102 million of money borrowed from the Federal Government and, while we are all for these payments for unemployment compensation, it all points up the plight that industry is in in Pennsylvania today in this great State of ours with 264,000 people receiving unemployment compensation.

Here we have these bills on the calendar today. Maybe they are necessary. Maybe labor needs them. Maybe the plight of labor in this State is something frightful. Maybe they need to do away with that anti-injunction act in this first bill. Maybe they have to have the minimum wage of one dollar. I do not know. But it seems to me that labor is getting along pretty good in Pennsylvania, those who are lucky enough to have a job. If these bills pass now, I repeat—I said it on the floor the other day—we are saying to the employers of Pennsylvania, Pennsylvania is not a very healthy place for you. We are not putting anything on this calendar to help you.

Here is House bill 573 on this calendar. You promised to amend it, to clarify the sales tax, to give the poor manufacturer a little bit of a break here, some of them in the processing industries that are being crucified by the sales tax. But, no, weeks and weeks and weeks go by. You say you are studying it, amendments are going to be prepared, the bill is going to be passed over today, but,



believe me, you have all these bills out on this calendar, which I am telling you will destroy what little favorable business climate we have in Pennsylvania.

To repeat what I said last week, we on this side have been fighting session after session to try to give the businessman a break in this State. You people have been trying. You have organized the PIDA; you have put \$8 million into that fund and you are pleading all over Pennsylvania towns and boroughs to assist in this effort. You have a bill on this calendar today permitting towns and boroughs to put money into industrial development agencies. Then you heap on top of the employers of this State the worst abuse, the greatest calumny and the most terrible thing that you could imagine and then expect all of us to get behind the wheel to put people back to work. You just are not going to do it.

Here is this bill to rip out the right of an employer to get an injunction, a preliminary injunction, in a labor dispute. In four small categories you are allowed to get a preliminary injunction. The greatest of all is when there is a sit-down strike in a plant. What is wrong with a preliminary injunction in a plant when there is a sit-down strike, when a man's plant, his assets, are seized? There is nothing wrong with that. We need that protection in Pennsylvania today. You cannot show me where labor has been unduly harassed by it. These judges are wise men in Pennsylvania. When a request for a preliminary injunction comes before them, they require affidavits, they look into the pleadings, they make sure the bill contains a complaint, a cause of action, and, believe me, they are careful before they grant a preliminary injunction. It is a wonderful safeguard to the people of the State and to employers to have this on our books.

I can get a preliminary injunction against any of you people under the law today, if you are doing something that is restrainable under our equity rules. There is no restraint on me; I can get a preliminary injunction. And you can as citizens. But, no, in this particular instance we say, as far as labor is concerned, you cannot file a bill of complaint, you have to have a hearing, you have to do this, you have to do that, before an injunction can ensue. All this time goodness knows what will be happening.

I say it is wrong, in my opinion, for you to do that which you are proposing in this particular bill.

Pennsylvania needs industry. We have to put these 506,000 people back to work. And today, instead of taking our time on these bills, we should have about 25 bills on this calendar to bring business here, to make jobs, to build roads and factories, and do all the things this State should be doing, instead of taking these backward steps that are discouraging business from locating in Pennsylvania.

Mr. McCANN. Mr. Speaker, I will very briefly reply to some basic points of the entire argument dealing with overall labor program.

There is no question that it is easy to talk in general terms, but it is important to be specific. You talk about building roads and the PIDA Program. These cost money and you have to provide taxes. This we do. This we believe correct, and we will take this battle to the people of this Commonwealth in determining that. We also will take, as we have in the past, our statement that the Democratic Party has done just as much, or more, for

business in Pennsylvania than any other previous ten administrations. We will say to you that in this budget of the Commonwealth we have seen that the tax climate of this Commonwealth is more favorable today than it was under the Republican administrations and it will continue to be favorable on a fair basis both to industry and to the consumers. In a short period of less than six years, this Party that I represent has enacted sales taxes which are consumers' taxes, and we have fought down the line to see that everyone pays a fair share. We have done this in making the climate favorable in Pennsylvania, and this we honestly believe.

These individual bills that deal with the so-called labor package here are not bills that will, in any way, wipe out a segment of people who are now employed or that it will possibly deter new industries from coming into this Commonwealth, which we so earnestly ask that they consider locating here. We intend to implement our PIDA Program in compliance with the Federal legislation that will be enacted in Congress in the very near future, by the final agreement between the House and the Senate on this important legislation.

The present bill 863 removes, as Mr. Johnson said, the preliminary injunction granted by the courts, that there are also two sides to a labor dispute, there is the side from the working man's viewpoint and from the management certainly. We are firm believers in the conference table for settling the problems of labor disputes. We are firm believers in major industries sitting at the conference tables with the Federal Government, whenever possible, assisting in labor disputes. By this piece of legislation we are asking that a hearing be held before a preliminary injunction is granted. This, of course, was Public Law of 1937, enacted in this House and Senate back in June of 1937, which we are asking to be removed from the books.

There is no question that the gentleman is correct in stating that this law has not been used too many times in recent years. This is true. But it is also true that it has been used in some cases, and it is also true that very likely it would be used in cases in the future. But would it not be well for the hearing to be held, the complete hearing on the injunction, before it is granted? This is our position and for that we ask. We ask that you support this piece of legislation to grant this right to labor all over Pennsylvania.

Mr. Speaker, some of the other bills we will debate more individually than this one and perhaps the gentleman will, in his overall rebuttal statement, speak on some other bills and I hope that no member will object to an overall statement in reply.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, just one word of reply to the gentleman. He states that they will put their record of establishing a favorable business climate against the Republicans any day in the week. I would say this, and everybody knows it, you have a favorable business climate in Pennsylvania today despite the Democratic Party. I will give you a few instances of some things that you have done in just the last few years in order to discourage industry in this State.

When we were in power in 1957 we had the House and the Senate and we came with the amendments to the

sales tax so that in industry you would not tax foundations and we would clarify that which was directly in manufacturing, and we had a series of amendments to the sales tax which industry had to have because of persecution over in the Sales Tax Division. We passed them. They went to Governor Leader's desk. What did Governor Leader do? He called the House and Senate in here and in a Joint Session pleaded with us to take that bill off his desk. It was granting industry a little tiny bit of a break in Pennsylvania.

That same session, the capital-stock-tax bill, the tax on manufacturers' capital stock, when it left this House—that was in the 1955 session—and the Democrats were in power in 1955, the bill said that manufacturers shall forever be deprived of their exemption under capital stock. You know that bill hit the Republican State Senate, it languished there for a long time, and, finally, George Leader, after his Westinghouse decision and a few other things that were going on, and a few plants were moving out of this State, got religion and had the Republican State Senate amend the bill so that the capital-stock-tax exemption would be available after December 31, 1957. That was a Republican move over in the Republican State Senate.

I could go on and tell you about the excise tax you tried to put on manufacturers here during the last few years. I say that you talk out of both sides of your mouth. You are going to have to say to industry, we want you in Pennsylvania, we love you, there are a lot of breaks we are going to give you. Instead of talking about the great things you are doing, get some of these bills over here, and then they have to go to the Dauphin County Court and the State Supreme Court in order to get some relief. We are not giving industry the place it should get in this State. If we would, this State would prosper and the Department of Commerce would not have the job they have today. And I say that this package of bills today is a typical example. The story of these bills has gone out all over Pennsylvania and I am telling you that, so far as industry is concerned, it is not going to be a good thing, and, as far as the laboring man is concerned, it is not going to help him either. It is not going to help labor one bit whether this anti-injunction bill passes because judges today are pretty circumspect before they grant that preliminary injunction. But, to industry, to the people who count and who are spending the money, who are building the plants and are borrowing the money to meet payrolls, and so forth, they are the ones who say, "What are you doing to us up there in that General Assembly of Pennsylvania?"

Today you put on our desks this Joint Legislative Committee Report on Unemployment. I do not know whether any of you have looked at it or not, but it is a very revealing story on page 11. In the anthracite industry in 1950 there were 75,000 workers; today there are only 15,000; bituminous 85,000, now 31,000; railroads 132,000, now 79,000 workers; textiles 136,000 then, 73,000 now. There is a percentage drop overall, 53.7 percentage. We have to search our souls; we have to sit down, all of us, and try and right this picture to bring industry back into this State. We have everything—land, labor, capital, enterprise, wonderful transportation; we have money; we have natural resources; we have everything. We should give industry a welcome hand here and bring them in

here and put these 57,000 people back to work. That is our job here in this session of the General Assembly as I see it.

Mr. BOWMAN. Mr. Speaker, to quote the majority leader, it is easy to talk in general terms; but we must be specific. I want to be specific. I would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. BOWMAN. Is it not true, Mr. Speaker, that one of the four categories under existing law in which a preliminary injunction may issue and which this bill would seek to obviate is the situation where the workers seize, damage, or destroy the employer's property?

Mr. McCANN. Mr. Speaker, one of the provisions on a preliminary injunction is dealing with a labor dispute or where they seize property, or any other reasons.

Mr. BOWMAN. Let us take an example in specifics. Suppose a labor dispute arises and the employees take physical possession of the plant and begin to destroy or otherwise reduce the value of the plant. What possible remedy, if this bill passes, does the employer have under existing law to protect his property?

Mr. McCANN. Mr. Speaker, of course, he has now the right for the preliminary issuance of injunction by the courts. This is on the so-called sit-in or sit-down labor dispute, but I say to you that labor is just a little more interested in operating the plants and they do not destroy property because labor today is deeply interested in operating and helping to operate that plant efficiently and they have so proven it in more than one industry in the last two years. But the man, or the owner, or the management does have the right to have the hearing immediately in the courts of the respective county in which the labor dispute is occurring.

Mr. BOWMAN. Mr. Speaker, that was partially a speech and certainly was not an answer specifically to my interrogation, except the last statement. The last statement was, if I am quoting correctly, that the employer, if this law would pass, would have the right of preliminary injunction?

Mr. McCANN. No, sir. If this law passed he would have the right for a hearing in the courts of the respective county before the injunction was issued.

Mr. BOWMAN. And what is the approximate time that would take to get to issue?

Mr. McCANN. Mr. Speaker, that would be by the determination of the courts, but they have acted very promptly in consideration of cases.

Mr. BOWMAN. Quite the contrary, Mr. Speaker. It is not within the jurisdiction of the court to speed up a procedure under normal injunctive process. There are rights in the defendant to wait 20 days before filing an answer, and, therefore, even under the best circumstances, 20 days can expire before any type of hearing can be held on an ordinary injunction.

The gentleman spoke, Mr. Speaker, of responsible labor organizations being just as interested as the employer in operating that plant. That I will concede. We are not dealing exclusively in this bill with responsible labor organizations. We are dealing with irresponsible labor organizations, if any exist; we are dealing with irresponsible workers, not represented by a labor organization.



You are giving them, by this bill, the same rights, without regard to their responsibility, as you are giving responsible labor organizations. Now I ask the majority leader, is it fair that under all and any circumstances this right should not exist in favor of an employer under any and all circumstances?

Mr. McCANN. Mr. Speaker, first, I know of no labor organizations that are irresponsible, nor any of its leaders in any specific statewide, nationwide, or local industrial union in any area. Then for those who say there is no labor organization in the plant, there have not been any cases for the issuance of any preliminary injunctions in which there has been any destruction. There have not been any injunctions, preliminary injunctions, issued in any of those cases in recent times not represented by a union, not represented by a union or a local.

Mr. BOWMAN. I quite understand that.

Now let me ask the majority leader this question, Mr. Speaker: In his opinion, is a wildcat strike by a local of a responsible state or national labor organization irresponsibility or not irresponsibility, particularly when the national or state organization has asked the local to cease and desist from its activity and it refuses to do so?

Mr. McCANN. It is. It is a wildcat strike and the labor leaders have time and time again cautioned and directed a local union to cease and desist where a strike has been called, normally called, a wildcat strike in opposition to following the grievance procedure outlined in their contracts. And in many cases there are penalty clauses both on the local union and the workers themselves.

Mr. BOWMAN. Do I then understand the majority leader to feel that it is proper for a wildcat strike, conducted by a local, that the employer of that organization should not have the preliminary injunction procedure prescribed by the present law?

Mr. McCANN. Mr. Speaker, there is no question that we are removing all of the preliminary injunction granted under this law, the law of 1937, and that the management would have the hearing as you stated, in the court of the respective county, before the injunction could be issued. But the unions have also, under both existing laws and on their own in contracts, tightened up pretty tightly wildcat strikes and will continue to do so, because they are interested in seeing that a plant operates through its grievance procedure outlined in the contracts.

Mr. BOWMAN. I thank the gentleman.

Mr. Speaker, we are again faced with legislation which is applicable to all. This is not a question of law which will hinder or help either responsible management or responsible labor organizations, and, for the most part, fortunately, in these United States we have a large majority of both. However, in speaking of specifics we are not talking about the responsible groups, and I will admit there are irresponsible employers. I hold no brief for employers having 100 percent right and employees 100 percent wrong. I have never taken that position. But that is not the issue before us today. The issue before us today is, the rule of law applies with equal right and force to the responsible and the irresponsible, and, basically, laws are passed to control and provide for remedies and rights with respect to the irresponsible, not the responsible.

The majority leader himself has said and the minority leader has said that this particular act has not been used for the past several years, and I agree with that, but it is on the books. It is on the books to protect the employer,

to protect industry, to protect business, not against the responsible labor organization, and again I repeat, most of them are, but it is there and it is properly there, in my opinion, to protect against irresponsible labor organization, whether it be local, state or national.

What about these wildcat strikes? They are condemned. The majority leader condemns them, but they exist and nobody here can gainsay that. They have quite a few, in my opinion, in these United States. We have a number of them in Pennsylvania. So the issue, therefore, is shall the wildcat strike, not approved by the national, frowned upon by the national, but nevertheless not controlled by the national organization, shall it be permitted to continue in these four categories and the employer cannot do anything about it? I say it is no, and I think this legislation which attempts to eliminate that right, which you and I as individuals enjoy with respect to each other's property, and to put irresponsible labor, not responsible labor, in a better position in the law than you and I are in, then I say it is poor legislation.

Thank you.

Mr. McCORMACK. Mr. Speaker, I will be very brief, but I would like to reply to some of the remarks of the gentleman from Dauphin made with respect to the repeal to this anti-labor act. He made reference to the fact that if this act were repealed it then would be necessary to give the party twenty days under the rules of court to file an answer. And during that twenty-day period all sorts of havoc would occur as a result of the employers' inability to get this preliminary injunction by affidavit.

Now it seems to me that in Pennsylvania and in most other States, I or any one else can commit the most heinous or the most atrocious crime short of murder and, after committing it and there is a preliminary hearing, I can be released on bail and there is nothing in the world except the usual processes and criminal laws to prevent me from going out and committing an even more horrible crime during that interim period between the time of the arrest and the time when the actual trial on the merits of the case takes place. In Philadelphia, or in other large metropolitan areas it might be one, two or even three years before I am brought to trial and in the meantime I am permitted to go throughout the Commonwealth and commit these crimes. Now it seems to me that if we are to repeal this bill, it should be for no other reason, than that we should say the labor unions—and it is admitted that the majority of them are respectful and law abiding—should have at least the right of common criminals. It seems to me, further, if we are to repeal this law, it should be for no other reason than because of desuetude; it is just not used these days.

I can remember the time when it was a favorite trick of employers who were no more interested in human rights of individual employees or labor unions to use this anti-injunction provision of the law to compel or to coerce employees and labor unions to concede to the terms set forth by that particular employer. There is no reason in the world why anybody should go in on the basis of affidavits and get a court to sign a preliminary injunction without giving the labor unions the right to present their defense on the merits. I have not heard any evidence today that there has been an abuse by labor and for that reason I think we ought to support this bill. I think it should rise above partisan politics. I think it is about time we try to help these labor unions and employees who are



subject to and are members of labor unions, to permit them further to exercise a very important aspect of the freedom of speech guaranteed by both the State Constitution and the Constitution of the United States. And I therefore ask both sides to support this very liberal repealer.

Mr. HEFFNER. Mr. Speaker, in this package of labor bills which we are about to vote upon I told the Republican caucus today there are some bills that definitely I will vote on in the affirmative. I told them about this bill I did not quite make up my mind, that I wanted to study this legislation a little more before I made the final decision. I told them that I may vote for it, to put me in the affirmative, but I was thinking with some reservation as to what my final vote may be.

It seems to me that labor or industry should never ask to be put into any favored position. It seems to me that we as legislators could never vote for any group if we are going to favor them over other groups of citizens. Now, unless I misunderstand the present law of the Commonwealth of Pennsylvania, if a person were destroying my private property or your private property, you or I could go into the court of common pleas in our respective counties and get a preliminary injunction to stop him from doing so. But how long would this preliminary injunction last? I believe the rules provide that a hearing must be held in four or five days—I do not know which time limitation, but I will say four days—to ascertain whether that preliminary injunction will be dissolved or continued pending the final disposition of the merits of the case. Now I believe that is reasonable.

You say, or as the majority leader has said, that certainly labor organizations are now more responsible than they probably were perhaps ever in the history, and that is true. Labor has come a long way and we all are happy about it because they are a keystone of our Commonwealth and our Nation. But there is a possibility that you have irresponsible people, who act irresponsibly, not because they were always irresponsible but because of crowd emotionalism, because of owing to spy emotion and if given an opportunity to think a moment they would act in the manner that they are presently acting, say, for example, ripping down or carrying away or destroying some property of the employer because of a hot labor dispute.

Now, the employer remedy under present law, is merely to go in and get a preliminary injunction to prevent this particular irresponsible act for a period of four days. Then the court decides whether this injunction should continue or dissolve. Now, I do not think that is too harsh a rule to have placed upon any of our citizens in the Commonwealth of Pennsylvania. And, certainly, if it is true for the private citizens, it should be true for the labor organization or the industrial organization that is acting along in a labor dispute. I, therefore, am going to vote against this bill.

I wish I could vote for the bill but I have heard no compelling reasons on this floor to have my action other than I am going to take this afternoon. As I said earlier, there are labor bills, such as the minimum-wage bill, which I favor, and I will vote for those bills, but as for this particular bill, I think the present law has some merit to it. There may be some provisions that need to be changed, but certainly not the provision which says that if workers get unruly and begin to destroy plants, that

industry cannot get a preliminary injunction which can only last four days under present law. I do not think that is too unreasonable.

Mr. McCORMACK. Mr. Speaker, in reference to the previous remarks I would like to state that these situations that were mentioned by the gentleman from the other side are clearly situations that are protected by the penal laws of the Commonwealth of Pennsylvania. Certainly we have laws in the code that permit an individual whose property has been destroyed to have a warrant issued and to proceed under the criminal laws to have him arrested and either in a summary defense before the minor judiciary or, if it is an indicted offense, he can be held for court and trial by jury. But all the situations that were mentioned, it seems to me, were adequately covered and we have assistant district attorneys in the House who are familiar with the criminal laws of Pennsylvania and they surely should know, and I am referring to men on both sides of the House. The employers in the situations mentioned, when they go into court, sign an affidavit and have these men arrested for destroying property. It is a police problem, not a problem for a court of equity on a preliminary injunction.

Mr. LEONARD. Mr. Speaker, let us move forward and get away from the terrific and terrible conditions that existed and that the workingman had to bear before the National Labor Act was enacted. Let us get away from that old system of ours and look upon the workingman the same as any other man—big business, little business or any other kind of business. Give him a fair shake. That is what big businessmen always get if they have to go to court.

Let me give you a little experience of mine. The committee and I, representing the local group, were negotiating a contract with the president of the company and the general superintendent and we had settled all points except one. The president said, "Absolutely we cannot go along with that." I said, "All right, Mr. President, I want to make one request. If you are going to hire outside guards to guard this property, we want to do the guarding and it will not cost you a penny. These employees will protect this property. You know why? That is their bread and butter. They are here to make profits like you are making right now." "Just a minute," he said, "just a minute, I think we can settle this."

Mr. HEFFNER. Mr. Speaker, I would like to answer the gentleman from Philadelphia, Mr. McCormack.

The gentleman just made a statement on what is wrong with the criminal law? In other words, he apparently would advocate that if the workers got unruly because of crowd emotions that the employers could go out and have them arrested. I think it is harder to make criminals out of these strikers than to permit, under the present law, an employer seeking civil regress in a court of common pleas by asking an injunction and say, please boys, stop doing this until we all have our senses. He, under his theory of government, would say, issue 500 warrants for their arrest and make criminals out of these strikers. Certainly that is not in labor's interest.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—109

Anderson, S. A.,	Fry,	Maxwell,	Reidenbach,
Arlene,	Galley,	McCann,	Renwick,
Bachman,	Gallagher,	McCormack,	Riley,
Boies,	Gelfand,	McDevitt,	Rovansek,
Bonner,	Gray,	McDonald,	Rubin,
Branca,	Gremminger,	McKeever,	Rudisill,
Breth,	Guesman,	McLaughlin,	Sakulsky,
Buchanan,	Hamilton,	McNally,	Scarcelli,
Capano,	Hankins,	Meholchick,	Schaaf,
Capitolo,	Hartley,	Mihm,	Schuster,
Cauley,	Heavey,	Mills,	Shelton,
Cianfrani,	Irvs,	Monroe,	Sherman,
Cioffi,	Jenkins,	Morley,	Shupnik,
Clarke,	Jim,	Mullen,	Stank,
Comer,	Jones,	Munley,	Stone,
Cooley,	Kamyk,	Murphy,	Sullivan, J. A.,
Crossin,	Kelly,	Musto,	Sullivan, T. F.,
Curwood,	Klein,	Needham,	Taylor,
Dougherty,	Kornick,	O'Donnell, J. A.,	Tomasick,
Doughten,	Kramer,	O'Donnell, J. P.,	Trusilo,
Ellberg,	Lamb,	Parlante,	Verona,
Farabaugh,	Lawson,	Pashley,	Walsh,
Filo,	Leonard,	Perry,	Wargo,
Fineman,	Limper,	Petrosky,	Welsh,
Flynn,	Long, Wm. Jas.,	Polaski,	Worley,
Foerster,	Long, Wm. Jos.,	Polen,	Yetter,
Frascella,	Lutty,	Prendergast,	Andrews,
		Reibman,	Speaker

## NAYS—93

Adams,	George,	King,	Seltzer,
Anderson, J. H.,	Gibb,	Kistler,	Simmons,
Ashton,	Gibbons,	Knecht,	Slack,
Auker,	Goldstein, J. H.,	Kooker,	Snare,
Backenstoe,	Goldstein, M. H.,	Korns,	Steckel,
Blair,	Goodrich,	Lee, A. M.,	Stimmel,
Bossert,	Gramlich,	Lee, K. B.,	Stiteler,
Bower,	Gross,	Lippincott,	Strausser,
Bowman,	Guthrie,	Manbeck,	Thompson,
Bush,	Haudenshield,	Markley,	Tompkins,
Davis,	Heffner,	Marsh,	Ujobal,
Dengler,	Helm,	May,	Varner,
Dennison,	Henzel,	McCandless,	Wall,
Donaldson,	Hocker,	McInroy,	Weidner,
Down,	Holliday,	Merry,	Wescott,
Edwards,	Holman,	Miller,	Whittaker,
Elvey,	Horst,	O'Dell,	Willard,
Eshback,	Isaacs,	Odorisio,	Willaredt,
Eshleman,	Johnson, A. W.,	Ogilvie,	Williams, A. D.,
Ewing,	Johnson, R. P.,	Piper,	Williams, E. S.,
Foor,	Kelser,	Pursley,	Wilt,
Fox,	Kernaghan,	Royer,	Wood,
Fulmer,	Kessler,	Rutherford,	Zember,
			Zimmerman,

## NOT VOTING—4

Fetterolf,	Magee,	Murray,	Price,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 14 of today's calendar, bills on third reading, House bill No. 840.

## POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Dauphin, Mr. Bowman, rise?

Mr. BOWMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. BOWMAN. Mr. Speaker, I have examined about 15 desks and I do not find the bill in print on any desk.

The SPEAKER pro tempore. The printer's number on this particular bill is 922. Certainly the bill should have been in print and on the members' desks.

Mr. BOWMAN. I looked faithfully, as I said, on over 15 desks throughout the House and I do not find the bill.

Mr. McCANN. Mr. Speaker, could we check 836, printer's No. 918? Is it on the desks?

Mr. BOWMAN. It is.

## BILL PASSED OVER

There being no objection,

House bill No. 840, printer's No. 922, was passed over temporarily at the request of Mr. McCANN.

Mr. McCANN. Mr. Speaker, I call up House bill No. 836, printer's No. 918.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 836, entitled:

An Act amending the act of May 18, 1937 (P. L. 654) entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed \* \* \*" requiring employers to furnish ptrsonal protective devices free of charge.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—148

Adams,	Galley,	Long, Wm. Jas.,	Renwick,
Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Riley,
Arlene,	Gelfand,	Lutty,	Rovansek,
Auker,	Gibb,	Manbeck,	Rubin,
Bachman,	Goldstein, M. H.,	Marsh,	Rudisill,
Backenstoe,	Goodrich,	Maxwell,	Rutherford,
Boies,	Gray,	McCandless,	Sakulsky,
Bonner,	Gremminger,	McCann,	Scarcelli,
Bower,	Gross,	McCormack,	Schaaf,
Branca,	Guesman,	McDevitt,	Schuster,
Breth,	Hamilton,	McDonald,	Seltzer,
Capano,	Hankins,	McKeever,	Shelton,
Capitolo,	Hartley,	McLaughlin,	Sherman,
Cauley,	Heavey,	McNally,	Shupnik,
Cianfrani,	Heffner,	Meholchick,	Stank,
Cioffi,	Holliday,	Mihm,	Stimmel,
Clarke,	Horst,	Mills,	Stone,
Comer,	Irvs,	Monroe,	Sullivan, J. A.,
Cooley,	Jenkins,	Morley,	Sullivan, T. F.,
Crossin,	Jim,	Mullen,	Taylor,
Curwood,	Johnson, A. W.,	Munley,	Tomasick,
Donaldson,	Jones,	Murphy,	Tompkins,
Dougherty,	Kamyk,	Musto,	Trusilo,
Doughten,	Kelly,	Needham,	Ujobal,
Down,	Kessler,	O'Donnell, J. A.,	Varner,
Edwards,	King,	O'Donnell, J. P.,	Verona,
Ellberg,	Kistler,	Parlante,	Walsh,
Eshleman,	Klein,	Pashley,	Wargo,
Farabaugh,	Knecht,	Perry,	Welsh,
Filo,	Kooker,	Petrosky,	Whittaker,
Fineman,	Kornick,	Piper,	Williams, A. D.,
Flynn,	Kramer,	Polaski,	Williams, E. S.,
Foerster,	Lamb,	Polen,	Wilt,
Fox,	Lawson,	Prendergast,	Worley,
Frascella,	Lee, K. B.,	Pursley,	Yetter,
Fry,	Leonard,	Reibman,	Zember,
Fulmer,	Limper,	Reidenbach,	Andrews,
			Speaker

## NAYS—53

Anderson, J. H.,	Foor,	Kelser,	Simmons,
Ashton,	George,	Kernaghan,	Slack,
Blair,	Gibbons,	Korns,	Snare,
Bossert,	Goldstein, J. H.,	Lee, A. M.,	Steckel,
Bowman,	Gramlich,	Lippincott,	Stiteler,
Buchanan,	Guthrie,	Markley,	Strausser,
Bush,	Haudenshield,	May,	Thompson,

Davis,	Helm,	McInroy,	Wall,
Dengler,	Henzel,	Merry,	Weidner,
Dennison,	Hocker,	Miller,	Wescott,
Elvey,	Holman,	O'Dell,	Willard,
Eshback,	Isaacs,	Ogilvie,	Willaredt,
Ewing,	Johnson, R. P.,	Royer,	Wood,
			Zimmerman,

## NOT VOTING—5

Fetterolf,	Magee,	Murray,	Odorisio,
			Price,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Are we in position now with bill No. 840, printer's No. 922?

The SPEAKER pro tempore. The bills have been sent for by the chief clerk.

Mr. McCANN. Mr. Speaker, I ask permission to turn to page 7, bills on final passage postponed. I call up House bill 363, printer's No. 1358.

## BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 363, entitled:

An Act requiring common carriers by railroad to man locomotives and trains with competent employes providing for the minimum number and qualifications of men so employed and providing penalties.

On the question recurring,  
Shall the bill pass finally?

Mr. GOODRICH. Mr. Speaker, we have heard some talk today about the Democratic Party promoting industrial development and one reference to profits of industry. I would like to point out what this bill will do so far as industrial development and the problems of industry in northern Pennsylvania. Possibly it would apply, likewise, to several other sections of the State.

We have a one-train industry in northern Pennsylvania. At the present time that industry is losing money; it has lost money in the past few years. The industry at times has been financed through private donations. On that particular railroad, presently, they have a crew of four men. It would seem that the addition of one man might not bankrupt a railroad, but I assure the members of the House it is my opinion that this railroad will be bankrupt if this bill does pass. Let's have a little consideration, a little feeling, for all the areas of the State. Let's have a little more than a point of view directed to one area. Consider that we like Pennsylvania as well as anyone else likes it. In fact, we would hardly trade our area for any other area whether in Pennsylvania or the United States. We require and need this railroad; we need it for our industries and for the economy of our area. I certainly hope the members of the House will vote against House bill 363.

## POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Perry, Mr. Holman, rise?

Mr. HOLMAN. Mr. Speaker, I rise to a point of order. The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. HOLMAN. Mr. Speaker, none of us on this side of the House have this House bill either. I am wondering if the Democrats are the only ones who obtain these bills.

The SPEAKER pro tempore. The Chair would like to inquire whether the members have this bill in their files?

For what purpose does the gentleman from Bucks rise?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, just to report that I do not think this is an isolated incident. I went to the chief clerk and stated that I did not have this bill in my folder either. I think it is occurring all too often.

The SPEAKER pro tempore. The rule requires that the bills be on the members' desks before they are voted upon.

For what purpose does the gentleman from Washington, Mr. Murphy, rise?

Mr. MURPHY. To speak on the bill when the Chair is ready.

The SPEAKER pro tempore. Will the gentleman suspend for just a moment?

Will the gentleman from Greene, Mr. McCann, please come to the desk?

Mr. McCANN. It is my understanding that some of the members do not have bill No. 363 on their desks. Is that right?

The SPEAKER pro tempore. That is the understanding.

Mr. McCANN. I will ask the chief clerk to take the necessary action to distribute the bills immediately. Are the bills on the desks now? Have 840 been distributed?

The SPEAKER pro tempore. Has everyone copies of 840? Those who have not received copies, hold up their hands and copies will be provided.

## BILL PASSED OVER

There being no objection,

House bill No. 363, printer's No. 1358, was passed over temporarily at the request of the SPEAKER pro tempore.

Mr. McCANN. Mr. Speaker, I call up House bill No. 840, bills on third reading, on page 14.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 840, entitled:

An Act prohibiting the sale transfer ownership possession and use of tear and noxious gas and tear gas guns providing for certain exemptions and providing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. O'DELL. Mr. Speaker, I should like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will one of the sponsors of this bill permit himself to be interrogated?

The gentleman from Philadelphia, Mr. Welsh?

Mr. WELSH. I shall, Mr. Speaker.

Mr. O'DELL. I have a few questions written down because I did not have a copy of the bill.



As I understand it, bank messengers would be exempt under this bill?

Mr. WELSH. That is right.

Mr. O'DELL. I happen to own and operate a jewelry store. In my store I have concealed tear-gas bombs. I also have for my protection, which I carry with me at times going to and from the bank and the post office, when I am in the process of carrying large sums of money, which has not been lately, a tear-gas musket.

Am I to understand, under this bill, I would be prevented from protecting my own personal property?

Mr. WELSH. No, you would not.

Mr. O'DELL. Where does it say in the bill I would not?

Mr. WELSH. This bill is used as a measure to protect when they are out on strikes, so they do not use tear gas of any kind, tear-gas bombs.

Mr. O'DELL. Where does it say in the bill that I would be able to carry it for my own personal protection?

Mr. WELSH. It does pertain to tear gas when transported to other property.

Mr. O'DELL. Where does it say in there that my wife would be able to use a tear-gas pistol or bomb, which I have, which she could use, but I hope she never has to?

Mr. WELSH. They are for her own protection.

Mr. O'DELL. In other words, this bill takes away from the people the right to protect themselves with tear-gas pistols? Would this bill not be taking some of the rights that we are sitting here and voting away from the people, week after week, in this House?

Mr. WELSH. I think if you will look at page 2, line 16, it will take care of what you are asking.

Mr. O'DELL. Page 2, line 16? It is talking about banks. I do not happen to be a bank. On line 8, page 3, it says: "No tear or noxious gas or tear gas guns shall be stored on any premises in the Commonwealth." I have on my premises, in my storeroom, tear-gas bombs.

Mr. WELSH. I yield to this gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Will the gentleman permit himself to be interrogated?

Mr. SCHAAF. Mr. Speaker, I perhaps could answer the question posed by the gentleman from Erie, Mr. O'Dell.

I believe that his problem is covered by that part of the bill beginning on page 2, line 16, and, too, if you will, on page 3, again beginning at line 3.

For example, "nothing within this act shall prohibit the purchase or possession of tear gas by"—I am skipping part of it here—"any bank or trust company or any person, association or corporation lawfully engaged solely in the conveyance of moneys." And then if you will look at subsection 2 of that section it says "in the regular conveyance of money." And I think, Mr. O'Dell, perhaps that is your particular situation.

Mr. O'DELL. Mr. Schaaf, to take an example, you have a wife and several small children. Are there not times when she might wish she had a tear-gas pistol around the house, which is much easier to operate than a small gun? It is a pistol that a woman could carry. You know from personal experience we have had a lot of "mugging" in Erie lately. You could carry this in your hand and with a flip of the finger you could trigger it, and the gas comes out the end of the bomb. Now, I have one of these at home on my own personal property. We live out in the country. We are isolated a little bit from other houses.

Under this bill, would not I or my wife be prohibited from owning a pistol of this kind and using it for personal protection?

Mr. SCHAAF. Mr. Speaker, I think the gentleman is correct in that the bill would prohibit such activity, but I think he misunderstands or does not appreciate the characteristics of tear gas. It is a noxious gas. It can do serious bodily injury. If the gentleman is concerned about the protection or desires protection of this type, I am sure that he can, if it is his desire, obtain the appropriate permit to carry a pistol.

Mr. O'DELL. It does not say so in the bill.

Mr. SCHAAF. I do not agree that it does not say so in the bill.

Mr. O'DELL. That you can get a permit to carry it?

Mr. SCHAAF. I did not suggest, Mr. Speaker, that you could get a permit to carry tear gas.

Mr. O'DELL. I misunderstood. I thought you suggested that I could get a permit to carry a gas gun of this type the same as I carry a revolver.

In other words, there would be no way of getting a permit to carry a tear-gas gun?

Mr. SCHAAF. No, Mr. Speaker, because as of this date, the use of tear gas is a lawful activity. This legislation proposes to make it an unlawful activity except under certain given circumstances, one of which would be, in your case, in connection with your business.

Mr. O'DELL. In other words, it would take my personal right away from me to protect myself or my wife with a tear-gas pistol?

Mr. SCHAAF. As I understand the legislation, that is correct.

Mr. O'DELL. Thank you, Mr. Speaker.

Apparently, if that is so, I would not be able to have it in my store, although I am not sure? It says "solely in the conveyance of valuables." I might be able to have this in my store.

There are thousands of other jewelry stores, loan companies, and different companies throughout the Commonwealth that do have these gas bombs on their premises. Many safes have these gas bombs in back of the combination and, when the combination is drilled, the gas escapes.

Now you are making a very fine point. You are trying to, because a few manufacturers might have gas bombs, but, again, in my estimation, you are taking the rights of the majority of the people away from them simply to protect a few people.

I think it is bad legislation. I think it is just another example, as I said before, of how we sit here week after week and vote away the rights and privileges of half our people in the Commonwealth of Pennsylvania.

It is a bad bill and I ask members on both sides of the House to vote against it.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will one of the sponsors permit himself to be interrogated?

Will the gentleman from Philadelphia, Mr. McCormack, permit himself to be interrogated?

Mr. McCORMACK. Mr. Speaker, I am not a sponsor of the bill but I will be glad to try to answer the questions of the gentleman from Bucks.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. A. D. WILLIAMS, Jr. Is it my understanding that you are speaking for the sponsors of the bill, Mr. McCormack?

Mr. McCORMACK. How can I say that? I do not know. I cannot speak for anybody. I will try to interpret the legislation.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I will be happy to interrogated Mr. McCormack.

Is it my understanding that this is one of the so-called labor bills, one of the labor packages that we are going to vote on today?

Mr. McCORMACK. It is my understanding that it is. This has always been a bill that the advocates of trade unionism have wanted passed into law. Yes.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, would I be correct that the reason why organized labor wants a bill of this sort is that tear gas or noxious gases cannot be used in strikes or other labor disputes?

Mr. McCORMACK. I would be safe in saying that this is one of the primary purposes behind this bill.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, did the gentleman say that is only one of the primary purposes? Are there other primary purposes?

Mr. McCORMACK. No, I think as I said, that is the primary purpose behind this bill. I think the history of disputes between employers and unions has revealed that on many occasions employers have unjustly, in order to disperse and to deprive the union members of their freedom of speech, used tear gas to disperse them and to prevent them from their constitutional rights.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I could not agree with the gentleman from Philadelphia more. May I ask him this question: Mr. Speaker, is it possible for a bill to be drafted which would cover that subject and that subject alone?

Mr. McCORMACK. It might be possible but you are getting into a lot of technicalities that, if you wanted to quibble about them, you would be able to do that. I think that since the primary purpose of this bill, although it is not spelled out, if we can establish legislative intent on the floor of the House, is to prevent unscrupulous employers from using tear gas against members of trade unions and individuals in seeking to exercise the right to strike.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, the gentleman well knows that legislative intent is important only when there is ambiguity in the language of the bill which becomes law. My position is, I think this bill is entirely too broad but, if it covers what Mr. McCormack said it is intended to cover, I would be for it, I would speak for it, and I would do anything else to see that it was passed. May I ask further, Mr. Speaker, how does this help organized labor to prevent jewelers, such as Mr. O'Dell, from having tear gas either installed in the premises so that it goes off when a burglar tries to perform his illegal act or when a jeweler himself has one of these tear-gas pencils or pistols, how does that help organized labor prevent jewelers from having these things?

Mr. McCORMACK. Well, quite frankly, Mr. Speaker, and this is not a legal argument, the purpose of the bill is to protect not only members of the union in seeking to exercise their rights and privileges but it is also to protect innocent people who might be around union members who are striking.

Now, tear gas being a noxious gas can do serious bodily

harm to individuals who are in no wise connected with a dispute between labor and management. I would say that is for the greater good and I think that is the area we should legislate on. I think the situation hypothetically put by the gentleman from Erie is an unusual situation and I think that it might be a situation that would be prohibited if this bill became law, but at the same time you must take into consideration the greater good.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, do I understand or interpret the gentleman's remarks to mean that, because we do not want tear gas used in labor disputes, we must prevent jewelers and all other types of store-keepers—it does not have to be a jeweler—from having tear-gas devices in their store to protect themselves against thieves?

Mr. McCORMACK. This is not a new piece of legislation; that has been kicked around for years and has never gotten anywhere because the Democratic Party has never been in the majority. It seems unusual to me that we should suddenly get a hypothetical situation and hear about it for the first time. I have jewelers and other merchants in my district who handle and store and transport valuables. They know about this bill. They have never asserted themselves. They never told me that it was bad and that it would hurt them. How many untold devices can you mention that would protect people in situations such as those mentioned by the gentleman from Bucks and the gentleman from Erie? You have burglar alarm devices. You have all kinds of protective devices to protect them in situations like this.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I am trying to understand the gentleman from Philadelphia. Is he saying it is impossible to draft this bill so that it covers the use of tear gas in strikes and yet would permit what I think is a laudable purpose in trying to prevent robbery and thefts in places where valuables are kept, and they do not have to be jewelry stores? It can be any type of business establishments.

Mr. McCORMACK. The truth of the matter is, that the vast majority of the members of the legislature here today can truthfully say they know very few plants or stores or jewelers, or what have you, who use tear-gas pens or any other instrument to expel tear gas. I do not know of any and this is the first I have ever heard of it. I know a lot of jewelers. They do not use these devices. These are things that are in the past.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I thank the gentleman from Philadelphia.

Mr. Speaker, it has been my position that when certain bills come up in this House which are supported by organized labor, that unlike some members of this House who, as soon as they hear that, are automatically against it, I try to read the bill, examine what it would do, what its intent is, and if I think that intent is laudable and sensible and intelligent, I quite often am found among those who vote in the affirmative. I have now read this bill over carefully and I agree with Mr. McCormack, the gentleman from Philadelphia, that if this bill were drafted to prevent the use of these tear-gas devices in labor disputes, I would be for that bill and I think the vast majority of this House would be for it. However, this bill is not tightly drawn, it is loosely drawn. The only intelligent interpretation I have heard today, and that was not on the floor of this House, that says that jewelry stores and other stores, where valuables are kept, would not be



prohibited from using these devices, was language on page 3, lines 6, 7, and 8, where it says that "any person, association or corporation lawfully engaged solely," and I think the word "solely" is important, "in the conveyance," and the only word there is conveyance, "of money, securities or valuables." To me that is a description of an operation like Brinks or any other armored car organization. Some people argue that that covers any other business where money is transported. I do not think it is broad enough to cover those things. I think that this bill which is intended to be for labor is in effect for business. I do not think that the dangers of tear gas in stores and other business establishments is so great that we should outlaw it. I do not think that the bill as drafted is a labor bill. If it were, I would support it.

Mr. ADAMS. Mr. Speaker, I would like to interrogate one of the sponsors of the bill, preferably my colleague from Berks, Mr. McDevitt.

The SPEAKER pro tempore. Will the gentleman from Berks, Mr. McDevitt, permit himself to be interrogated?

Mr. McDEVITT. I shall, Mr. Speaker.

Mr. ADAMS. Mr. Speaker, I would like to know, if this type of legislation is the forerunner to the registration and possible eventual removal of regular firearms from the citizens, individuals of the Commonwealth, which type of legislation might—

POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Greene, Mr. McCann, rise?

Mr. McCANN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCANN. Mr. Speaker, the question brought up by the gentleman from Berks, Mr. Adams, is not germane to the bill nor a part of the bill. It is not a forerunner of any assumption that anybody can assume on anything. It is not a part of this discussion.

The SPEAKER pro tempore. The point of order is well taken. The gentleman will confine his questioning to the merits of the bill.

Mr. ADAMS. Mr. Speaker, I read here in the bill that it will permit the use of the owning or having a tear-gas gun. I just wondered about the relevancy as to other guns concerned, but if it is not pertinent, has no relevancy, I will not intergoate Mr. McDevitt any further in the matter, but I will make a statement on the bill.

I had my calendar marked to vote "aye" for this bill when I believed it was just for the use of protecting employes on legitimate strikes, but in reading the bill and listening to the debate on it, I discovered what I am led to believe is infringement on the right of the individual to own a tear-gas gun and have it in his own home for his protection of his personal property. Apparently that is more than what is intended by some of the proponents of the bill, and until something is done to remove the private infringements that I believe are in there, I shall be forced to reconsider my original intention and vote against the bill.

Mr. PIPER. Mr. Speaker, I would like to interrogate one of the sponsors.

The SPEAKER pro tempore. Will one of the sponsors permit himself to be interrogated? The gentleman from Philadelphia, Mr. McCormack, will consent to be interrogated. Does that satisfy the gentleman?

Mr. PIPER. Yes, sir.

Mr. Speaker, does the gentleman from Philadelphia believe that a tear-gas gun is more dangerous than a regular revolver?

Mr. McCORMACK. The answer will have to be yes and no. If I can explain it this way. A revolver is more deadly or certainly just as deadly as a tear-gas gun, but at the same time its pellets can be controlled so that it is aimed specifically at the object to which it is directed, whereas in a tear-gas gun the gas is dispelled and scattered like buck shot.

Mr. PIPER. Would the gentleman say that the tear-gas gun would kill the person it was aimed at or will just diasable him?

Mr. McCORMACK. I have never known any deaths occurring from the use of tear-gas and I stand to be corrected on that. I am not so familiar with that, but I cannot say that I knew of any deaths.

Mr. PIPER. Therefore, it is only used as a means of disabling, is that correct?

Mr. McCORMACK. It is used solely as a means . . .

Mr. PIPER. . . . of disabling some other person.

Mr. McCORMACK. And to prolong the agony of the individual who happens to be in the area of the gas.

Mr. PIPER. Mr. Speaker, would the police be allowed to use tear gas in order to flush out a criminal who had barricaded himself within a home in preference to a pistol that would kill someone?

Mr. McCORMACK. I believe the police have the right to use tear gas, yes, sir.

Mr. PIPER. According to the act, it says for the use of the Commonwealth or any association or corporation lawfully engaged solely or in the regular conveyance of moneys, securities, or valuables.

The SPEAKER pro tempore. Will the gentlman yield? For what purpose does the gentleman from Greene, Mr. McCann rise?

Mr. McCANN. Mr. Speaker, I would like to answer the previous question, if I may be permitted.

The SPEAKER pro tempore. Will the gentleman from Philadelphia yield to the gentleman from Greene, Mr. McCann?

Mr. McCORMACK. Yes, Mr. Speaker, I yield to the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, in answer to the question of the gentleman from Berks, Mr. Piper, the police would definitely, after passage of this law, still have a right to use tear gas, as they do now have that right under their own supervision and control.

Mr. PIPER. I cannot read that into the bill, Mr. Speaker. Would you please read me the section or part of the bill that gives them that right?

Mr. McCANN. It is not in this bill, Mr. Speaker. It is under the law which this Commonwealth has given to the Pennsylvania State Police or any police, local, municipal, city, borough, township police forces, as well as your Commonwealth of Pennsylvania State Police. Naturally you will not read it in there.

Mr. McCORMACK. Mr. Speaker, if the gentleman from Greene, Mr. McCann, will permit me to further answer that question—would the gentleman from Greene, Mr. McCann, yield?

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, yield to the gentleman from Philadelphia, Mr. McCormack?

Mr. McCANN. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, I believe that section 3, paragraph 2, clearly states that the sale of tear gas or noxious gas, et cetera, in the United States, the Commonwealth of Pennsylvania, or any political subdivision for use in this Commonwealth is not prohibited, so under that section the Commonwealth of Pennsylvania and political subdivisions thereof would not be prohibited from using it.

Mr. PIPER. Well, Mr. Speaker, if you read a little further, it says, "lawfully engaged solely in the regular conveyance of moneys, securities or valuables."

Mr. McCORMACK. Mr. Speaker, that is a question of statutory construction and involves a legal principle, ejusdem generis. The phrase "or in the regular conveyance of moneys securities or valuables" applies solely to any association or corporation lawfully engaged solely in such regular conveyance. That is a principle on which I am sure the lawyers, the legal draftsmen, will agree with me. Unfortunately, Mr. Bowman, who is a legal draftsman, is not listening now—

If the gentleman from Berks would yield for the purpose of my asking the gentleman from Dauphin, Mr. Bowman, a question—

The SPEAKER pro tempore. Will the gentleman from Berks, Mr. Piper, yield?

Mr. PIPER. I am through interrogating Mr. McCormack. If he will let me finish, then he may continue.

The SPEAKER pro tempore. The gentleman from Berks, Mr. Piper, has the floor.

Mr. PIPER. Mr. Speaker, I am going to vote for this bill, but apparently the way it is written and the way I see it, it is only serving one purpose and it does not take out other purposes that I feel are necessary. I am not a lawyer, but I think the way this bill is written it may prevent our police departments from using tear gas lawfully when they have somebody they have caught ambushed within a house, who has a shotgun and can gain their way out no other way except by tear gas.

Thank you.

The SPEAKER pro tempore. Does the gentleman from Philadelphia, Mr. McCormack, desire to interrogate the gentleman from Dauphin, Mr. Bowman?

Mr. BOWMAN. I consent to be interrogated.

Mr. McCORMACK. Mr. Speaker, I just wanted to see if we could reach an agreement with respect to the language that the gentleman from Berks has mentioned, and I said that the phrase "in the regular conveyance of moneys, securities or valuables" obviously applies to any association or corporation; it does not apply to the Commonwealth or political subdivisions thereof under the usual rules of statutory construction. Would the gentleman agree with that?

Mr. BOWMAN. If I understand the question correctly, I do agree with that; however, with the permission of the gentleman from Philadelphia, Mr. McCormack, I would like to further comment on this point and other points.

Mr. BOWMAN. Mr. Speaker, consternation seems to be compounded by confusion with respect to this bill. I will attempt in my own humble opinion to summarize what I believe this bill is to do.

The one thing that concerns me, which has not been discussed here, is the definition of noxious gas, and, if a noxious gas includes gases used by legitimate extermination companies, we are now prohibiting a whole industry

from operating in Pennsylvania. I do not consider this to be a specious objection. I consider it to be a very real objection to this bill.

The second point I want to raise and which has been previously touched upon is this: This bill would prohibit, in my humble opinion, the possession in your own home of a tear-gas device of any kind, or auto parts dealers, jewelers, manufacturers, et cetera, et cetera. This bill would prohibit any person from choosing to use a tear-gas device as a protection against thievery or robbery, or what have you.

We have, in my opinion, another example of a bill with a laudable purpose but too broadly drafted. This bill, in my opinion, goes far beyond its original intent and should be defeated for that purpose. I ask that the sponsors of this legislation draft a bill prohibiting the use of tear gas in labor disputes or in labor negotiations of any kind. That bill can be supported by almost all of us. I think this bill goes much, much too far.

#### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Gelfand, rise?

Mr. GELFAND. I rise to a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GELFAND. Is it within the province of this House, by debate, to establish the intent of a piece of legislation?

The SPEAKER pro tempore. The Chair has been informed that it could be taken into court, but it would not be the determining factor as far as the courts are concerned. They would consider the debate on this floor in establishing the intent.

Mr. GELFAND. Mr. Speaker, would it be within the province of this House to determine that the use of tear gas or noxious gas as indicated within this bill is not in contravention of the constitutional provision which provides for the right of the citizens to bear arms in defense of themselves and this right shall not be questioned, and thereby make it possible for an individual, under that section of the Constitution, to carry a tear-gas gun for his own protection?

The SPEAKER pro tempore. The bill can be amended any way that the membership of this House desires to amend it.

Mr. GELFAND. Then it is the opinion of the Chair that by mere debate which indicated such an interpretation this would not preclude the bill from being interpreted other than as I have just indicated?

The SPEAKER pro tempore. The gentleman is correct.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will one of the sponsors of the bill permit himself to be interrogated?

The Chair recognizes the gentleman from Philadelphia, Mr. McCormack. Will the gentleman from Philadelphia, Mr. McCormack, permit himself to be interrogated?

Mr. McCORMACK. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, on page 2 of this bill it says: "Nothing contained in this act shall prohibit." Then, beginning on line 16 it says, "The sale of tear or noxious gas or tear gas guns to the United States the Commonwealth of Pennsylvania or any political subdivision thereof or to any bank or trust company for use in this Commonwealth . . ." Will the gentleman from Philadelphia,



or anybody else, please point out to me where there is anything anywhere in this bill that would prevent a political subdivision, or a police official, a sheriff of a county which is a political subdivision of this Commonwealth from using that in dispersing wildcat strikes or any other type of a strike? Where is there anything in the bill which says that they cannot use it? This is to be limited only to the use by manufacturers in that kind of a situation.

Mr. McCORMACK. Well, Mr. Speaker, section 2, line 5, makes it unlawful for any person, partnership, association or corporation to sell, give, or transfer, and so forth. Now, if you are trying to read into this a prohibition against a political subdivision, I would say it is not there. If you are asking whether or not, if this bill becomes law, the police and the sheriffs and political subdivisions would be prohibited from use, I would say clearly that they would not be prohibited under this bill.

Mr. TOMPKINS. Then they could use it to break strikes, is that right?

Mr. McCORMACK. Well, I think that conclusion is definite.

Mr. TOMPKINS. I thought the purpose of the bill was to prevent that, even by the police?

Mr. McCORMACK. Police in political subdivisions are not in business for the purpose of preventing strikes. Strikes are protected under the Constitution of the United States as an extension of the freedom of speech.

Mr. TOMPKINS. The gentleman means the freedom of assembly?

Mr. McCORMACK. Well, I think . . .

Mr. TOMPKINS. Or both of them. Go ahead.

Mr. McCORMACK. So they would not be prevented from so using tear gas, and the purpose of the bill is to protect, not only strikers and trade unionists, but innocent individuals. If you want to make it broader to include political subdivisions, to include sheriffs and police, that is for you to decide.

Mr. TOMPKINS. I am asking the gentleman his interpretation of this section of the bill.

Mr. McCORMACK. I believe I have already answered the gentleman. It does not apply to political subdivisions, police and sheriffs.

Mr. TOMPKINS. Then the police of that political subdivision could use tear gas in breaking up a strike assembly or a picket line, is that right?

Mr. McCORMACK. I would say so, yes, sir.

Mr. TOMPKINS. I thought that was what we were trying to prevent?

Mr. McCORMACK. No, we are trying to keep it, not from the police or not from duly constituted authorities, but from other people not connected with political subdivisions.

Mr. TOMPKINS. Can you cite me an instance where a manufacturer of any kind has used tear gas on their own for this purpose?

Mr. McCORMACK. I could answer the gentleman's question in extenso, but I think . . .

The SPEAKER pro tempore. Will the gentlemen yield for a moment? For what purpose does the gentleman from Greene, Mr. McCann, rise?

Mr. McCANN. Will the two gentlemen who have the floor, and rightfully so, consent to my making a motion to place it on the postponed calendar and draw the

amendment immediately that confines it to the labor dispute?

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final postponed calendar.

On the question,

Will the House agree to the motion?

Mr. AUKER. Mr. Speaker, I am entirely in favor of the motion, particularly so since the question has been raised by the gentleman from Philadelphia bringing in the Constitution. Now there is no severalty clause to this act at all. We cannot pass an act clearly in contradiction to the Constitution, so I would say, when you amend it, be sure that you are going to comply with the Constitution giving every person the right to bear arms to protect his own person and property, and such other devices as may protect it. I think that is a very important point.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, if I get the amendments drawn before we leave this House, may I have the right to insert them before we adjourn today for printing for tomorrow?

Mr. A. W. JOHNSON. Mr. Speaker, these would be very, very important amendments and I hardly think they are amendments that should be inserted on a consent basis. I believe we ought to have a chance to look them over.

The SPEAKER pro tempore. The bill could not be voted upon today. It would have to be amended and reprinted.

Mr. McCANN. The gentleman is objecting to the possibility of my inserting the amendments should I get them prepared.

The SPEAKER pro tempore. Is that the gentleman's objection?

Mr. A. W. JOHNSON. Mr. Speaker, there has been a very spirited debate about this bill and what the bill does, and I believe that Representatives Williams, O'Dell, and a few more would be pretty seriously interested in those amendments. I do not feel that I can say, yes, you go ahead and put those amendments in with a slim house. I do not think I can do it.

Mr. McCANN. Mr. Speaker, I request permission to turn to page 7. I call up House bill No. 363.

#### BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 363, entitled:

An Act requiring common carriers by railroad to man locomotives and trains with competent employes providing for the minimum number and qualifications of men so employed and providing penalties.

On the question recurring,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, for reasons stated pre-

vously—last Thursday—I would urge the membership to support this bill. This is the railroad minimum crew bill of five members. I do not think we will go into at length the various safety measures and financial reasons for the bill at this time.

Mr. GOODRICH. Mr. Speaker, I had some discussion on this bill before the consideration of bill 840. I am sure at that time not too many were converted to my point of view. I do hope that they will consider the fact that in some areas this bill is not needed, it is not a safety measure. We have the Coudersport and Allegheny Railroad which is a one-train railroad with a crew of four now. Usually the train has three, four, or five cars. Any more than that is a big train, but there is absolutely no need for a crew greater than the four presently used. I am certainly sure that it is not a safety measure. The railroad itself, as I said before, is near bankruptcy; it is losing money; it is financed by private contributions; and I would personally like to see the bill changed so that such railroads would be eliminated. But if that could not be done, I would like to see the members of the House vote against the bill.

The SPEAKER pro tempore. Does the gentleman from McKean, Mr. Johnson, desire to be recognized?

Mr. A. W. JOHNSON. Mr. Speaker, I am not going to debate the bill further. I think the debate on this bill was very exhaustive the last time it was up, and I am asking the members on this side of the House to vote "no" on the bill.

Mr. AUKEER. Mr. Speaker, I just want to put into the record on the re-vote on this bill, the same section of the Public Utility Code that I read when it was first considered, and under that particular section of the Public Utility Code, the Public Utility Commission has all the power and authority that is absolutely necessary to protect the public and to protect the employees of any common carrier. With regard to safety, there is no reason for this bill to be out on this calendar whatsoever because there is ample law on the books today to give that protection which this bill seeks to do.

Mr. MURPHY. I am afraid that the gentleman from Blair is misleading us. As recently as 1958 the PUC attempted to effectuate those regulations upon The Pennsylvania Railroad. The matter was carried clear to the Supreme Court of the Commonwealth and the Supreme Court held that the PUC could not mandate those regulations and that is why we find this legislation necessary.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—104

Arlene,	Gailey,	McCann,	Reibman,
Bachman,	Gallagher,	McCormack,	Reidenbach,
Boles,	Gelfand,	McDevitt,	Renwick,
Bonner,	Gray,	McDonald,	Riley,
Branca,	Gremminger,	McKeever,	Rovanseck,
Breth,	Guesman,	McLaughlin,	Rubin,
Capano,	Hamilton,	McNally,	Rudisill,
Capitolo,	Hartley,	Meholchick,	Sakulsky,
Cauley,	Heavey,	Mihm,	Scarcelli,
Cianfrani,	Irviss,	Mills,	Schuster,
Cioffi,	Jenkins,	Monroe,	Shelton,
Clarke,	Jim,	Morley,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Snare,
Crossin,	Kelly,	Murphy,	Stank,
Curwood,	Klein,	Musto,	Stone,
Dougherty,	Kornick,	Needham,	Sullivan, J. A.,

Doughten,	Kramer,	O'Donnell, J. A.,	Sullivan, T. F.,
Ellberg,	Lamb,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Lawson,	Parlante,	Tomaschik,
Filo,	Leonard,	Pashley,	Trusio,
Fineman,	Limper,	Perry,	Verona,
Flynn,	Long, Wm. Jas.,	Petrosky,	Wargo,
Foerster,	Long, Wm. Jos.,	Polaski,	Welsh,
Frascella,	Lutty,	Polen,	Yetter,
Fry,	Maxwell,	Prendergast,	Andrews,
			Speaker

## NAYS—98

Adams,	Fulmer,	King,	Simmons,
Anderson, J. H.,	George,	Kistler,	Slack,
Anderson, S. A.,	Gibb,	Knecht,	Steckel,
Ashton,	Gibbons,	Kooker,	Stimmel,
Auker,	Goldstein, J. H.,	Korns,	Stiteler,
Backenstoe,	Goldstein, M. H.,	Lee, A. M.,	Strausser,
Blair,	Goodrich,	Lee, K. B.,	Thompson,
Bossert,	Gramlich,	Lippincott,	Tompkins,
Bower,	Gross,	Manbeck,	Ujobai,
Bowman,	Guthrie,	Markley,	Varner,
Buchanan,	Hankins,	Marsh,	Wall,
Bush,	Haudenshield,	May,	Walsh,
Davis,	Hefner,	McCandless,	Weldner,
Dengler,	Helm,	McInroy,	Wescott,
Dennison,	Henzel,	Merry,	Whittaker,
Donaldson,	Hocker,	Miller,	Willard,
Down,	Holliday,	O'Dell,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Pursley,	Wilt,
Eshleman,	Johnson, A. W.,	Royer,	Wood,
Ewing,	Johnson, R. P.,	Rutherford,	Worley,
Fetterolf,	Kelser,	Schaaf,	Zember,
Foor,	Kernaghan,	Seltzer,	Zimmerman,
Fox,	Kessler,		

## NOT VOTING—4

Magee,	Murray,	Odorisio,	Price,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. A. W. JOHNSON. I just want to give this thought to the members. I was one of the greatest advocates of this roll call, along with others. The way I have seen it operate, I would be one of the strongest advocates to vote to rip it out. I think that it has made a travesty of this House.

## QUESTION OF PERSONAL PRIVILEGE

Mr. ADAMS. I rise to a question of personal privilege. The SPEAKER pro tempore. The gentleman will state it.

Mr. ADAMS. In 1957 I cosponsored a bill to put in the electric voting system here, and I was a strong advocate of it.

Just a couple weeks ago, the majority leader made a statement here charging this side of the House with being unethical and tripping the switches back and forth and confusing the vote tally. If holding this machine open for a protracted period of time on legislation of this type and also what was done last Thursday is not unethical, I wonder what it is. And I would be the second to motion to rip out this machine when it is used for the purpose and the manner in which it is being used.

The SPEAKER pro tempore. The Chair does not believe that is a question of personal privilege. The gentleman will have to make those remarks under unanimous consent.

## PERMISSION TO ADDRESS HOUSE

Mr. FINEMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I think that when a member takes the



floor of this House and makes some assertions he ought to be factually correct in the assertions he makes.

The gentleman is incorrect in two assertions. No. 1, the statement that he attributes to the majority leader did not come from the lips of the majority leader. I made the statement. And, secondly, I never said or imputed that those members who were switching their toggles at the last moment were members confined to the Republican side alone. I said "members of this House," and if the description fits the shoes of the gentleman, then perhaps it is a guilty conscience that is speaking today and nothing more.

### PERMISSION TO ADDRESS HOUSE

Mr. GAILEY asked and obtained unanimous consent to address the House.

Mr. Speaker, in regard to those remarks of the minority leader earlier and those of the gentleman on this side of the House who just spoke concerning the delay, I think traditionally it has been the right of the leadership in the House, and that includes the floor leader as well as the whip, to discuss legislation during the process of the vote with the members on their side of the House.

The mere fact that we have installed a mechanical device, it seems to me, in no way should abrogate that right. They have the perfect right, and traditionally so, to attempt to persuade members on the floor of this House.

In the second place, Mr. Speaker, I think it ill behooves and ill becomes members of the minority party in this House to have consistently delayed legislation over the past several weeks of the session, using, of course, the fact that we, through illness, have been unable to muster our 106 votes for that legislation coming to a vote. I think it ill becomes them to raise a question about a delay which, in this case, is a matter of merely five minutes.

Mr. McCANN. Mr. Speaker, I will call up on page 23, House Resolution No. 11, which will be debated at this point.

### HOUSE RESOLUTION NO. 11

The resolution was read by the clerk as follows:

In the House of Representatives, January 17, 1961.

For the past several years a large portion of our Federal tax dollars has gone towards National defense. President Eisenhower and responsible leaders of both major political parties have indicated that we must continue to spend a large part of our tax revenues for defense against communist aggression. In President Eisenhower's budget this year he is asking for a total of \$47,39,000,000 for National security. This is 58c of every tax dollar for National defense.

On a State level, funds for aid to education have long been given a top priority. Education of our young people, not only in the ways and means of earning a livelihood but in modern day political activity, is an essential factor to be considered in order that we and our youth may survive. Governor Lawrence in his message yesterday asked that we appropriate a sum of \$469,055,501 or 47.147c of every tax dollar for education. Every year we appropriate large sums of money to the University of Pittsburgh to help maintain this fine university. This year's appropriation is approximately 6 million.

If we continue to appropriate funds for education, we must be sure that these funds will be spent properly and will be so channelled as to aid and abet the American way of life and the high ideas and objectives of decent Americanism. To allow supposed educational activity to undercut the objectives of our total activity and for the Commonwealth of Pennsylvania to appropriate funds to

institutions harboring leftists who preach pro-communist doctrines is a woeful waste of our substance. The tax money appropriated by this body for educational activities must be spent on education which is wholesome and beneficial to the community and not for the payment of salaries of pro-communists.

Resolved (The Senate concurring), That the Speaker of the House of Representatives appoint three members of the House and the President Pro Tempore of the Senate appoint three members of the Senate who together shall constitute a joint committee to make a through investigation of University of Pittsburgh, receiving State aid, to determine whether subversive doctrines are being fostered.

On the question,

Will the House adopt the resolution?

Mr. McCORMACK offered the following amendments.

Amend resolution, page 2, lines 1 to 4, by striking out "Speaker of the" in line 1, all of lines 2 and 3, and "Senate who together shall constitute a joint committee" in line 4, and inserting: "General Assembly of the Commonwealth of Pennsylvania memorialize the Committee on Un-American Activities of the Congress of the United States."

Amend resolution, page 2, line 5, by inserting after "of" the.

Amend resolution, page 2, line 5, by striking out "receiving State aid."

Amend resolution, page 2, line 6, by inserting after "fostered" and to report its findings to the Pennsylvania General Assembly; and be it further

Resolved, That copies of this resolution be transmitted to the chairman of the Committee on Un-American Activities and to the presiding officers of each House of the Congress of the United States.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack, who will attempt to explain the amendments.

Mr. McCORMACK. Mr. Speaker, very briefly, these amendments pertaining to this resolution and investigation would memorialize the United States Congress and the committee on the un-American activities of the Congress to take jurisdiction in this matter as there is a substantial dispute with respect to the question of un-American activities and to forward a copy to the chairman, and, if they investigate, to submit a report of their findings to the Pennsylvania General Assembly. Now, that is precisely what the amendments would do and the reason, of course, that I offer them is that they have the machinery set up to handle investigations of un-American activities.

Mr. WALSH. Mr. Speaker and members of the House, it was my understanding that I would get a chance to explain this resolution before any amendments were brought forth. As far as this amendment, which the gentleman from Philadelphia wanted to introduce, saying this is a matter for the House un-American Activities Committee, it would be like carrying coal to New Castle. The House un-American Activities Committee has the file on this gentleman, and not only on him but on others from the University of Pittsburgh. They are very well acquainted with whatever is going on down here. I have the report right here from the chairman of the committee, Honorable Francis E. Walters, and I wish to explain my purpose for introducing this resolution. And I did it very reluctantly because I have a lot of regard for the University of Pittsburgh. I attended the University of Pittsburgh. I did not

graduate, but I lived there on the campus of the University at eighteen years of age, when I enlisted in the army. I feel that this should be voted down, so that I be given the opportunity to explain to this General Assembly the material that I have received, and I want to say that I at no time solicited any of this information. It was sent to me voluntarily, with the exception of two pieces of material. I would ask the gentleman from Philadelphia, through courtesy, to withdraw his amendments until such time as I have a chance to explain my resolution. Will you withdraw your amendments?

The SPEAKER pro tempore. Does the gentleman from Allegheny, Mr. Walsh, desire to interrogate the gentleman from Philadelphia, Mr. McCormack?

Mr. WALSH. I would.

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. McCORMACK. Mr. Speaker, it seems to me that this has been thoroughly explained time and again. I have no objection, of course, if there is no violation of the rules, to do all the explaining you want right now, but I had been asked to submit this resolution.

The SPEAKER pro tempore. As the gentleman was asked, would the gentleman withdraw his amendments for the purpose of discussing the resolution?

Mr. McCORMACK. Well, Mr. Speaker, why do we not just vote on the amendment and, if it is defeated, then you can go ahead?

The SPEAKER pro tempore. For what purpose does the gentleman from McKean, Mr. Johnson, rise?

Mr. A. W. JOHNSON. Mr. Speaker, I just want to say to the members of the House, this bill—

The SPEAKER pro tempore. Will the gentleman yield for the moment? The gentleman from Allegheny, Mr. Walsh, has the floor. Will the gentleman yield to the gentleman from McKean.

Mr. WALSH. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. I realize this resolution has been on the calendar for quite a number of months and, of course, I was not the floor leader when it came out, but I just talked to Mr. Lippincott and he said that we have not caucused on this resolution. We intended to do it today but we went on other bills and tried to really get a lot done here so we could really move the calendar, nor have we seen the amendments before. Our caucus may vote for the amendments.

#### MOTION TO LAY RESOLUTION AND AMENDMENT ON TABLE

Mr. A. W. JOHNSON. Mr. Speaker, I move that the resolution together with the amendments be laid on the table.

On the question,

Will the House agree to the motion?

Mr. HOLLIDAY. Will you please announce what we are voting on? There seems to be some confusion whether we are voting to table or whether we are voting on the amendments.

The SPEAKER pro tempore. The Chair clearly stated that we are now voting on the amendments of the gentleman from McKean, Mr. Johnson, to lay the resolution, together with the amendments, upon the table.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. A. W. JOHNSON and TOMPKINS and were as follows:

#### YEAS—81

Adams,	Fox,	Kernaghan,	Simmons,
Anderson, J. H.,	Fulmer,	Kessler,	Slack,
Arlene,	Galley,	King,	Snare,
Ashton,	George,	Kistler,	Stimmel,
Blair,	Gibb,	Knecht,	Stiteler,
Bonner,	Gibbons,	Korns,	Thompson,
Bossert,	Goldstein, J. H.,	Lee, A. M.,	Tompkins,
Bower,	Goldstein, M. H.,	Lee, K. B.,	Ujobal,
Buchanan,	Goodrich,	Leonard,	Varner,
Bush,	Gramlich,	Lippincott,	Wall,
Davis,	Guthrie,	Lutty,	Weidner,
Dengler,	Haudenschild,	Marsh,	Willard,
Dennison,	Heffner,	May,	Willaredt,
Donaldson,	Helm,	McCandless,	Williams, A. D.,
Doughten,	Henzel,	McDonald,	Williams, E. S.,
Down,	Holman,	McInroy,	Wilt,
Edwards,	Horst,	Merry,	Wood,
Elvey,	Isaacs,	Mihm,	Worley,
Ewing,	Johnson, A. W.,	O'Dell,	Zember,
Fetterolf,	Johnson, R. P.,	Piper,	Andrews,
Foor,			Speaker

#### NAYS—112

Anderson, S. A.,	Gallagher,	Maxwell,	Renwick,
Auker,	Gelfand,	McCann,	Riley,
Bachman,	Gray,	McCormack,	Rovansek,
Backenstoe,	Gremminger,	McDevitt,	Royer,
Boies,	Gross,	McKeever,	Rubin,
Bowman,	Guesman,	McLaughlin,	Rudisill,
Branca,	Hamilton,	McNally,	Rutherford,
Breth,	Hankins,	Meholchick,	Sakulsky,
Capano,	Hartley,	Miller,	Scarcelli,
Capitolo,	Heavey,	Mills,	Schaaf,
Cauley,	Hocker,	Monroe,	Schuster,
Cianfrani,	Holliday,	Morley,	Shelton,
Cioffi,	Irviss,	Munley,	Sherman,
Clarke,	Jenkins,	Murphy,	Shupnik,
Comer,	Jim,	Musto,	Stank,
Cooley,	Jones,	Needham,	Steckel,
Crossin,	Kamyk,	O'Donnell, J. A.,	Stone,
Curwood,	Keiser,	Ogilvie,	Strausser,
Dougherty,	Kelly,	Parlante,	Sullivan, J. A.,
Ellberg,	Klein,	Pashley,	Sullivan, T. F.,
Eshleman,	Kooker,	Perry,	Taylor,
Farabaugh,	Kramer,	Petrosky,	Trusio,
Filo,	Lamb,	Polaski,	Verona,
Fineman,	Lawson,	Polen,	Walsh,
Flynn,	Limper,	Prendergast,	Wargo,
Foerster,	Long, Wm. Jas.,	Pursley,	Welsh,
Frascella,	Long, Wm. Jos.,	Reibman,	Wescott,
Fry,	Markley,	Reidenbach,	Yetter,

#### NOT VOTING—13

Eshback,	Mullen,	Odorisio,	Tomascik,
Kornick,	Murray,	Price,	Whittaker,
Magee,	O'Donnell, J. P.,	Seltzer,	Zimmerman,
Manbeck,			

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Walsh.

Mr. WALSH. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. McCormack.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. McCormack, permit himself to be interrogated?

Mr. McCORMACK. I shall, Mr. Speaker.

Mr. WALSH. Mr. Speaker, I would like the gentleman from Philadelphia to temporarily withdraw his amendment. No one in this Assembly knows anything about this resolution except what is on the paper. This is a serious



matter. It is not a question of whether you are going to have five men on a locomotive or six men; this is a serious matter, affecting, I think, the security of our Country. I would ask, as a personal courtesy to me, that the gentleman withdraw his amendment at this time, temporarily.

Mr. McCORMACK. Mr. Speaker, I hate to be approached on an emotional basis because it is always distasteful to me to say that I will not do something because of a particular person's feelings. It is my strong opinion that this amendment should be adopted if there is going to be an investigation, and I am not saying whether they should or they should not. I know very little about it. I am just suggesting, by this amendment, that Congress has the machinery to investigate, they have the appropriation, they have the budget, they have the members, they have the attorneys, they have the staff, and, therefore, I think the bill can be debated with the amendment in here. There is no restriction. No one is raising any point of order. I am not going to raise any point of order; you can debate it all afternoon. Nobody is going to object. I will not raise any point of order.

Mr. WALSH. Will you withdraw it temporarily?

The SPEAKER pro tempore. The gentleman has declined to withdraw his amendment. The question is on the amendment.

The Chair recognizes the gentleman from Allegheny, Mr. Walsh.

Mr. WALSH. Mr. Speaker, in my opinion, this is muzzling because I have had no chance at all to explain what is in back of this resolution. It has been on the calendar since January 17. I was very courteous, very patient, with the University of Pittsburgh, allowing them all this time to make an investigation. I feel that with the condition of the Country as it is today everyone here is vitally concerned with our Country and our Country's safety. I would like to be able to bring this out to you.

Under the rules of the House I am not allowed to talk on the bill; I am only allowed to talk on the amendment. I think it is unfair; I think it is a whitewash; and I feel, if I had a chance to explain my position, I think you people would agree with me that I have been very patient, I have been very fair. I have had no cooperation from anyone. It is not John Walsh that is at stake here; I feel that it is the security of the United States of America at the present time that we are fighting for.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, glancing at the amendment that we just received here, it would seem that if there is going to be an investigation made we can do it right here from this General Assembly. I am inclined, myself, to vote against these amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

#### AMENDMENTS WITHDRAWN TEMPORARILY

Mr. McCORMACK. Mr. Speaker, I do not want to be accused of muzzling anybody. I will withdraw the amendment temporarily. Go ahead.

The SPEAKER pro tempore. The gentleman is the sponsor of the amendment and has that right. Does the gentleman desire to withdraw his amendment? The gentleman withdraws the amendment.

On the question recurring,

Will the House adopt the resolution?

Mr. WALSH. Mr. Speaker, I sincerely thank the gentleman from Philadelphia.

As I said before, I have been very fair. When I introduced this resolution on January 17, I did it at the request of quite a few students of the University of Pittsburgh, quite a few of the faculty, and quite a few of the past graduates of the University of Pittsburgh.

My purpose in introducing the resolution to include all State-aided schools in Pennsylvania is because I did not want to single out the University of Pittsburgh. As I said before, I have a lot of affection for the University of Pittsburgh. It is a fine institution, but you do not burn down the barn to get rid of a bunch of rats!

When this first came up and I introduced this, some of the faculty at Pitt, or to be specific, the chancellor said this man had fought with the Abraham Lincoln Brigade as a non-Communist. Number one, he said he had been decorated and had been in the United States Intelligence.

Number two, and I believed this, that perhaps he should be the first one to welcome an investigation; if he is clean he has nothing to fear.

I was told by a group of graduates who are now teaching thereon, I think they call them "fellowships" or some such name, and they pointed out to me that a lot of stuff is happening in the University of Pittsburgh. I wrote to the chairman of the House un-American Activities Committee, Francis E. Walter, and he sent me a file on this gentleman. As you all know, you can be a Communist in this Country and we cannot do anything about it. I am not denying the right of this man to be a Communist, although I do not admire him. But we cannot stop him from being a Communist and my sole purpose was that if we are going to spend millions of dollars for national defense, and if we are going to spend millions of dollars for education, we should know how that money is being spent.

I have been told by the American Council of College Professors, or whatever the name is, that we have no right to investigate what happens at the University of Pittsburgh. I say that we, as the representatives of the people of Pennsylvania, who are giving money to the University of Pittsburgh—I think this year it is something like \$6 or \$7 million and they have \$31.6 million in exempt property on the rolls of Allegheny County and the city of Pittsburgh—I feel that it is our bounden duty to find out where our money is being spent.

As I said before, I did not go out and solicit this information. It was given to me voluntarily. I asked these people, "Why don't you go before the committee that has been appointed?" They said, "We have been before the committee and we have protested, with the result that the next year we came back we were not given our scholarship or the scholarship to teach." There have been several people fired from the University of Pittsburgh.

I am keeping in mind that Mr. Khrushchev says, "Your grandchildren will be raised under Communism." I have eleven, and God forbid that they have to ever be raised under Communism. I want them to be raised as I was raised, a free American, a God-fearing man, and I do not think they are teaching that at the University of

Pittsburgh today. Understand, I am confining my remarks to our history department.

I have here a letter from one of the students out there: "I am writing this letter to commend you for the stand you have taken regarding Dr. Robert Colodny of the University of Pittsburgh. As I am a student at the University myself, I have been able to observe at close range the various twists and turns that this controversy has taken. I deplore the attitude taken by those misguided students and faculty members who assert that the legislature has no right to investigate this matter. Such a viewpoint is characteristic of those self-styled 'intellectuals' who look with contempt upon the general public and who dismiss love of country as 'mere sentimentality.' "

I am bearing in mind that the overthrow of South Korea was led by college students; I am bearing in mind that in San Francisco, where the House un-American Activities Committee met, they stormed them; I am bearing in mind when ex-President Eisenhower went to Japan, or when he wanted to go Japan he could not go because of the arising of its college professors.

Now, let's discuss some of the charges. Understand, I have not made an investigation. This stuff is coming to me; that is why I want you gentlemen to help me. It's dynamite!

The charge that this man was in Intelligence and was decorated; I had a letter—they were misguided, they sent it to the House office building in Washington, they thought I was a Congressman—"with great interest I read the editorial in the Pittsburgh Post Gazette, January 19, 1961, entitled, 'Fair Play for the Professor.' You are to be commended on your action and no apologies are needed to anyone. It may interest you to know that I lived on Adak Island in the same quonset hut with the then Cpl. Colodny and his bosom buddy Cpl. Dashiell Hammett (recently deceased), another character of knowledge but of questionable purpose.

"To the best of my knowledge Dr. Colodny's intelligence service in the Aleutians was confined to being an assistant to Mr. Hammett in the editing of the daily news sheet (The Adakian) for island distribution. It was my responsibility to supply Mr. Hammett and crew with statewide and Radio Tokyo newscasts for this publication.

"Outside of Mr. Hammett—Dr. Colodny was a loner. The rank and file did not care for his ideas and satiric comments." This was from Frank F. Carnes, ex-M/Sgt., of the Signal Corps, United States Army, the man who served with him.

Since then, I have learned from this investigating committee that their information was wrong. The man was never decorated and he was never in the Intelligence. Now as to the charge that he served with the Abraham Lincoln Brigade, and incidentally, gentlemen, this is on the number one list of the House un-American Activities Committee as being subversive and designed to overthrow the government of the United States.

As I said before, none of this information did I go out and look for. I was told that there was a radio broadcast made back in 1938 in Chicago. I gave this information to the committee investigating these charges, and, incidentally, I will tell you how that is working. It is a group of attorneys supplying information given to a board who, in turn, is going to turn it over to the chancellor, and I have been told that he is going to turn it over to some-

body else, and that will be it. They have been telling me right along that I am going to get this investigation and we will have the report by the eighth of March, and no later than the middle of April. It is now the 25th.

One of the paragraphs in regard to this evidence I told them to go get. It is true that such evidence is quite important, but it is equally clear that it is a hidden value and practical utility are remedied in relation to our ability to verify the fact that the statement was made. Although we have made every possible effort to follow up this lead, we have had little success in doing so. The radio station has informed us that it has no record of it. All I did was drop a postal card to the radio station in Chicago asking them if there was such a broadcast made and if they had a transcript of it. Under date of April 7, 1961, from station WLS in Chicago, I got the transcript. They apologize for the condition of it because there have been so many copies made of it by the House un-American Activities, the Senate Securities Commission, or whatever they call it, the counterpart to the House un-American Activities Committee. I am not going to read all of this to you but here is part of it. This is an interview. If this is not true, Dr. Colodny would have a wonderful libel suit against the station, the New York Times, and every other publication.

The interview is as follows: "Dr. Colodny, suppose we start with you."

"I left Chicago on February 10 of 1937 with a party of 30 who held the same beliefs as I do."

The interrogator, John Baker, says: "Would you mind telling us what those beliefs are?"

"Dr. Colodny: Well, in brief, we're Communists."

Baker asked: "What did your being a Communist have to do with your going to Spain to fight in the army of the Spanish Government?"

"Dr. Colodny. It had everything to do with it. You see, here's what happened in Spain. In February, 1936, the people of Spain held an election in which they voted for a slightly more liberal government." And this goes on to tell about the government and what-have-you. I do not want to take all that time to read it.

Now, there is a very important passage in here that tells all about the fighting and how well he was treated by the Communists because he was a Communist, and there is a paragraph here, if I can find it—

#### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from York, Mr. Gailey, rise?

Mr. GAILEY. I rise to a question of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GAILEY. I do not wish to be accused of muzzling the gentleman, but I have been listening to him attentively for the last 10 minutes and I fail to see that that which he has been telling us is in any way germane to this resolution that is before us.

The SPEAKER pro tempore. The gentleman will confine his remarks to the resolution before the House.

Mr. WALSH. The resolution is to investigate the un-American activities and teachings in the University of Pittsburgh, and here is one of the chief professors down there, he is down there now teaching.

The SPEAKER pro tempore. The Chair is trying to be



as lenient as possible. The gentleman will confine his remarks to the resolution.

Mr. WALSH. How can I tell you just what this man is without giving the information?

The SPEAKER pro tempore. The gentleman will proceed.

Mr. WALSH. He was asked:

"I should think the government of the United States might have something to say about permitting you to go to Spain or to any other country to join the army on either side."

His answer was:

"The government won't permit it, of course—but we went to Paris, and then were taken to Spain. So far as our passports were concerned, we were going to travel in Europe—not fight in Spain."

In other words, he falsified his passport.

I have here a letter signed by quite a few of the faculty, and I know it is getting late, but it says in here that they were more or less forced to go along with his prattle and prattle back what he said in order to pass, and quote out of his textbooks down there, and they gave them to me. Six of them are from the Lenin library and only one against Communism, namely, "The God That Failed."

I know this is serious and I think something should be done about it. I feel that we should go down there and talk with this committee they have down there. We will give them the information we have. Those people will not go before that committee and testify for fear of being flunked out, or, as I said before, for fear of not getting a scholarship, but they have promised that under subpoena they would appear before our committee and give this testimony.

It is for that reason I am asking that you create this committee to investigate. I feel there is something here, especially when our Country is at war. This man not only was active there, but he was also one of the leaders in this "Fair Play for Cuba."

The New York Times, under date of April 6, 1960, wrote that the Cuban revolution is nothing but an agrarian movement. It also says that the Cubans and the visitors in the island remain free in many respects, more so than do United States citizens. There are a lot of serious charges being made here. This is from the New York Times.

I do not have the eloquence of a Patrick Henry, or a Clay, or one of those other fellows, but back some time ago I think Thomas Jefferson said, "Eternal vigilance is the price of freedom." I feel that there is something here and where there is smoke there is fire. I feel it should be investigated. What is it going to hurt? We are not going to tear down Pitt. We are not going to execute anyone. We are just going to go out and find if our children, your children and mine, are being taught the American way of life or are being taught the communistic way of life.

I thank you, gentlemen, for your attention.

Mr. SCHAAF. Mr. Speaker, I think it would be in order that we compliment the gentleman from Allegheny for the obvious concern which he has for this problem, for the obvious effort he has put into it over the past few months, beginning last January. But so that the record is perfectly clear, Mr. Speaker, and on the basis of infor-

mation which was given to me as a member of this House in January, I would like to interrogate the gentleman from Allegheny, Mr. Walsh.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Walsh, permit himself to be interrogated?

Mr. WALSH. I shall, Mr. Speaker.

Mr. SCHAAF. Mr. Speaker, would the gentleman inform us whether or not I am correct in my belief that this matter has been postponed until this time in order that authorities in Allegheny County and at the University of Pittsburgh could make an investigation of the charges similar to those which Mr. Walsh has told us about this afternoon?

Mr. WALSH. That is true, Mr. Speaker.

Mr. SCHAAF. And would the gentleman inform us, Mr. Speaker, whether or not, to his knowledge, that investigation has been completed?

Mr. WALSH. I was told the investigation—understand this started in January, I have no staff to go out, I have enough here, enough evidence. I was told that it would be completed in the middle of April at the very latest and that I would have the report. I was told the committee would report their findings at the end of March. I have been told by the same sources that have been giving me this information that we will never get a report, that it is the intention of the committee—and they have told me this themselves—that they are turning over their findings to the Chancellor, Litchfield. I was told that a good while ago. This was perfectly o.k., as I thought that the chancellor would turn over their findings to this House. But I have been told that he is not going to do that, that the findings are going to be turned over to the House un-American Activities Committee. As I said before, that is like carrying coals to Newcastle. The House un-American Activities Committee has all this information. They cannot do anything about the man but decide he is a Communist, and our duty as people who are appropriating money is to see where the money is being spent. It is as simple as that.

Mr. SCHAAF. Mr. Speaker, would the gentleman be somewhat more precise? His answer raises several questions in my mind, and I would ask them of him, namely: Do I understand him correctly that Chancellor Litchfield has advised him that the report of this committee will be turned over to the House Committee on un-American Activities?

Mr. WALSH. I have never talked with Chancellor Litchfield. I have never had any communication with Chancellor Litchfield. I have had communications from a group of attorneys. If you wait, I will give you their names.

Mr. SCHAAF. No, their names are not material, Mr. Speaker.

Mr. WALSH. Those are the communications I have had.

Mr. SCHAAF. Have you had communication with members of the committee which, as I recollect, consisted of three members?

Mr. WALSH. I had one communication. That was the one in which they told me they would complete their investigation by the end of March and the committee would report by the middle of April.

Mr. SCHAAF. Does the gentleman know for a fact whether the investigation has been completed and the report submitted to Chancellor Litchfield?

Mr. WALSH. I do not for the simple reason that I have not been out investigating. I have been leaving it up to them and I got alarmed when I found out that there was not going to be any report given to this House or to me.

Mr. SCHAAF. At any time, Mr. Speaker, was the gentleman informed or promised that a report would be given to him or to this House?

Mr. WALSH. That was the understanding. There was no report given to me. As I said, I had never had any direct contact with Chancellor Litchfield and there was never anything given to me, but it was my understanding that they would make their own investigation, and they asked for the right to make their own investigation, and, naturally, I thought they would turn over their findings to us.

Mr. SCHAAF. Mr. Speaker, can the gentleman inform us whether or not he intends to contact Chancellor Litchfield, or any member of the committee, or any of the trustees of the University of Pittsburgh, in order to secure a copy of this report for his use, if none other?

Mr. WALSH. I came to this House where this resolution originated to ask your help and advice. I cannot carry this ball myself. I need help. Johnny Walsh—what do I have? They could tell me that they do not even want to see me, but we as a committee from this House would have some standing.

Mr. SCHAAF. Mr. Speaker, I thank the gentleman and would like the privilege of making a statement.

The SPEAKER pro tempore. The gentleman is in order. The Chair recognizes the gentleman from Erie, Mr. SchAAF.

Mr. SCHAAF. Mr. Speaker, I think it almost discourteous, and I realize that we have bandied around this word courtesy and discourtesy on many occasions, and some this afternoon, but I think it almost discourteous when, as Mr. Walsh has indicated, an agreement or understanding was reached last January, that he would be furnished with this information. I think it almost discourteous of this House, to act upon this resolution at this time in any way, in any respect. I do not think that anybody should get the impression or the interpretation that we, or that I, for that matter, approve of what Dr. Colodny has allegedly done, if, in fact, it is the truth, but I think there is an orderly way in which to proceed, Mr. Speaker, and consequently I would ask the members to vote against this resolution.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Irvis.

Mr. IRVIS. Mr. Speaker, I ask the indulgence of the members of this General Assembly for a few moments. I do not take this microphone at any time lightly and I do not so take it this afternoon.

I am opposed to House Resolution 11 for three basic reasons. I oppose it firstly because it is impractical, I oppose it secondly because it is dangerous, and I oppose it thirdly because it is unnecessary.

Any statement that I make from the floor of this House this afternoon, I trust, will not impute, nor will any inference be taken of, any evil intent on the part of those people who are in support of this resolution. But I point out to the members of this House that there has never been any evil in the history of man which has not been justified by men of good faith. When men were torturing during the Spanish Inquisition in the Middle Ages, they were doing it under the guise of worshipping

the one true God. When men shoot down and kill their fellowmen in war, they always do it for the noblest of reasons, and, I fear, Mr. Speaker, that unless we are cautious and careful this afternoon, for the noblest of reasons we may be led into an evil deed.

Mr. Speaker, I shall not say whether I believe the imputations which have been laid rather vaguely and waveringly against Dr. Colodny. I would not know Dr. Colodny if he were to be in the audience today. I would not know him if I met him on the street. I am as concerned as my learned friend, Representative Walsh, of Allegheny County, with the integrity not only of the University of Pittsburgh, but the integrity of the United States of America.

Down through all history, Mr. Speaker, there has been a conflict between two massive forces, especially in this Country, one force which is satisfied to maintain the status quo, to freeze things in the present design, to teach that only which has been taught, to refuse to admit the possibility or the desirability of change. There is a second force, led interestingly enough by the gentleman who my learned friend quoted, Thomas Jefferson, which at all times adhered, Mr. Speaker, to the basic principle of Americanism, that the theory and philosophy of democracy is sufficiently powerful to sustain all attack provided the people of the democracy are informed.

Mr. Speaker, this is the basic reason why we appropriate millions of dollars to our universities, millions of dollars to the University of Pittsburg, so that the people may be informed.

Now, I do not know what is being taught in the history department of the University of Pittsburgh. I did not have the honor of attending the undergraduate school there, but I am quite certain from my experiences in two different universities that what the professors are attempting to teach to their students is the skill of thinking.

I am equally certain, Mr. Speaker, that if this is what is being done, there will be some who will oppose this, for even in great universities there are people on the faculty and there are members of the student body who gripe when students are encouraged to think, who are suspicious when a man differs with their established point of view. In this, the latter half of the twentieth century, when a man so differs he is apt to find himself labeled as a Communist. In the thirties, he would have been called a Fascist. Each one in the lexicon of the ordinary person is a dirty word.

Mr. Speaker, I said that I thought this resolution is impractical, and I do. If we were to make what the resolution calls a thorough investigation of the University of Pittsburgh, we should have to have a complete staff of investigators, trained especially for this purpose, a staff of lawyers, a staff of clerks, which we do not provide in this resolution, and I do not know if we are even willing to provide them.

Secondly, I said that this was unnecessary. It is unnecessary, Mr. Speaker, for two reasons; it is unnecessary because in the middle of January Doctor Litchfield appointed a committee of three men, chaired by Mr. Philip Powers, who was the Director of Development at the University, Mr. Olson, Professor Olson, who was the head of the Department of Biochemistry, is the second member, I believe, and the third member, George Lockhard, who is an eminent attorney in Allegheny County and a trustee



of the University. This committee, Mr. Speaker, has been meeting. I have been informed by Mr. Powers this afternoon by phone that they have had dozens of meetings and have made hundreds of investigations, that one-half of the summary report is now in Mr. Powers' hands and the other half will be in his hands within a few days, and that he intends to turn this report over to the chancellor, and that the chancellor has informed him that he, the chancellor, would turn over a finding of facts for the use of this General Assembly.

I said further, Mr. Speaker, that this resolution is not only impractical and unnecessary but it is dangerous. It is dangerous, Mr. Speaker, because right here this afternoon we have seen what can be done by the rather wavering and vague indictment against a man's activities with little or no evidence to support that indictment.

The newspapers will undeniably carry this story, and there will be undeniably many hundreds of people who will read it and say, "You know that guy is a Communist," and that ends their investigation right there.

I am reminded, Mr. Speaker, of the test that used to be made in the Middle Ages for witchcraft, and in using the term "witchcraft" I do not say particularly we are involved in a witch hunt. It simply occurs to me.

There once was a time, Mr. Speaker, when a community decided if a woman was a witch there was a simple test. She was taken to a bridge and thrown overboard into the water. If she sank and drowned, the community apologized and said she was not a witch. But if she floated, then the community burned her as a witch. Well, this is exactly what we may become involved in this afternoon. We say, or rather Representative Walsh says, that if he is clean he has nothing to fear. This is the same as saying to the woman who was thrown overboard, if you are not a witch, you will drown and you will be all right.

Mr. Speaker, I ask the members of this Assembly this afternoon to examine their consciences, which I am sure each and every one will severally do, to realize that they are here voting on something which is even deeper than an investigation of Dr. Colodny or of the University of Pittsburgh, that they are here as the elected members of this General Assembly, the House of Representatives of the Commonwealth, determining for themselves and by their individual vote what it means to be an American, whether it means that because you differ with the majority you are to be suspect, whether it means a freedom to learn and a freedom to think, which, personally, I endorse, Mr. Speaker.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Donaldson.

Mr. DONALDSON. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Walsh.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Walsh, permit himself to be interrogated?

Mr. WALSH. I shall, Mr. Speaker.

Mr. DONALDSON. Both in Mr. Schaaf's interrogation and Mr. Irvis' speech we have just heard about the committee appointed by the chancellor to go into the matter of Dr. Colodny. Is it your understanding, Mr. Walsh, that the findings of that committee, as they are reported to the chancellor, will be made available to you and to the members of this General Assembly?

Mr. WALSH. Nobody told me but I noticed in the

remarks of the gentleman from Allegheny, Mr. Irvis, that he said the chancellor today said they would be made available to this General Assembly. That is the first I have ever heard of that.

The SPEAKER pro tempore. For what purpose does the gentleman from Greene, rise?

Mr. McCANN. If I may, to clear the point only that was asked by the gentleman from Allegheny, I am in possession of a letter, signed by Mr. Powers, whom I knew many years ago as president of West Penn Power Company, before his present title. Other people of this House have received a similar copy. He said in that letter that at the completion of that report I will have a copy of the report sent to me by Mr. Powers, according to his communication.

Mr. McCormack tells me that the communication also indicates it will be sent to all members of this House.

Mr. DONALDSON. I thank the majority leader. I am sure that is what the gentleman wanted to know.

The SPEAKER pro tempore. The Speaker has just informed the Chair that has had a communication from Dr. from the chancellor that the report will be submitted to the Speaker of the House of Representatives.

Mr. DONALDSON. If I may proceed, Mr. Walsh—

The SPEAKER pro tempore. Will the gentleman yield?

Mr. WALSH. Just a minute. I did not hear what the Speaker said.

The SPEAKER pro tempore. The Speaker has informed the Chair that has had a communication from Dr. Litchfield that immediately upon the completion of the report, a copy of that report will be submitted to the Speaker of the House.

The gentleman will proceed.

Mr. DONALDSON. Mr. Walsh, are you now satisfied, on the basis of that information, the majority leader's statement and Mr. Irvis' statement, that a copy of the final report will be submitted to you and to the members of this General Assembly?

Mr. WALSH. I am, yes. This is the first information I had.

Mr. DONALDSON. Mr. Walsh, let me ask you this. When you were kind enough, and I think that you were kind, at the time you originally introduced this resolution to, in effect, give the University an opportunity to conduct its own investigation, what was your understanding as to the time when that investigation would be completed, the middle of March or the end of March, at the very latest?

Mr. WALSH. That around the 1st of April we would get the report.

Mr. DONALDSON. Did you say the 1st or the 15th of April? I did not hear you.

Mr. WALSH. Between the 15th and the 30th of March. I do not have the letter with me. The report would be submitted to us by the 15th of April.

Mr. DONALDSON. The 15th of April?

Mr. WALSH. By the 15th of April.

Mr. DONALDSON. This, of course, is five or six days after that date.

Do you believe, in your own mind, Mr. Walsh, that the final report of the chancellor, after the committee reports to him, will be completed very shortly? Do you believe that in your own mind?

Mr. WALSH. I could not say that. I do not know.

Mr. DONALDSON. Well, I happen to believe that. I

think the gentleman has been most patient in giving the university a considerable time period; on the other hand, I think the university is taking that time because they wanted to do a thorough job on an important matter.

I am going to ask the gentleman now, if he will give this university, the chancellor of this University, an additional 30 days in which to file the report, with the understanding, if that report is not forthcoming by then, that we will roll this resolution. Would the gentleman, in effect, be agreeable to tabling this resolution for 30 days under those conditions?

Mr. WALSH. May I ask you a question?

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Donaldson, permit himself to be interrogated?

Mr. WALSH. What assurance can you give me that there will be a report of this investigation in 30 days?

Mr. DONALDSON. I cannot give you any definite assurance other than what I happen to firmly believe, that the chancellor will adopt that course of action. If he does not, Mr. Walsh, I will join you in going along with this resolution because I think that period of time is reasonable.

Mr. DONALDSON. I think that five days after the reports was supposed to have been in is a little premature. We have all waited in this General Assembly much longer than that for reports from our own committees.

Could you go along with tabling this resolution for 30 days with the hope that the chancellor's report would come in within that period of time?

Mr. WALSH. Let me clear something. This is the first time that I have been informed of the report. I have never been informed that we were going to get a report. This is the first time that the proposition has been made to me of giving 30 days. I feel that I have gone along with this; I have been patient this length of time. I will agree to go along for 30 days provided that this General Assembly serves notice on the University of Pittsburgh that we want that report within 30 days.

Mr. DONALDSON. I think, Mr. Walsh, that this little debate will be brought to the attention of the proper officials in the University of Pittsburgh and I do not know how we would formally serve notice on the University of Pittsburgh. I think, in effect, this debate would do that, and, if the gentleman would go along, and I am not going to do this unless he says that he will, either he would make the motion or I would make it, and I can assure the gentleman that I do sympathize with the gentleman. If the University does not furnish its report in 30 days, I will be happy to vote for his resolution. I think this problem is urgent. I think it is important and I think he has worked long and hard on it.

I ask the gentleman would he be willing to go along on that kind of a motion?

Mr. WALSH. I would, but I am skeptical, and I will tell you why I am skeptical. I have been promised that I was going to get this report. I have been told by the people who gave me this information that I was not going to get a report, but now they tell you that we are going to get a report.

I will agree to a 30-day extension provided that you, an alumnus of the University of Pittsburgh, ask them to get us this report in 30 days.

Mr. DONALDSON. I would be glad to ask them. I think

the debate will serve to clarify all these respective situations in that regard.

The majority leader is at the microphone, I think, for some purpose, and I would yield to him if he desires, for the moment.

Mr. WALSH. I agree, but I would just like to make one statement.

The SPEAKER pro tempore. Is the gentleman finished with his interrogation?

Mr. DONALDSON. Not necessarily.

The SPEAKER. The gentleman from Allegheny, Mr. Donaldson, has the floor.

Mr. DONALDSON. I will yield to the gentleman, Mr. Walsh.

Mr. WALSH. Representative Irvis, the gentleman from Allegheny, referred to witchcraft, and I am reminded that as the twig is bent, so would the tree grow. And we might keep that in mind at all times.

I did not make these charges against Dr. Colodny. He himself gave an interview in which he admitted all this stuff. I am not out to try to persecute anybody or hurt anybody. The New York Times carried this story with his name on it. I am not trying to hurt Dr. Colodny. I would not know Dr. Colodny if I saw him. I do not know the man.

The SPEAKER pro tempore. Does the gentleman from Allegheny desire to continue?

Mr. DONALDSON. Mr. Speaker, I want to thank the gentleman from Allegheny, Mr. Walsh, for his cooperative manner in this thing.

I am in agreement with him as to the urgency connected with this problem. I think, however, that the university should be given every reasonable opportunity to present its own report. Therefore, Mr. Speaker, I am going to move—

I yield to the majority leader for the moment.

The SPEAKER pro tempore. Does the majority leader desire to be recognized?

Mr. McCANN. Mr. Speaker, I thank the gentleman from Allegheny, Mr. Donaldson.

The remarks I am going to say are not in any way connected to the majority floor leader of this House. This resolution was requested by the gentleman from Allegheny to be brought up for a vote today. I am surprised to note that he did not know of the report.

I will speak frankly as a Representative with a right to have one single vote on this resolution. I believe that either the gentleman from Allegheny should withdraw his resolution or, if he insists on a vote, I personally am going to vote against it, because I have faith in the committee designated by the University of Pittsburgh. That University cannot afford, nor can any university afford, to have this hanging over their heads and never finish the report.

I know only one of those three men of that committee. I knew him many years ago in Boy Scout activities, and I say to you that that committee will complete its work properly and present its report. I honestly say to this House, only as an individual member, that I firmly believe they will do the job that needs to be done, if such a job needs to be done at the University of Pittsburgh. I personally would rather vote on this resolution.

Either the gentleman from Allegheny withdraws it or we vote on it. The report, there is no question, will be



presented to this House. It has so been agreed that it will be.

I personally will go by that report and I have no knowledge what that report will contain. I am confident that that committee will go into this and have gone into it in a very thorough, detailed manner.

I certainly am not speaking as a floor leader, but I ask that the resolution be voted on. I personally will vote against the resolution, awaiting the report of the University of Pittsburgh.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Donaldson.

Mr. DONALDSON. Mr. Speaker, apparently there has been some misunderstanding between the sponsor of the resolution and the University as to whether or not he would get a copy of the report. I think that has been clarified to everyone's mutual understanding. There has been some confusion about the timetable. I am confident the university is nearly ready to present its report.

Therefore, Mr. Speaker, in line with the conversation I had with the gentleman from Allegheny, Mr. Walsh, I will move that the resolution be placed on the postponed calendar.

The SPEAKER pro tempore. The Chair has a commitment to the sponsor of the amendments. The Chair has agreed with the sponsor of the amendments that he would either withdraw his amendments temporarily for the purpose of conducting a debate on the merits of the resolution, and, following the close of debate, he will then offer his amendments. The Chair has that commitment to the sponsor of the amendments and therefore must fulfill it.

Mr. McCANN. Mr. Speaker, that is the position we were placed in because the gentleman from Philadelphia withdrew, temporarily, his amendments. Therefore, the motion to lay it on the table or postpone it would not fall in that category, but the Chair must rule.

The SPEAKER pro tempore. The Chair will not accept that motion at the moment.

Mr. DONALDSON. I will make the motion following the consideration of the amendments.

The SPEAKER pro tempore. The Chair thanks the gentleman. Does the gentleman from Allegheny, Mr. Irvis, desire to be recognized?

Mr. IRVIS. Mr. Speaker, just on this point: I can see no purpose whatsoever in delaying the vote on this resolution today. I stand with the majority floor leader in my faith that the committee of the University of Pittsburgh will do that which is right and proper and that we should no longer hold an axe over their necks, as this resolution has done since January 17th. I oppose any further delay.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

AMENDMENTS WITHDRAWN

Mr. McCORMACK. Mr. Speaker, I think that the majority of the members are anxious to vote one way or the other on this resolution. Therefore, to save time, maybe I should withdraw the amendments premanently and we should vote on the resolution.

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. McCormack, withdraws his amendments.

On the question recurring,  
Will the House adopt the resolution?

MOTION TO POSTPONE

Mr. DONALDSON. Mr. Speaker, I move that this resolution be placed on the postponed calendar.

On the question,  
Will the House agree to the motion?

The yeas and nays were required by Messrs. DONALDSON and STIMMEL and were as follows:

YEAS—90

Anderson, J. H.,	Fox,	Lee, K. B.,	Simmons,
Ashton,	Fulmer,	Lippincott,	Slack,
Auker,	George,	Manbeck,	Snare,
Backenstoe,	Gibb,	Markley,	Steckel,
Blair,	Goldstein, J. H.,	May,	Stimmel,
Bossert,	Goldstein, M. H.,	McCandless,	Strausser,
Bower,	Goodrich,	McInroy,	Sullivan, T. F.,
Buchanan,	Gramlich,	McNally,	Thompson,
Bush,	Guthrie,	Merry,	Tompkins,
Davis,	Haudenshield,	Miller,	Ujobai,
Dengler,	Helm,	Munley,	Varner,
Dennison,	Horst,	Needham,	Walsh,
Donaldson,	Isaacs,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Kernaghan,	Piper,	Wescott,
Elvey,	Kessler,	Polaski,	Willard,
Ewing,	King,	Pursley,	Willaredt,
Farabaugh,	Kistler,	Rovansek,	Williams, E. S.,
Fetterolf,	Knecht,	Rutherford,	Wilt,
Filo,	Korns,	Sakulsky,	Wood,
Flynn,	Kramer,	Schaaf,	Worley,
Foerster,	Lamb,	Seltzer,	Zimmerman,
Foor,	Lee, A. M.,		

NAYS—104

Adams,	Galley,	Limper,	Polen,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Prendergast,
Arlene,	Gelfand,	Long, Wm. Jos.,	Reibman,
Bachman,	Gibbons,	Lutty,	Reidenbach,
Boles,	Gray,	Marsh,	Renwick,
Bonner,	Gremminger,	Maxwell,	Riley,
Branca,	Gross,	McCann,	Royer,
Breth,	Guesman,	McCormack,	Rudisill,
Capano,	Hamilton,	McDevitt,	Scarcelli,
Capitolo,	Hankins,	McDonald,	Schuster,
Cauley,	Hartley,	McKeever,	Shelton,
Cianfrani,	Heavey,	McLaughlin,	Sherman,
Cioffi,	Holliday,	Meholchick,	Shupnik,
Clarke,	Holman,	Mihm,	Stank,
Comer,	Irvis,	Mills,	Stone,
Cooley,	Jenkins,	Monroe,	Sullivan, J. A.,
Crossin,	Jim,	Morley,	Taylor,
Curwood,	Jones,	Mullen,	Tomasick,
Dougherty,	Kamyk,	Murphy,	Trusio,
Doughten,	Keiser,	Musto,	Verona,
Eilberg,	Kelly,	O'Donnell, J. P.,	Wall,
Eshback,	Klein,	Ogilvie,	Welsh,
Eshleman,	Kooker,	Parlante,	Williams, A. D.,
Fineman,	Kornick,	Pashley,	Yetter,
Francellia,	Lawson,	Perry,	Zember,
Fry,	Leonard,	Petrosky,	Andrews,

Speaker

NOT VOTING—12

Bowman,	Hocker,	Murray,	Rubin,
Heffner,	Johnson, R. P.,	Odorisio,	Stiteler,
Henzel,	Magee,	Price,	Whittaker,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,  
Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I realize the debate has been extensive, but we on this side of the House have not caucused on this resolution. Mr. Speaker, I yield to the gentleman from Delaware, Mr. Lippincott.

The SPEAKER pro tempore. The gentleman from Mc-

Kean yields to the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, that may have seemed very funny, but I can tell you honestly that I am not in favor of McCarthyism and I do not know if this is a witch hunt or not. I do not know what really is behind this. We have not had a chance to discuss this in our caucus. We have not had a chance to discuss it with the members from Pittsburgh. We do not know how the other members from Allegheny County feel. I sincerely feel that we should have the right to talk about this in caucus. I am going to vote for this resolution if we do not have a caucus. If we have a caucus, I do not know what I will do.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I move the previous question.

The SPEAKER pro tempore. For the information of the gentleman, that is not a necessary motion. We can take a vote without moving the previous question.

Mr. BOIES. Is it permissible to make one more remark on this?

Mr. FINEMAN. Mr. Speaker, there is a motion on the floor. I moved the previous question.

The SPEAKER pro tempore. For the information of the gentleman from Philadelphia, Mr. Fineman, it requires 20 members to move the previous question.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. WALSH and McCANN and were as follows:

#### YEAS—69

Adams,	George,	Long, Wm. Jos.,	Piper,
Anderson, J. H.,	Gramlich,	Manbeck,	Polaski,
Auker,	Gross,	Markley,	Royer,
Backenstoe,	Guthrie,	May,	Rutherford,
Blair,	Heim,	McCandless,	Sakulsky,
Bonner,	Holliday,	McInroy,	Seltzer,
Branca,	Horst,	McLaughlin,	Snare,
Davis,	Isaacs,	Miller,	Steckel,
Dengler,	Johnson, A. W.,	Mullen,	Stimmel,
Dennison,	Keiser,	Munley,	Strausser,
Down,	Kernaghan,	Murphy,	Walsh,
Edwards,	King,	Needham,	Wargo,
Elvey,	Kistler,	O'Dell,	Weidner,
Eshback,	Kooker,	O'Donnell, J. A.,	Wescott,
Eshleman,	Korns,	O'Donnell, J. P.,	Williams, E. S.,
Farabaugh,	Lamb,	Ogilvie,	Wood,
Foor,	Lippincott,	Pashley,	Zimmerman,
Fulmer,			

#### NAYS—125

Anderson, S. A.,	Fry,	Lee, K. B.,	Rudisill,
Arlene,	Gailey,	Leonard,	Scarcelli,
Ashton,	Gallagher,	Limper,	Schaaf,
Bachman,	Gelfand,	Long, Wm. Jas.,	Schuster,
Boles,	Gibb,	Lutty,	Shelton,
Bossert,	Gibbons,	Marsh,	Sherman,
Bower,	Goldstein, J. H.,	Maxwell,	Shupnik,
Breth,	Goldstein, M. H.,	McCann,	Simmons,
Buchanan,	Goodrich,	McDevitt,	Slack,
Bush,	Gray,	McDonald,	Stank,
Capano,	Gremminger,	McKeever,	Stone,
Capitolo,	Guesman,	McNally,	Sullivan, J. A.,
Cauley,	Hamilton,	Meholchick,	Sullivan, T. F.,
Cianfrani,	Hankins,	Merry,	Taylor,
Cioffi,	Hartley,	Mihm,	Thompson,
Clarke,	Haudenshield,	Mills,	Tomascik,
Comer,	Heavey,	Monroe,	Tompkins,
Cooley,	Holman,	Morley,	Trusio,
Crossin,	Irviss,	Musto,	Ujobai,
Curwood,	Jenkins,	Parlante,	Varnier,
Donaldson,	Jim,	Perry,	Verona,

Dougherty,	Jones,	Petrosky,	Wall,
Doughten,	Kamyk,	Polen,	Welsh,
Eilberg,	Kelly,	Prendergast,	Willard,
Ewing,	Kessler,	Pursley,	Willaredt,
Fetterolf,	Klein,	Reibman,	Williams, A. D.,
Filo,	Knecht,	Reidenbach,	Wilt,
Fineman,	Kornick,	Renwick,	Worley,
Flynn,	Kramer,	Riley,	Yetter,
Foerster,	Lawson,	Rovansek,	Zember,
Fox,	Lee, A. M.,	Rubin,	Andrews,
Frascella,			Speaker

#### NOT VOTING—12

Bowman,	Hocker,	McCormack,	Price,
Heffner,	Johnson, R. P.,	Murray,	Stiteler,
Henzel,	Magee,	Odorisio,	Whittaker,

So the question was determined in the negative and the resolution was not adopted.

#### REASONS FOR VOTE

Mr. KING filed the following reasons for his vote on House resolution No. 11:

Mr. Speaker, the happenings that I witnessed on the floor of this House points out to me the lack of awareness that we Americans have to the threat of Communism.

This evening this House refused to pass a resolution asking for the investigation of un-Americanism in the Universities of our great State.

As I sat here as a member of this assembled body the question that I asked myself was, where are the defenders of the American way of life, where are the men who will arise to debate with great oratorical ability and fervor the merits of some lesser piece of legislation, but refuse to stand up and speak out in defense of a resolution which asked only for an investigation of the possibility of undesirable people teaching our college students?

Mr. Speaker, I am a graduate of the University of Pittsburgh, as was my father and brother. I now have two brothers enrolled at Pitt. This fact I am proud of and I hope to see my children become graduates of this great school. But my conscience cannot permit me to stand by in silence not knowing whether this great University is harboring people with un-American tendencies influencing the very minds of our youth who will some day be our future leaders.

I would like to take this opportunity as an alumnus of Pitt to ask our very able chancellor, Dr. Litchfield, to clear the air on this very serious matter as soon as possible, or as our distinguished Speaker of this House phrases it, "Let's dispel the fog."

If Communists are being sheltered in the halls of our great school in the name of academic freedom, then I say show them to the world for what they are and replace them with people who will instill in our precious youth the ideals of this great, yes, the greatest, Country on earth, the United States of America.

#### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, this will be all the votes for today but there are committee announcements, reports from committee, and this House will convene at 10:00 o'clock tomorrow morning and we will go right straight through without caucuses on 32 bills that have been agreed to be voted on.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. I said that many on this side are



wondering why the resolution was called today, particularly when the majority leader had ruled that the University of Pittsburgh is going to file a report in a few days. He may have an explanation for it, I have an idea but I will not express it on the floor.

Mr. McCANN. Mr. Speaker, I would much prefer that he express his ideas, to show how wrong he is.

This morning the gentleman from Allegheny, Mr. Walsh, arrived at the office and requested that House Resolution 11 be placed on the list to be taken up today. When meeting with the minority floor leader and the whip at 1:30 today, House Resolution 11 was indicated as a must by the sponsor of the resolution and that it would be called today. Then it was also brought on the respective calendars at this meeting long before any bills were voted.

Then following that, the Republican Caucus was held and House Resolution 11 carried an "X" on it from the meeting of the committee, which means it is to be caucused on because it will be before this House today.

The SPEAKER pro tempore. The Chair recognizes the minority floor leader.

Mr. A. W. JOHNSON. Mr. Speaker, to repeat, I say that the majority leader had a report that the University of Pittsburgh is going to give us a report on their investigation within the next few days. I do not think we should have taken the time of the House today with this lengthy discussion on this resolution.

### COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Wednesday, April 26, at 9:30 a.m.

ELECTIONS, Mr. Eilberg, chairman, Room 323, Wednesday, April 26, at 9:45 a.m.

HIGHWAYS, Mr. Comer, chairman, Room 521, Wednesday, April 26, at 10 a.m.

MILITARY AFFAIRS, Mr. Needham, chairman, Room 324, Wednesday, April 26, at 9:45 a.m.

### REPORTS FROM COMMITTEE

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 188, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), requiring taxing bodies to pay commissions and expenses to tax collectors within a stated time.

Mr. FOERSTER from the Committee on State Government, reported as committed, House bill No. 667, entitled:

An Act requiring the Department of Forests and Waters to issue camping permits for camping in State parks and providing for the term thereof.

Mr. MURPHY from the Committee on Judiciary, reported as committed, House bill No. 680, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing disturbing the peace to be defined and penalized, and providing for disposition of such penalties.

Mr. WILT from the Committee on Appropriations, reported as amended, House bill No. 1263, entitled:

An Act amending the "State Workmen's Insurance Fund Law" approved June 2, 1915 (P. L. 762), extending the period for which insurance may be issued and authorizing the sale of investments.

Mr. FOERSTER from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1371, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," regulating credit for pension for previous employment by the city in the bureau of fire or bureau of police.

Mr. LAMB from the Committee on Judiciary, reported as amended, House bill No. 1367, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; \* \* \*," increasing penalties for violation and providing injunctive relief.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 188, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), requiring taxing bodies to pay commissions and expenses to tax collector's within a stated time.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 667, entitled:

An Act requiring the Department of Forests and Waters to issue camping permits for camping in State parks and providing for the term thereof.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 680, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing disturbing the peace to be defined and penalized, and providing for disposition of such penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1371, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," regulating credit for pension for previous employment by the city in the bureau of fire or bureau of police.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1169, entitled:

An Act amending the act of May 29, 1956 (P. L. 1803), entitled "An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth\*\*\*" further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses.

#### RECONSIDERATION OF VOTE

Mr. SNARE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SNARE asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 4), page 4, line 17 by striking out "may" and inserting: shall not.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 257, entitled:

An Act prohibiting and making unlawful the employment of professional strikebreakers in place of employees involved in a labor dispute prohibiting and making unlawful recruitment and furnishing of employees to replace employees involved in a labor dispute by a person or agency not directly involved in the labor dispute and the employment of persons so recruited or furnished\*\*\*.

On the question,

Will the House agree to the bill on third reading?

Mr. GALLAGHER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by inserting after "dispute" and repealing certain existing law.

Amend Sec. 5, page 3, line 19, by striking out "less than three nor more than ten" and inserting: exceeding three.

Amend Bill, page 4, by inserting after line 5:

Section 6. The act of June 21, 1937 (P. L. 1982), entitled "An act to prohibit any person, firm or corporation, not directly involved in a labor strike or lockout, recruiting or securing or offering to secure employment for persons to take the places of employees where a labor strike or a lockout exists; and providing for legally established employment service," is repealed.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 392, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing the designation of 4-way stop and other multi-way stop intersections in cities of the second class.

On the question,

Will the House agree to the bill on third reading?

Mr. WILLARD asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by striking out "in cities of the second class."

Amend Sec. 1 (Sec. 1112), page 2, line 7, by striking out "] Except in cities of the second class no."

Amend Sec. 1 (Sec. 1112), page 2, line 7, by inserting a bracket after "in" where it appears the second time and inserting immediately thereafter: The provisions of.

Amend Sec. 1 (Sec. 1112), page 2, line 11, by inserting a bracket before "Any."

Amend Sec. 1 (Sec. 1112), page 2, lines 11 and 12, by striking out "except in cities of the second class."

Amend Sec. 1 (Sec. 1112), page 2, line 12, by inserting a bracket after "purposes."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 728, entitled:

An Act amending the "Elevator Regulation Law," approved May 2, 1929 (P. L. 1518), changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits inspections and certificates.

On the question,

Will the House agree to the bill on third reading?

Mr. STRAUSSER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1), page 3, line 12 by striking out "hosts" and inserting: hoists.



Amend Sec. 1 (Sec. 1), page 3, line 13 by inserting after "portable": hoists, lifts or.

Amend Sec. 1 (Sec. 1), page 3, lines 16 and 17 by striking out "not used at the same location for more than seven consecutive days".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 819, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), regulating the sale of bait fish and changing the period for which purchased fish bait fish or fish bait may be sold or held in possession.

On the question,

Will the House agree to the bill on third reading?

Mr. JIM asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amnd Sec. 1 (Sec. 175), page 2, line 13, by striking out the bracket before "except."

Amend Sec. 1 (Sec. 175), page 2, lines 14 and 15, by inserting brackets before and after "and purchasers."

Amend Sec. 1 (Sec. 175), page 2, line 15, by striking out the bracket after "of."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 980, entitled:

An Act relating to the payment of wages or compensation for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages, providing civil and criminal penalties for violations of the act, providing for their collection and disposition and providing for additional civil damages.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 3, page 2, line 16, by inserting after "employer": Overtime wages may be considered as wages earned and payable in the next succeeding pay period.

Amend Sec. 3, page 3, lines 1 and 2 by striking out "semi-monthly whichever is shorter" and inserting: within 15 days from the end of such pay period

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 813, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the number of devices to be used while fishing.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. JIM. Mr. Speaker, I move that this bill be re-committed to the Committee on Fisheries.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 821, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), changing the number of devices to be used while fishing in the inland waters boundary lakes and boundary waters on Sunday.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. JIM. Mr. Speaker, I move that this bill be re-committed to the Committee on Fisheries.

The motion was agreed to.

#### BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that the remaining bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

#### SENATE MESSAGE

##### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 251.

An Act amending "The Fish Law of 1959" approved

December 15, 1959 (P. L. 1779), further regulating the use of nets.

HOUSE BILL No. 366.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing the bag limit in certain cases.

HOUSE BILL No. 369.

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment.

HOUSE BILL No. 416.

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" changing the basis for pensions.

HOUSE BILL No. 418.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), changing the basis for pensions.

HOUSE BILL No. 529.

An Act amending the act of March 15, 1899 (P. L. 8), entitled "An act to regulate the manner in which appropriations to educational penal reformatory charitable benevolent or eleemosynary institutions shall be paid" further providing for revision of unexpended balances of sums appropriated for specific purposes.

HOUSE BILL No. 568.

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), providing for the payment of expenses related to investments from interest earnings of the fund providing under certain circumstances for the payment of such expenses by annual appropriations of the Commonwealth and providing for annual crediting of certain funds to the contingent reserve account.

With the information that the Senate has passed the same without amendment.

### SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 96, 99, 156, 190, 191, 203, 204, 315, 360, 371, 486, 487 and 495.

Amended House Bills returned for concurrence Nos. 556 and 649.

### ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 26, 1961, at 10 a.m., e.s.t.

The motion was agreed to, and (at 7:01 p.m., e.s.t.), the House adjourned.



# Legislative Journal.

Session 1961.

Vol. 38.

145th of the General Assembly.

HARRISBURG, PA., WEDNESDAY, APRIL 26, 1961.

No. 43.

**SENATE**

WEDNESDAY, APRIL 26, 1961

The Senate met at 9:30 a.m., Eastern Standard Time.

The PRESIDING OFFICER (William J. Lane) in the Chair.

**PRAYER**

The following prayer was offered by the gentleman from Schuylkill, Mr. WAGNER:

Our gracious heavenly Father, each new day brings fresh evidence of Thy goodness to us and Thy care over us.

For this, Thy world, for the sunshine and the cleanness of the air this morning, we give special thanks. May it help us, guide us, and direct us in our deliberations.

We pray that the day will be hastened when Thy kingdom will come and Thy will may be done on earth as it is in heaven. This we ask in the name of Jesus, our Saviour. Amen.

**JOURNAL APPROVED**

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. BERGER, further reading was dispensed with, and the Journal was approved.

**HOUSE MESSAGES**

**HOUSE CONCURS IN SENATE BILL**

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 463**, with the information that the House has passed the same without amendments.

**HOUSE BILLS FOR CONCURRENCE**

He also presented for concurrence **HB 836** and **863**, which were referred to the Committee on Labor and Industry.

**REPORTS FROM COMMITTEE**

Mr. SESLER, from the Committee on Mines and Mineral Industries, reported, as committed, **HB 454**, **1119**, and **1120**.

**COMMUNICATION FROM THE GOVERNOR  
REPORTED FROM COMMITTEE ON  
EXECUTIVE NOMINATIONS**

Mr. DEVLIN, Mr. President, I report at this time, from

the Committee on Executive Nominations, a communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of Harry A. Peters as a member of the State Farm Products Show Commission, The Clerk read the communication as follows:

RECALLING THE NOMINATION OF HARRY A. PETERS AS A MEMBER OF THE STATE FARM PRODUCTS SHOW COMMISSION

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 16, 1961, for the appointment of Harry A. Peters, Scotland, Franklin County, as a member of the State Farm Products Show Commission, for the term of four years, and until his successor is qualified, vice Fred H. Cook, Sr., Beaver, deceased.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

**NOMINATION BY THE GOVERNOR REPORTED  
FROM COMMITTEE**

Mr. DEVLIN. Mr. President, I further report from the Committee on Executive Nominations the nomination of Harry A. Peters and ask that it be read by the Clerk. The Clerk read the nomination as follows:

**MEMBER OF THE STATE FARM PRODUCTS  
SHOW COMMISSION**

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry A. Peters, Scotland, Franklin County, for appointment as a member of the State Farm Products Show Commission, for the term of four years, and until his successor is qualified, vice Fred H. Cook, Sr., Beaver, deceased.

DAVID L. LAWRENCE.

**NOMINATION RETURNED TO THE GOVERNOR**

Mr. DEVLIN. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. KALMAN. Mr. President, I second the motion. The motion was agreed to.

The PRESIDING OFFICER. The nomination will be returned to the Governor.

**BILLS INTRODUCED AND REFERRED**

Messrs. KROMER and PECHAN presented to the Chair **SB 571**, entitled:

An Act making an appropriation to the General State Authority for the construction of a field house at Indiana State College.

Which was committed to the Committee on Appropriations.

Messrs. WAGNER and HAYS presented to the Chair **SB 572**, entitled:

An Act making a continuing appropriation out of the Motor License Fund to the Department of Public Instruction to promote driven-education, and to provide financial assistance to school districts or joint organizations.

Which was committed to the Committee on Appropriations.

They also presented to the Chair **SB 573**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing limitations on driver-education expenses of the Department of Public Instruction; changing the basis for reimbursement by the Commonwealth on account of standardized driver-training programs; and extending provisions relating to driver-education programs to joint school organizations.

Which was committed to the Committee on Education.

They also presented to the Chair **SB 574**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," removing provisions appropriating a portion of the fee received from learners, permits to the Department of Public Instruction for carrying out a standardized program of teaching safe driving of motor vehicles.

Which was committed to the Committee on Highways.

Mr. SILVERT presented to the Chair **SB 575**, entitled:

An Act amending the act of June 20, 1919 (P. L. 521), entitled, as amended, "Transfer Inheritance Tax Law," changing the provisions relating to the collection of taxes by the register of wills in counties of the first class.

Which was committed to the Committee on Finance.

He also presented to the Chair **SB 576**, entitled:

An Act fixing the salary of the register of wills of Philadelphia.

Which was committed to the Committee on Local Government.

**SENATE RESOLUTION**

REQUESTING THE GOVERNOR TO APPOINT A COMMITTEE TO ENCOURAGE THE DEVELOPMENT OF ADDITIONAL RESEARCH FACILITIES IN PENNSYLVANIA

Mr. DEVLIN offered the following resolution (**Serial No. 49**), which was read and referred to the Committee on State Government:

In the Senate, April 26, 1961.

A substantial portion of the Commonwealth of Pennsylvania has been declared an economically depressed area by the Federal Government due to its level of unemploy-

ment, which in March 1961 totalled 505,000, or more than ten per cent of its civilian labor force.

The development of new products and processes would result in the employment of more of the Commonwealth's citizens and give a greater diversification to the Commonwealth's industrial economy.

It has been demonstrated that other States of the Union have enjoyed substantial economic growth through industrial activity which has resulted from research and development programs in those States.

The Commonwealth has a great investment in facilities for industrial research with 345 industrial research laboratories which can utilize the skills and knowledge of 22,646 scientists and technicians.

By comparison, the State of California, which has received by far the greatest share of Federal Government research, has just 409 industrial research laboratories which employ 28,511 scientists and technicians.

Companies headquartered in California received experimental, research and development contracts totalling \$1,484,500,000 during fiscal 1959 while those headquartered in Pennsylvania received only \$231,800,000, or less than one-sixth the funds which were allocated to California-based companies.

As a result of this, among the 100 leading companies in government-sponsored research and development effort, in fiscal 1959, 17 are headquartered in California while only 6 are in Pennsylvania.

History has shown how research and development efforts contribute substantially to the general economy of the Commonwealth and the well being of its citizens; as witness the growth of atomic power activities from a two-man staff in Allegheny County in 1948 to a work force today of more than 5,600 in Pennsylvania, and additional thousands of jobs in supporting industries.

This atomic power organization has contributed major technological breakthroughs in the development of atomic submarines and the generation of electricity from the atom, which have advanced the well being of our citizens and the security of our Nation; therefore be it

Resolved, That the Commonwealth of Pennsylvania endeavor to obtain a greater share of government research and development contracts in keeping with the potential of its laboratory facilities and scientific talent; and be it further

Resolved, That the Commonwealth, acting through its various agencies, encourage the development of additional research facilities in Pennsylvania and to place increased emphasis on research and development programs which would lead to the expansion and diversification of the Commonwealth's industrial activity; and be it further

Resolved, That the Senate of the Commonwealth of Pennsylvania request the Governor to appoint a committee of eminent citizens from the fields of education, science, technology and government to determine what steps should be taken to achieve the purposes outlined in this resolution; and be it further

Resolved, That the committee report its recommendations to the Governor and to the General Assembly as soon as conveniently possible.

**RECESS**

Mr. WEINER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Committee on Appropriations.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

**AFTER RECESS**

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

**REPORTS FROM COMMITTEE**

Mr. SEYLER, by unanimous consent, from the Committee on Appropriations, reported, as committed, **SB**



442, and rereported, as committed, **SB 231, HB 191, 715 and 716.**

Mr. YATRON, by unanimous consent, from the Committee on Agriculture, reported, as committed, **HB 1060.**

## CALENDAR

### FINAL PASSAGE CALENDAR

#### BILL OVER IN ORDER

**SB 213**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

### THIRD READING CALENDAR

#### BILL ON THIRD READING AND FINAL PASSAGE

**SB 65**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Lane,
Hawbaker,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

**SB 88**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 95 and 132**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**SB 201**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**SB 209**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Hays,	Murray,	Stiefel,
Berger,	Kalman,	Pechan,	Stroup,
Camel,	Keller,	Propert,	Taylor,
Chapman,	Kessler,	Ripp,	Van Sant,
Confair,	Kromer,	Rooney,	Wade,
Devlin,	Madigan,	Sarraf,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,
Donolow,	Mallery,	Sesler,	Weiner,
Ehrgood,	McCreesh,	Shafer,	Wolfe,
Flack,	McGinnis,	Silvert,	Yatron,
Fleming,	McMenamin,	Stalsey,	Lane,
Haluska,	Miller,	Stevenson,	Presiding Officer
Hawbaker,	Mullin,		

#### NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

**SB 294**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 307 and SB 332**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 378**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Hays,	Murray,	Stiefel,
Berger,	Kalman,	Pechan,	Stroup,
Camel,	Keller,	Ripp,	Taylor,
Chapman,	Kessler,	Rooney,	Van Sant,
Confair,	Kromer,	Sarraf,	Wade,
Devlin,	Madigan,	Scott,	Wagner,
DiSilvestro,	Mahady,	Sesler,	Ware, III,
Donolow,	Mallery,	Seyler,	Weiner,
Ehrgood,	McCreesh,	Shafer,	Wolfe,
Flack,	McGinnis,	Silvert,	Yatron,
Fleming,	McMenamin,	Stalsey,	Lane,
Haluska,	Miller,	Stevenson,	Presiding Officer
Hawbaker,	Mullin,		

#### NAYS—1

Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 381**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Berger,	Kalman,	Pechan,	Stiefel,
Camel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Lane,
Hawbaker,	Mullin,	Stevenson,	Presiding Officer
Hays,	Murray,		

#### NAYS—1

Bell,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk present said bill to the House of Representatives for concurrence.

**HB 419**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

Mr. SEYLER. Mr. President, I desire to interrogate the gentleman from Clinton, Senator Stevenson, on this bill.

The PRESIDING OFFICER. Will the gentleman from Clinton, Mr. Stevenson, permit himself to be interrogated?

Mr. STEVENSON. I will, Mr. President.

Mr. SEYLER. Mr. President, I want to tell the Senator that I am not asking these questions in opposition. I am asking them for information.

Before this amendment was inserted in the township law, the township law read that no person shall be eligible to any township office unless he is a registered elector of the township from which he is chosen. This bill substitutes the statement confining the necessity for residence to the office of supervisor, assessor, auditor and tax collector.

My question to the Senator, Mr. President, is what other township offices are there which will be excluded from the necessity of residence by this bill?

Mr. STEVENSON. Mr. President, there has been considerable argument as to whether the township solicitor, the township engineer and the township manager were included in the words "township officers".

This is to clarify the situation by spelling out the four township offices. A school director is an officer of the school district. An assessor, from the county point of view, is a county officer.

Mr. SEYLER. The assessor is included in this, Senator?

Mr. STEVENSON. Yes, but this is only for township purposes.

Mr. SEYLER. Mr. President, are there any elective officers in the township who would not be required to be registered electors of the township, if this bill were passed?

Mr. STEVENSON. No, Mr. President. In each township there are, of course, two justices of the peace. A justice of the peace is a State officer.

Mr. SEYLER. How about a constable?

Mr. STEVENSON. A constable is a State officer.

Mr. SEYLER. Mr. President, is it provided in another Act that a justice of the peace and constable must be registered electors of the township?

Mr. STEVENSON. Mr. President, I cannot answer that definitely. However, this does not include anyone except the township officers, and these are the four who are the four important township officers. As I say, there has been a continuous argument. If you cannot find a solicitor in a township, he must come from another township. This is also true of a manager.

Mr. SEYLER. Mr. President, I am in sympathy with the exclusion of the solicitor, engineer and manager from the necessity of being residents. However, the thing that I was concerned with, and on which I wanted assurance, is the fact that by doing this we are not saying that a justice of the peace or constable may be elected without being a resident of the township.

Mr. STEVENSON. I am fairly certain, Mr. President, that they must live in the township. The justice of the peace, being a State officer, is elected in the township and he functions in the township. I am reasonably certain that he is a State officer.

Mr. SEYLER. Mr. President, I thank the gentleman.

Mr. STEVENSON. Mr. President, I have just been advised by counsel here that a constable is a court officer, which would be a county officer.

Mr. SEYLER. Mr. President, I thank the gentleman for his answers. I will accept his assurance that the office of justice of the peace and the office of constable require residency in some other Act, because if that is not correct, it is my opinion this bill would remove the necessity for their being residents. I think those two should be residents of the township in which they are elected. However, I will accept the gentleman's assurance and on that basis, I am willing to vote for the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Hays,	Pechan,	Stiefel,
Berger,	Kalman,	Propert,	Stroup,
Camiel,	Keller,	Ripp,	Taylor,
Chapman,	Kessler,	Rooney,	Van Sant,
Confair,	Kromer,	Sarraf,	Wade,
Devlin,	Madigan,	Scott,	Wagner,
DiSilvestro,	Mallery,	Sesler,	Ware, III,
Donolow,	McCreesh,	Seyler,	Welner,
Ehrgood,	McGinnis,	Shafer,	Wolfe,
Flack,	McMenamin,	Silvert,	Yatron,
Fleming,	Miller,	Staisey,	Lane,
Haluska,	Mullin,	Stevenson,	Presiding Officer
Hawbaker,	Murray,		

#### NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB—446**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Murray,	Stiefel,
Berger,	Kalman,	Pechan,	Stroup,
Camiel,	Keller,	Propert,	Taylor,
Chapman,	Kessler,	Ripp,	Van Sant,
Confair,	Kromer,	Rooney,	Wade,
Devlin,	Madigan,	Sarraf,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,
Donolow,	Mallery,	Sesler,	Welner,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	Yatron,
Fleming,	McMenamin,	Silvert,	Lane,
Haluska,	Miller,	Staisey,	Presiding Officer
Hawbaker,	Mullin,	Stevenson,	

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

**SB 479**—Without objection, the bill was passed over in its order at the request of Mr. STEVENSON.



**SB 518**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

# **BILLS ON THIRD READING AND FINAL PASSAGE**

**HB 542**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## **YEAS—50**

Bell,	Hays,	Murray,	Stiefel,
Berger,	Kalman,	Pechan,	Stroup,
Camiel,	Keller,	Propert,	Taylor,
Chapman,	Kessler,	Ripp,	Van Sant,
Confair,	Kromer,	Rooney,	Wade,
Devlin,	Madigan,	Sarrafa,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,
Donolow,	Mallery,	Sesler,	Weiner,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	Yatron,
Fleming,	McMenamin,	Silvert,	Lane,
Haluska,	Miller,	Staisey,	Presiding Officer
Hawbaker,	Mullin,	Stevenson,	

## **NAYS—0**

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 571**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## **YEAS—50**

Bell,	Hays,	Murray,	Stiefel,
Berger,	Kalman,	Pechan,	Stroup,
Camiel,	Keller,	Propert,	Taylor,
Chapman,	Kessler,	Ripp,	Van Sant,
Confair,	Kromer,	Rooney,	Wade,
Devlin,	Madigan,	Sarrafa,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,
Donolow,	Mallery,	Sesler,	Weiner,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	Yatron,
Fleming,	McMenamin,	Silvert,	Lane,
Haluska,	Miller,	Staisey,	Presiding Officer
Hawbaker,	Mullin,	Stevenson,	

## **NAYS—0**

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 681**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## **YEAS—31**

Berger,	Kessler,	Murray,	Stevenson,
Camiel,	Kromer,	Pechan,	Stiefel,
Devlin,	Madigan,	Ripp,	Van Sant,

DiSilvestro,	Mahady,	Rooney,	Wagner,
Fleming,	McCreesh,	Scott,	Ware, III,
Haluska,	McGinnis,	Seyler,	Weiner,
Kalman,	McMenamin,	Silvert,	Lane,
Keller,	Mullin,	Staisey,	Presiding Officer

## **NAYS—12**

Bell,	Hawbaker,	Propert,	Taylor,
Confair,	Hays,	Sesler,	Wade,
Flack,	Mallery,	Stroup,	Yatron,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 682**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## **YEAS—31**

Berger,	Keller,	Mullin,	Stevenson,
Camiel,	Kessler,	Murray,	Stiefel,
Chapman,	Kromer,	Pechan,	Van Sant,
Devlin,	Madigan,	Ripp,	Wagner,
DiSilvestro,	Mahady,	Rooney,	Ware, III,
Fleming,	McCreesh,	Scott,	Weiner,
Haluska,	McGinnis,	Seyler,	Lane,
Kalman,	McMenamin,	Silvert,	Presiding Officer

## **NAYS—13**

Bell,	Hawbaker,	Propert,	Stroup,
Confair,	Hays,	Sesler,	Taylor,
Flack,	Mallery,	Staisey,	Wade,
			Yatron,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 683**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## **YEAS—31**

Berger,	Keller,	Mullin,	Stevenson,
Camiel,	Kessler,	Murray,	Stiefel,
Devlin,	Kromer,	Ripp,	Van Sant,
DiSilvestro,	Mahady,	Rooney,	Wagner,
Fleming,	Mallery,	Scott,	Ware, III,
Haluska,	McCreesh,	Seyler,	Weiner,
Hays,	McGinnis,	Silvert,	Lane,
Kalman,	McMenamin,	Staisey,	Presiding Officer

## **NAYS—11**

Bell,	Hawbaker,	Sesler,	Wade,
Confair,	Pechan,	Stroup,	Yatron,
Flack,	Propert,	Taylor,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1200**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—28

Berger,	Keller,	Mullin,	Stevenson,
Camiel,	Kessler,	Murray,	Stiefel,
Devlin,	Madigan,	Ripp,	Van Sant,
DiSilvestro,	Mahady,	Rooney,	Wagner,
Fleming,	McCreesh,	Scott,	Ware, III,
Haluska,	McGinnis,	Seyler,	Weiner,
Kalman,	McMenamin,	Silvert,	Lane,
			Presiding Officer

## NAYS—15

Bell,	Hays,	Propert,	Taylor,
Confair,	Kromer,	Sesler,	Wade,
Flack,	Mallery,	Staisey,	Yatron,
Hawbaker,	Pechan,	Stroup,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1252**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—30

Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Ripp,	Stiefel,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Scott,	Wagner,
Fleming,	McCreesh,	Seyler,	Ware, III,
Haluska,	McGinnis,	Silvert,	Weiner,
Hays,	McMenamin,	Staisey,	Lane,
Kalman,	Mullin,		Presiding Officer

## NAYS—13

Bell,	Kromer,	Propert,	Taylor,
Confair,	Mallery,	Sesler,	Wade,
Flack,	Pechan,	Stroup,	Yatron,
Hawbaker,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## SECOND READING CALENDAR

## BILL OVER IN ORDER

**SB 30**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 55**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 60, 140 and SB 197**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## REASONS FOR VOTE

Mr. STROUP. Mr. President, I noticed that yesterday when the vote was taken on Senate Bill No. 79, I am recorded as having voted in favor of this bill. I desire

to put in the record that I have consistently been opposed to the radar bill. Therefore, I should have been recorded as having voted against that bill.

## BILLS OVER IN ORDER

**SB 219 and HB 315**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILL ON SECOND READING AMENDED

**HB 326**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. VAN SANT offered the following amendments:

Amend Sec. 1 (Sec. 2004), page 3, by striking out the brackets before and after "fourteen"

Amend Sec. 1 (Sec. 2004), page 3, line 1, by striking out "fifteen"

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 386 and HB 390**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 401, 431 and 466**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 470**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 474, SB 481, 482, 483 and 484**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 493**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON SECOND READING

**SB 505, 506, 507 and 526**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING AMENDED

**SB 528**—The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. BELL and KROMER offered the following amendment:

Amend Sec. 1, page 2, lines 1 and 2, by striking out "for the two years prior to his death"

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BELL.



## BILLS OVER IN ORDER

**SB 533 and 534**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 635**—Read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that House Bill No. 635 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I object to House Bill No. 635, Printer's No. 1299, going over in its order for the following reason:

This bill came to the Senate on March 21, 1961, and has been on our Calendar since April 4. From that date until the present time, there has not been an amendment offered. There have not been any problems with this measure at all that I know of. These bills bring a great deal of revenue to the Commonwealth and are a great help to the airports and air terminals of the Commonwealth, which exist at both ends of Pennsylvania and some exist right here in the center of the State.

I do not know the reason why these bills are being held. Unless there is some really important reason for holding them, I feel they should be passed on Second Reading. I have gone along every week with these measures going over in order. However, this week, I am going to ask that House Bill No. 635 and House Bill No. 636 be moved up.

Mr. VAN SANT. Mr. President, I am vitally interested in these bills and I have been for a number of years. I have asked for certain statistics on these bills and I think I will receive them by next week. I am also studying House Bill No. 635 and House Bill No. 636, with the possibility of amending them.

For this reason, Mr. President, I would request that they go over in order until next week.

Mr. WEINER. Mr. President, I would like to point out to the gentleman that there has never been any objection raised by me, since I have been in the Senate, to anybody amending a bill on Third Reading. I would like to have these bills moved up to Third Reading so that when the statistics come over and if they meet with the approval of the people who have some objection to these bills being moved up, then we can expeditiously handle this matter. If the statistics come over and we find the bill to be in bad shape or form, I will be delighted to sit down with the people who are involved and try to work out amendments which will be helpful to everyone involved.

However, just to hold these measures and to continue dragging them along on the Calendar, I do not think is fair to the sponsors of the bills. I do not think it is fair to continue these matters indefinitely.

Mr. BELL. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BELL. Mr. President, does the Majority Leader know whether or not the Chairman of the Aeronautics Commission, the Adjutant General of Pennsylvania, General Hay, has studied these bills?

Mr. WEINER. Mr. President, I have no way of knowing that. The only time I was informed about that was when Senator Bell, who I believe is a member of that Commission and also who I believe knows General Hay, stated that he was going to take this matter up with him, and he told me that two weeks ago. We asked him to look into this matter and advise us.

Until this time, I have neither heard from General Hay nor anyone else telling me that he is either for or against these measures. I would assume that if he had some feeling about this, he certainly would have gotten in touch with me or, at least through the Administration, advised me that he is not in favor of these measures. Having not heard from General Hay or Senator Bell, I would assume that these measures are all right. If they are not, I am certain they would have brought it to my attention.

Mr. BELL. Thank you, Mr. Majority Leader, for saying "no."

To set the record straight, Senator Bell is not a member of the Aeronautics Commission and has not been since he stopped being a Member of the House on December 1, 1960.

Pursuant to our conversations earlier, I did take this up with the Adjutant General of Pennsylvania. Due to his extremely heavy schedule, I was unable to see him until last Wednesday. It is my understanding that this matter was to be taken up with the Aeronautics Commission and the Governor's Office.

I think it is only fair to the Adjutant General of Pennsylvania and to the Aeronautics Commission of Pennsylvania that this matter be held up until the new Adjutant General has a chance to talk to the Governor and examine these matters. You are dealing with the income of his department. As a Member of the Minority Party, I am in a funny position in fighting for the Administration. However, I think that the Adjutant General, who is a member of the Governor's family, should have the courtesy of having these bills held up until he has had an ample opportunity to study them.

Therefore, Mr. President, I ask everybody to oppose moving these bills up on the Calendar.

Mr. PECHAN. Mr. President, as a member of the Aeronautics Commission, I want to say that I have not had an opportunity to meet the Adjutant General, who is the Chairman of our Commission. He has not contacted me and neither has the Executive Director.

However, I have some figures that make me feel that we are justified in passing these bills. In deference to my two distinguished colleagues on this side, Senator Van Sant and Senator Bell, and with the promise of The Majority Leader that the bills can be amended on Third Reading, provided there are some amendments offered, I would like to go along with the Majority Leader's wish that the bills go up to Third Reading and then give these gentlemen an opportunity to offer amendments.

It would give us an opportunity to check with the Aeronautics Commission and all of the people who are interested.

Mr. President, if I am not out of order, I would like to say that there is a movement in Pittsburgh to make Pittsburgh an International Airport. If it is going to become an International Airport, more and more jet fuel is going to be sold, and we certainly do not want to hurt the city of Pittsburgh in so far as it being an International Airport. Even though we reduce the tax, I am sure that

the revenue is greater than it was during the last bien-nium.

Mr. WEINER. Mr. President, it is with great pleasure that I concur in the remarks made by Senator Pechan.

I want to thank Senator Bell for fighting for the Administration. There are a couple of other measures I would like to talk to him about also on which we can use his help.

I would like to also point out that if General Hay in any way has any reservations about this measure when it is on Third Reading, if he will make his wishes known to me, I will certainly extend to him—as I extend to every Member of this body—the courtesy of discussing it with him and trying to arrive at some amicable solution if we possibly can.

Mr. BELL. Mr. President, in order to keep the record straight so that some of my loyal constituents in my county do not believe that I am too strongly in favor of some of the Administration's measures, I would like to suggest to the Majority Leader that we hold those talks in the open over these microphones.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, to be transcribed for a third reading.

**HB 636 and 638**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

**HB 678**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 1 (Sec. 2), page 2, line 18, by inserting after "welfare": Preference shall be given to the sealing of those abandoned coal mines and the filling of those voids that are in close proximity to operating mines.

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WAGNER.

#### BILLS INTRODUCED AND REFERRED

Messrs. SCOTT, FLEMING, VAN SANT, MAHADY and LANE, by unanimous consent, presented to the Chair **SB 577**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," removing the limitation on the compensation of watchers and making expenditures in connection therewith lawful expenses.

Which was committed to the Committee on Elections.

Messrs. SCOTT, FLEMING, VAN SANT and LANE, by unanimous consent, presented to the Chair **SB 578**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," changing residence requirements for watchers.

Which was committed to the Committee on Elections.

Messrs. SCOTT, FLEMING, VAN SANT, MAHADY and LANE, by unanimous consent, presented to the Chair **SB 579**, entitled:

A Joint Resolution proposing an amendment to article eight, section fourteen of the Constitution of the Commonwealth of Pennsylvania providing for district election officers to be selected in the manner provided by law.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. SCOTT, FLEMING, VAN SANT and LANE, by unanimous consent, presented to the Chair **SB 580**, entitled:

An Act amending the act of August 26, 1953 (P. L. 1476), entitled "An act to carry out the intent and purpose of Article XV, Section 1 and Article XIV, Section 8 of the Constitution of Pennsylvania, and to supplement the First Class City Home Rule Act, approved April twenty-one, one thousand nine hundred forty-nine (Phamphlet Laws 665), by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election, appointment, compensation, organization, abolition, merger, consolidation, powers, function and duties of certain officers, offices, boards and commissions of the City of Philadelphia; . . ." removing the exclusion of the City Commissioners and Registration Commission from the provisions of section 2 and providing that such officers be included within the provisions of the said section so that the Council of the City of Philadelphia shall have full power to legislate with respect to the election, appointment, compensation, organization, abolition, merger, consolidation, powers, functions and duties of the City Commissioners and Registration Commission of the City of Philadelphia subject to approval of the electorate of the City of Philadelphia.

Which was committed to the Committee on Local Government.

Messrs. YATRON and SCOTT, by unanimous consent, presented to the Chair **SB 581**, entitled:

An Act authorizing county commissioners of counties other than counties of the first class to make appropriations to county firemen's associations.

Which was committed to the Committee on Local Government.

#### BILLS ON FIRST READING

Mr. DEVLIN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 442, HB 454, 1060, 1119 and 1120.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

#### STUDENTS WELCOMED TO THE SENATE

Mr. SCOTT. Mr. President, we have visiting in Harrisburg in our State Capitol today a group of ninth grade students from the Jim Thorpe High School, Jim Thorpe, Carbon County.

This group of students is presently in the balcony of the Senate Chamber, and I wonder if you, as Presiding Officer, would extend a welcome to them. They are under the tutelage of Mrs. Anna Trainer, their teacher.



The PRESIDING OFFICER. The Chair would like very much to have the students in the balcony and the persons accompanying them to stand up so that the Members of the Senate can give them the official welcome which they deserve.

We are very happy, indeed, to hear the name of Jim Thorpe again because it is known throughout the United States of America.

Will you rise, please? The Senate will, of course, give you a great hand.

### HOUSE CONCURRENT RESOLUTION NO. 29 CALLED UP

Mr. WEINER, without objection, called up from page 12 of the Calendar, House Concurrent Resolution No. 29, entitled:

Joint State Government Commission to Recodify the Insurance Laws

On the question,

Will the Senate concur in the resolution?

### SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION No. 29

Mr. WEINER. Mr. President, I move that the Senate do concur in this resolution.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

### SENATE CONCURRENT RESOLUTION, SERIAL NO. 111, CALLED UP

Mr. WEINER, without objection, called up from page 12 of the Calendar, Senate Concurrent Resolution, Serial No. 111, entitled:

Directing the Joint State Government Commission to Make a Study of the Laws Relating to Mechanics' Liens

On the question,

Will the Senate adopt the resolution?

### SENATE CONCURRENT RESOLUTION, SERIAL No. 111, ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt Senate Concurrent Resolution, Serial No. 111.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

### BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:  
**SB 463, HB 681, 682, 683, 1200 and 1252.**

The PRESIDING OFFICER (William J. Lane) in the Chair.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

MONDAY, MAY 1, 1961

DEMOCRATIC CAUCUS .....1:00 P.M., E.D.T.

REPUBLICAN CAUCUS .....1:00 P.M., E.D.T.

### ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, May 1, 1961, at 1:30 p.m.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:48 a.m.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, April 26, 1961

The House met at 10 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, our Father in heaven, as humble stewards of Thine and proclaimers of Thy Way, we recognize the magnitude of the work which Thou hast called us to do. O God, we humbly pray that we may never minimize the grave responsibility which Thou hast placed upon our shoulders. But we ask that Thou wilt so fill and challenge us with Thy Spirit, that as we undertake our task, we may so manifest Thy glory in what we do, that all men everywhere may ever know that Thou dwellest within us all: through Jesus Christ, Thy Son, our Lord. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, April 25, 1961, will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. GOODRICH, TOMPKINS, McCORMACK and ANDREWS. HOUSE BILL No. 1406.

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania, providing that each county, city, borough, incorporated town and township shall have the exclusive power to provide for all matters relating to the wages and hours of its employees.

Referred to the Committee on Judiciary.

By Messrs. PETROSKY, GALLAGHER, A. D. WILLIAMS, Jr. and DONALDSON.

HOUSE BILL No. 1407.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the affidavit of the circulator of a nomination petition.

Referred to the Committee on Elections.

By Messrs. MORLEY, HARTLEY, GREMMINGER and FRY. HOUSE BILL No. 1408.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), eliminating the requirement that cotton fabrics used in State institutions be flameproofed.

Referred to the Committee on State Government.

By Messrs. FOX and ROVANSEK.

HOUSE BILL No. 1409.

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act" approved May 31, 1945 (P. L. 1198), further regulating the leveling and rounding off of spoil banks.

Referred to the Committee on Mines and Mineral Industries.

By Mr. GUESMAN (By Request).

HOUSE BILL No. 1410.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145) imposing certain limitations and duties upon employees.

Referred to the Committee on Labor Relations.

By Messrs. GUESMAN and JENKINS.

HOUSE BILL No. 1411.

An Act requiring that junk yards or scrap yards within a certain distance of State highways have fences so that material therein is not visible from the highway, and prescribing penalties.

Referred to the Committee on State Government.

By Messrs. MURRAY, FILO, DONALDSON and HELM. HOUSE BILL No. 1412.

An Act providing for payment by the State Treasurer of the two per centum tax on premiums paid by foreign life and foreign health insurance companies to the treasurers of participating municipalities to be used to establish and maintain pension or retirement funds.

Referred to the Committee on Ways and Means.

By Messrs. RUTHERFORD, WARGO, SHUPNICK and ESHLEMAN. HOUSE BILL No. 1413.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for a joint labor-school program for pupils of limited ability or having social problems beyond the control of the pupil or not properly motivated by other school curricula.

Referred to the Committee on Rules.

By Messrs. FINEMAN, JIM and WM. JOS. LONG. HOUSE BILL No. 1414.

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), empowering the Governor to abolish special funds; transfer balances in bond fund to the General Fund; utilize balances in the sinking funds to extinguish the public debt; and providing powers and duties of the Auditor General and the State Treasurer.

Referred to the Committee on State Government.

By Messrs. FINEMAN, McDEVITT, MEHOLCHICK and J. A. O'DONNELL. HOUSE BILL No. 1415.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), exempting Jewish Community Centers from payment of title or registration fees.

Referred to the Committee on State Government.

By Mr. MEHOLCHICK. HOUSE BILL No. 1416.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing game to be hunted, caught, taken, wounded or killed with auto-pistols.

Referred to the Committee on Game and Conservation.

By Messrs. CAPITOLO, FLYNN, MURPHY and SCARCELLI. HOUSE BILL No. 1417.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), permitting the transfer of restaurant liquor and restaurant retail dispenser licenses within the same county under certain conditions.

Referred to the Committee on Liquor Control.



By Messrs. HAMILTON, SCHAAF  
and PRENDERGAST. HOUSE BILL No. 1418.

An Act prohibiting discrimination against insurers in certain cases; authorizing relief in equity; and prescribing penalties.

Referred to the Committee on Insurance.

By Messrs. HAMILTON, SCHAAF  
and PRENDERGAST. HOUSE BILL No. 1419.

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), prescribing additional causes for revocation of licenses.

Referred to the Committee on Insurance.

By Mr. HANKINS, Mrs. JONES, Messrs. COOLEY  
and CIANFRANI. HOUSE BILL No. 1420.

An Act amending the "Fiduciaries Act of 1949," approved April 18, 1949 (P. L. 512), providing that funeral directors who become creditors as a result of funeral expenses of a decedent may be entitled to letters of administration.

Referred to the Committee on Judiciary.

By Messrs. LAMB, T. F. SULLIVAN, WILT and M. H.  
GOLDSTEIN. HOUSE BILL No. 1421.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), further regulating printed or written statements of registration; imposing duties on common pleas courts with regard to registration; providing for suspension of registration in counties maintaining a reinstatement system.

Referred to the Committee on Elections.

By Messrs. STONE, KLEIN, DONALDSON  
and SIMMONS. HOUSE BILL No. 1422.

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs, towns and townships and the regulation and maintenance thereof; \* \* \*.

Referred to the Committee on State Government.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 96.

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

Referred to the Committee on Highways.

#### SENATE BILL No. 99.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age restricting their driving privileges and providing penalties.

Referred to the Committee on Motor Vehicles.

#### SENATE BILL No. 156.

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Westmoreland County.

Referred to the Committee on Highways.

#### SENATE BILL No. 190.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing disturbing the peace to be defined and penalized, and providing for disposition of such penalties.

Referred to the Committee on Boroughs.

#### SENATE BILL No. 191.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" including additional buses within the provisions relating to school buses further providing for the operation of school buses and lights located thereon and providing penalties.

Referred to the Committee on Motor Vehicles.

#### SENATE BILL No. 203.

An Act authorizing and directing the Department of Highways to accept a bridge over the Monongahela River between Donora in Washington County and Webster in Westmoreland County and providing for the future maintenance thereof.

Referred to the Committee on Highways.

#### SENATE BILL No. 204.

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" further providing for the mileage of jurors when such jurors are temporarily sent home.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 315.

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" removing provisions relating to archery preserves.

Referred to the Committee on Game and Conservation.

#### SENATE BILL No. 360.

An Act providing for injunctions against persons to prohibit and restrain the unauthorized practice of the law authorizing the investigation thereof and prescribing the procedure therefor.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 371.

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" authorizing the acquisition of land outside the limits of any city for the use of the National Guard.

Referred to the Committee on Cities—Third Class.

#### SENATE BILL No. 486.

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Act" prescribing the effective date of taxes levied for the first time by any political subdivision limiting appeals by taxpayers to such first tax levies.

Referred to the Committee on State Government.

## SENATE BILL No. 487.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" increasing the limitation on appropriations which may be made for agricultural extension work.

Referred to the Committee on Counties.

## SENATE BILL No. 495.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" permitting magistrates to accept affidavits by the registered owner disclosing the name of the actual operator of a motor vehicle at the time of a traffic violation.

Referred to the Committee on Motor Vehicles.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 58, entitled:

An Act amending the act of November 19, 1959 (P. L. 1548), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System \* \* \*" extending the time for receipt of benefits and including disability annuitants.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 59, entitled:

An Act amending the act of November 21, 1959 (P. L. 1590), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System \* \* \*" extending the time for receipt of benefits and including disability annuitants.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 719, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), eliminating duplicate suspensions arising out of same event or occurrence.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 766, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 768, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 808, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for the fiscal period June 1, 1961 to June 30, 1962 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending May 31, 1961.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1281, entitled:

An Act amending the "Motor Vehicle Sales Finance Act" approved June 28, 1947 (P. L. 1110), further regulating the contents of installment sales contracts.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1367, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed \* \* \*" increasing penalties for violation and providing injunctive relief.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 48, entitled:

An Act amending the act of April 27, 1927 (P. L. 414), entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals \* \* \*" making it unlawful to take the fingerprints or photographs of persons in custody who are charged with a violation of "The Vehicle Code" with certain exceptions.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 123, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 188, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050), requiring taxing bodies to pay commissions and expenses to tax collectors within a stated time.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 317, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for architects' plans to be furnished by the Department of Public Instruction.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 345, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), authorizing counties to acquire for certain purposes by purchase gift exchange or condemnation real property or interests in real property in excess of present needs.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 351, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further regulating leaves of absence for presidents and faculty members of State Colleges.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 577, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating the use of resident hunter's license fees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 667, entitled:

An Act requiring the Department of Forests and Waters

to issue camping permits for camping in State parks and providing for the term thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 680, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), authorizing disturbing the peace to be defined and penalized and providing for disposition of such penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 733, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), requiring copies of plans for relocation of State highways to be submitted by the Department of Highways to boards of supervisors of second class townships prior to the time of actual relocation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 757, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 804, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 853, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), authorizing a change in the compensation of certain township commissioners.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 914, entitled:

An Act making an appropriation out of the Motor Li-

cense Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 915, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 916, entitled:

An Act making an appropriation for moneys in the Korean Conflict Veterans' Compensation Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 917, entitled:

An Act making an appropriation from the Korean Conflict Veterans' Fund to the Department of Military Affairs for certain administration expenses necessary in the administration of the "Korean Conflict Veterans' Compensation Act."

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 918, entitled:

An Act making an appropriation from various funds of the Commonwealth to the Department of Labor and Industry for the payment of the Commonwealth's share of Social Security taxes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 919, entitled:

An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 920, entitled:

An Act making an appropriation from the Toll Bridge

Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 921, entitled:

An Act making an appropriation to the Department of State out of various funds for payments on account of the Annuity Reserve Account No. 2 Contingent Reserve Account and State Police Retirement System to meet the obligations of the funds to the State Employees Retirement System.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 922, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act."

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 944, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further defining "professional employe" and "teacher" to include manager of school food services.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1076, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1109, entitled:

An Act providing that the Pennsylvania Game Commission shall have exclusive power to regulate hunting in this Commonwealth prohibiting ordinances and resolutions of political subdivisions which regulate hunting therein and invalidating such ordinances and resolutions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1174, entitled:

An Act relating to public works contracts providing for prevailing wages imposing duties upon the Secretary of Labor and Industry providing remedies penalties and repealing existing laws.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1186, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) "providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania \*\*\*" extending the provisions thereof to members of the Delaware River Port Authority Police.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1213, entitled:

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), fixing a fee for issuing search warrants.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1224, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the payments by the Commonwealth for certain equipment used for the instruction of handicapped children.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1225, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for the use of operators' licenses prior to the license period.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1229, entitled:

An Act amending "The Vehicle Code," approved April

29, 1959 (P. L. 58), providing an exemption from electric clearance lamp requirements for logging trucks.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1262, entitled:

An Act amending the "State Workmen's Insurance Fund Law," approved June 2, 1915 (P. L. 762), extending the purpose of the fund to include the insuring of employers against employer's liability and the issuance of additional medical coverage at the option of the board.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1263, entitled:

An Act amending the "State Workmen's Insurance Fund Law," approved June 2, 1915 (P. L. 762), extending the period for which insurance may be issued and authorizing the sale of investments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1282, entitled:

An Act regulating the manufacture processing sale use transportation storage or possessing of explosives in Pennsylvania regulating the location operating maintenance equipment and conduct of explosive manufacturing plants and of explosive storage magazines providing for licenses and applications for licenses and fees for such licenses providing for renewal of licenses and fees in connection therewith providing for the maximum amount of explosives in any magazine providing for labeling or imprinting explosives with serial numbers providing for the keeping of records and providing penalties for violations of the act and appeal procedures.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1327, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the expiration date of permits issued by the Commission.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1368, entitled:

An Act regulating the manufacture processing sale use transportation storage or possessing of explosives in Pennsylvania \*\*\*.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1369, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), providing for determination of deficiencies redetermination reviews and appeals therefrom and conferring additional powers and duties upon the Department of Revenue.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1371, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," regulating credit for pension for previous employment by the city in the bureau of fire or bureau of police.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1372, entitled:

An Act authorizing cities of the second class to acquire by purchase gift exchange or condemnation certain real property in excess of that required for present needs.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1387, entitled:

An Act amending the "Statutory Construction Act," approved May 28, 1937 (P. L. 1019), authorizing the changing of certain errors in the punctuation of laws and removing the provisions that the punctuation of laws shall not control or affect the intention of the Legislature in the enactment thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1388, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing provisions relating to the punctuation of laws by the Department of State.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 173, entitled:

An Act amending the act of May 1, 1933 (P. L. 103),

entitled "The Second Class Township Code," authorizing the condemnation of land for land fill purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 346, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," specifying more accurately the duties of coroners in issuing certificates of cause of death.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Mr. HELM IN THE CHAIR

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. MURRAY for today because of illness.

Mr. Tompkins for Mr. ESHBACK for today because of illness.

Mr. Tompkins for Mr. GEORGE for today because of illness.

Mr. Tompkins for Mr. GIBBONS for today because of illness.

Mr. McCANN. Mr. Speaker, I request permission to turn to page 19, House bill No. 320, printer's No. 1471.

### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 320, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof \* \* \*" changing the age at which a member of a police force may retire.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PIPER. Mr. Speaker, I would like to interrogate the gentleman from Luzerne, Mr. Curwood.

The SPEAKER pro tempore. Will the gentleman from Luzerne, Mr. Curwood, permit himself to be interrogated?

Mr. CURWOOD. I shall, Mr. Speaker.

Mr. PIPER. Mr. Speaker, is this a compulsory bill on the part of the boroughs, or is it a "may" bill?

Mr. CURWOOD. This is a "may" bill.

Mr. PIPER. In other words, it will not be necessary for any borough authority to put this bill into effect unless they so desire?

Mr. CURWOOD. It will not, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—169

Adams,	Gelfand,	Leonard,	Riley,
Anderson, S. A.,	Gibb,	Limper,	Rovansek,
Arlene,	Goldstein, J. H.,	Long, Wm. Jas.,	Rubin,
Ashton,	Goldstein, M. H.,	Long, Wm. Jos.,	Rudisill,
Auker,	Goodrich,	Lutty,	Rutherford,
Bachman,	Gramlich,	Manbeck,	Sakulsky,
Backenstoe,	Gray,	Markley,	Scarcelli,
Blair,	Gremminger,	Maxwell,	Schaaf,
Boles,	Guthrie,	May,	Schuster,
Bonner,	Hamilton,	McCann,	Seltzer,
Bossert,	Hankins,	McCormack,	Shelton,
Bower,	Hartley,	McDevitt,	Sherman,
Breth,	Haudenschild,	McDonald,	Shupnik,
Capano,	Heavey,	McInroy,	Simmons,
Capitolo,	Heffner,	McKeever,	Slack,
Cauley,	Helm,	McLaughlin,	Snare,
Cianfrani,	Henzel,	McNally,	Stank,
Cioffi,	Hocker,	Meholchick,	Steckel,
Clarke,	Holliday,	Merry,	Stimmel,
Comer,	Holman,	Miller,	Stittler,
Cooley,	Horst,	Mills,	Stone,
Crossin,	Irvig,	Monroe,	Strausser,
Curwood,	Isaacs,	Morley,	Sullivan, J. A.,
Davis,	Jenkins,	Mullen,	Sullivan, T. F.,
Dengler,	Jim,	Munley,	Taylor,
Dennison,	Johnson, A. W.,	Musto,	Thompson,
Donaldson,	Johnson, R. P.,	Needham,	Trusio,
Dougherty,	Jones,	O'Dell,	Ujobai,
Doughten,	Kamyk,	O'Donnell, J. A.,	Varner,
Ellberg,	Keiser,	Ogilvie,	Verona,
Elvey,	Kelly,	Parlante,	Wall,
Ewing,	Kernaghan,	Pashley,	Wargo,
Farabaugh,	Kessler,	Perry,	Weidner,
Fetterolf,	Kistler,	Petrosky,	Welsh,
Filo,	Klein,	Piper,	Wescott,
Fineman,	Kooker,	Polaski,	Williams, E. S.,
Flynn,	Kornick,	Polen,	Wilt,
Foerster,	Korns,	Prendergast,	Worley,
Frascella,	Kramer,	Pursley,	Yetter,
Fry,	Lamb,	Reibman,	Zember,
Fulmer,	Lawson,	Reidenbach,	Andrews,
Galley,	Lee, A. M.,	Renwick,	Speaker
Gallagher,	Lee, K. B.,		

## NAYS—19

Anderson, J. H.,	Eshleman,	Marsh,	Willard,
Buchanan,	Foor,	McCandless,	Williams, A. D.,
Bush,	Fox,	Murphy,	Wood,
Down,	Guesman,	Tompkins,	Zimmerman,
Edwards,	King,	Whittaker,	

## NOT VOTING—18

Bowman,	Gross,	Murray,	Royer,
Branca,	Knecht,	O'Donnell, J. P.,	Romack,
Eshback,	Lippincott,	Odorisio,	Walsh,
George,	Magee,	Price,	Willaredt,
Gibbons,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## JUNIATA JOINT HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair would like to welcome to the hall of the House today the 8th grade class the Juniata-Joint High School of Mifflintown, Pennsylvania. They are here today under the direction of their teachers, Mr. Kauffman, Mr. Wilson, and Miss Corson. They are the guests of the gentleman from Juniata, Mr. Zimmerman.

## BILLS ON THIRD READING

## BILL PASSED OVER

There being no objection,

House bill No. 340, printer's No. 369,

was passed over temporarily at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 409, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further regulating compensation to aged employees.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. May I interrogate some sponsor of this bill or the majority leader if he has information on it?

The SPEAKER pro tempore. Will one of the sponsors of the bill permit himself to be interrogated, or the majority leader?

Mr. McCANN. Mr. Speaker, House bill 409 is a Local Government Commission bill sponsored by Mr. Hamilton, Mr. Wescott, Mr. Wilt, Mr. Kornick. This originated in the Local Government Commission.

The SPEAKER pro tempore. Will the gentleman from Fayette, Mr. Kornick, permit himself to be interrogated?

Mr. KORNICK. I shall, Mr. Speaker.

Mr. POLASKI. Mr. Speaker, I will attempt to answer the gentleman's questions.

The SPEAKER pro tempore. The gentleman from Erie, Mr. Polaski, has offered to accept interrogation. Is that acceptable to the gentleman from Cameron, Mr. Tompkins?

Mr. TOMPKINS. Well, whoever wants to take on interrogation.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. TOMPKINS. Mr. Speaker, this bill provides, as I understand it, for a borough employee to receive 50 percent of his regular wage after a certain age, including social security, I believe is the way the bill reads.

Mr. POLASKI. That is right.

Mr. TOMPKINS. My question is this: If his wage is \$300 a month, he would then be entitled to \$150 under the 50 percent formula. Supposing he receives also \$50 social security allowance for that month, would he then be entitled to still receive the \$150 from the borough, or would his 50 percent from the borough be reduced to \$100 and then the \$50 from the social security make up the difference to make up the \$150? I do not understand the implications of the bill.

Mr. POLASKI. Mr. Speaker, he would receive \$150 in total. He would not receive a separate borough pension and a separate social security. The social security would be included in the \$150.

Mr. TOMPKINS. Then under the example which I cited to you, he would receive \$100 from the borough, \$50 from social security, which would make up this 50 percent allowance?

Mr. POLASKI. That is right.

Mr. TOMPKINS. I thank the gentleman very much.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Adams,	Fulmer,	Leonard,	Riley,
Anderson, J. H.,	Galley,	Limper,	Rovansek,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Rubin,
Arlene,	Gelfand,	Long, Wm. Jos.,	Rudisill,
Ashton,	Gibb,	Lutty,	Rutherford,
Auker,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Bachman,	Goldstein, M. H.,	Markley,	Scarcelli,
Backenstoe,	Goodrich,	Marsh,	Schaaf,
Blair,	Gramlich,	Maxwell,	Schuster,
Boies,	Gray,	May,	Seltzer,
Bonner,	Gremminger,	McCandless,	Shelton,
Bossert,	Gross,	McCann,	Sherman,
Bower,	Guesman,	McCormack,	Shupnik,
Bowman,	Guthrie,	McDevitt,	Simmons,
Breth,	Hankins,	McDonald,	Slack,
Buchanan,	Hartley,	McInroy,	Snare,
Bush,	Haudenschild,	McKeever,	Stank,
Capano,	Heavey,	McLaughlin,	Steckel,
Capitolo,	Heffner,	McNally,	Stimmel,
Cauley,	Helm,	Meholchick,	Stiteler,
Cianfrani,	Henzel,	Merry,	Stone,
Cioffi,	Hocker,	Mihm,	Strausser,
Clarke,	Holliday,	Miller,	Sullivan, J. A.,
Comer,	Horst,	Mills,	Sullivan, T. F.,
Cooley,	Irvis,	Monroe,	Taylor,
Crossin,	Isaacs,	Morley,	Thompson,
Davis,	Jenkins,	Mullen,	Tompkins,
Dengler,	Jim,	Munley,	Ujobai,
Dennison,	Johnson, A. W.,	Murphy,	Verona,
Donaldson,	Johnson, R. P.,	Musto,	Wall,
Dougherty,	Jones,	Needham,	Wargo,
Doughten,	Kamyk,	O'Dell,	Weidner,
Down,	Keiser,	O'Donnell, J. A.,	Welsh,
Edwards,	Kelly,	O'Donnell, J. P.,	Wescott,
Elberg,	Kernaghan,	Ogilvie,	Whittaker,
Elvey,	Kessler,	Parlante,	Willard,
Eshleman,	King,	Pashley,	Willaredt,
Ewing,	Kistler,	Perry,	Williams, A. D.,
Farabaugh,	Klein,	Petrosky,	Williams, E. S.,
Filo,	Kooker,	Piper,	Wilt,
Fineman,	Kornick,	Polaski,	Wood,
Flynn,	Korns,	Polen,	Worley,
Foerster,	Kramer,	Prendergast,	Yetter,
Foor,	Lamb,	Pursley,	Zember,
Fox,	Lawson,	Reibman,	Zimmerman,
Frascella,	Lee, A. M.,	Reidenbach,	Andrews,
Fry,	Lee, K. B.,	Renwick,	Speaker

## NAYS—0

## NOT VOTING—19

Branca,	Gibbons,	Magee,	Tomascik,
Curwood,	Hamilton,	Murray,	Trusio,
Eshback,	Holman,	Odorisio,	Varnier,
Fetterolf,	Knecht,	Price,	Walsh,
George,	Lippincott,	Royer,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 340, entitled:

A Supplement to the "Pennsylvania Labor Relations Act" approved June 1, 1937 (P. L. 1168), extending the provisions of the act to govern the rights, duties and obligations of nonprofit hospital and other health care employers and their employees \* \* \*.

On the question,

Will the House agree to the bill on third reading?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I desire to offer amendments to this bill. Before I send the amendments to the desk, I would like to have the members turn to page 7 of the bill, lines 13, 14 and 15. They will see there that this bill applies only to private hospitals, the non-profit hospitals, and excludes State institutions; it excludes the nurses in State institutions.

I have ventured here with trepidation to presume to amend a bill with such distinguished sponsorship and to throw my little javelin at the oratorical shield of the majority leader, who will probably oppose these amendments. It is my contention that whether or not you agree with the theory of this bill, with which I do not agree, if the bill is to pass, then it should not provide simply for a segment of the professional nursing front, excluding a segment that serves in the most undesirable of all, in State hospital settings. If the nurses in these hospitals, where you have the gentle nurses and where you have responsible boards, trustees, I doubt that the nurses in the State institutions are so adequately protected. This bill would authorize negotiations with hospital controls through union organizations.

Whether this bill is controversial or not depends upon the issue, and I have not supplied the members with copies because the issue is so plain. I have simply taken the bill and every place that it confines the operation of the bill simply to these private hospitals, I have included State institutions.

I have received a great many letters from the nurses in the private hospitals and the non-profit hospitals, some of them very sweetly couched. They say, please, will I not propose any amendments. Others say, we do not like the idea of amendments. I have received some communications from nurses' organizations that say, we insist the bill be passed without amendments. Then I have two or three communications from various organizations, local organizations, that say, we demand that this bill pass without amendments. The issue is very, very plain.

Personally, I do not believe that the professional people, the doctors, or the nurses upon whom the doctors depend, should negotiate through union channels. But if this bill is to pass, then I will say that we should not create one little cozy sect, nurses of an elite corps. It is the nurses in the State institutions who have to bear the heat and burden of the day, they have to deal with all kinds of people, all kinds of cases, and, goodness knows, with the gentle nuns and the boards of administration in the hospitals, if they have to have a union in order to get a square deal, then most certainly, these other nurses in the State institutions, who do not have such a happy lot, should have the same right.

It is pointed out that under the statute the nurses can present grievances under the law. That is all right, but if they need union protection in these private hospitals in order to present their grievances, then I say they need union protection clear along the line.

So, Mr. Speaker, I will take either a voice vote, if it can be determined, or, if it cannot be clearly decided, a standing vote, or a record vote. Personally, I would prefer a standing vote, but I would request that the respective floor leaders inform me as to which they prefer. Shall we have a standing vote, shall we have a record vote, or shall we have a roll call?



The SPEAKER pro tempore. It is apparent to the Chair that a roll call has been requested.

Mr. ANDREWS. And a roll call will probably, therefore, be had. I send the following amendments to the desk.

All they do is, they provide that every time the bill limits the scope to the nurses in the private hospitals, these amendments simply provide that it should apply to all of the hospitals, State institutions included.

Mr. ANDREWS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by inserting after "employees": including State institutions.

Amend Sec. 4, page 7, line 4, by inserting after "includes": the Commonwealth of Pennsylvania.

Amend Sec. 4, page 7, line 11, by inserting after "hospitals": including State institutions.

Amend Sec. 4, page 7, line 12, by striking out "nongovernmental."

Amend Sec. 4, page 7, lines 13 and 14, by striking out "the Commonwealth of Pennsylvania."

Amend Sec. 4, page 7, line 14, by striking out "thereof" and inserting: within the Commonwealth of Pennsylvania.

Amend Sec. 11, page 22, line 19, by inserting after "by": the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, as you know, on House bill No. 340, the gentleman from Cambria has spoken about the amendments that are now being offered. I bring to the attention of this House that nurses in State institutions are at the present time under executive orders, civil service in some categories, under civil service under other categories in the Department of Health, and have been for quite a few years under civil service in the health department hospitals and in the welfare hospitals since the inception of the executive order. Simply for that reason and that reason alone, I personally will vote against these amendments so we can vote on the bill if possible, in its original form.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Sullivan.

Mr. T. F. SULLIVAN. Mr. Speaker and Members of the House, I too rise to speak against the amendments. I believe the previous Speaker stated, if I am not mistaken, when he first started to talk that he did not agree with the bill, yet he offers amendments to the bill. The nurses in private hospitals and State hospitals are already covered by executive order signed by George Leader in 1957. I ask the Members on both sides of the House to vote against the amendments. I feel the nurses are entitled to recognition and if we do not like the bill, let us debate it and vote for or against. Thank you.

Mr. McCORMACK. Mr. Speaker, I want to ask the sponsor just one question. I hate to have him come down again but I wanted to find out whether or not if these amendments were adopted—

The SPEAKER pro tempore. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. No lawyer's questions.

Mr. McCORMACK. Right.

The SPEAKER pro tempore. No lawyer's questions are permitted. The gentleman will proceed.

Mr. McCORMACK. There was some discussion with respect to these amendments, that the domestic employes of all hospitals should be included in this arbitration bill. Now, I am wondering whether or not these amendments provide that domestic workers in all hospitals will also be subject to the bill?

Mr. ANDREWS. In reply I say that I did not desire to complicate the issue. In my opinion, those whose hearts bleed for the cause of the down-trodden or for those who serve in lonely places should start unionizing hospitals with the kitchen help or with the people who wipe the floors, with those who bear the heat and burden of the dirty work. There are labor leaders whose hearts bleed for the nurses, but they do not bleed for the people in the kitchen; but I did not want to complicate the issue. I believe if they are going to start to unionize hospitals, they should start at the bottom with the lonely laborer and go up to the top. But, I did not want to complicate the issue at this time.

Mr. McCORMACK. Thank you, Mr. Speaker. That is all I ask.

Mr. LEONARD. Mr. Speaker and members of the House. I rise to oppose the amendments on the grounds that we know in the past amendments sometimes are to improve a bill or to make corrections in a bill. Then we have amendments offered to a bill to kill a bill as to its intent and purpose. Therefore, I am asking the membership to vote these amendments down and give us all a chance to vote for the original bill to give the nurses an opportunity to be human beings at their work. When a nurse is taking care of me in the hospital, I want her to be satisfied with her surroundings. I do not want her to be disgruntled at all times. I want her to have a say in the conditions in which she has to serve the sick. That is the important part of this amendment. I am again asking you to vote these amendments down and let us take the bill as it is.

Mr. IRVIS. Mr. Speaker, I did not think there would be a time when I would rise on my feet to oppose the Honorable Hiram Andrews, but I am forced to this position by the amendments he has submitted to House bill 340. House bill 340, Mr. Speaker, in my opinion, would really place the nonprofit, nongovernmental nurses working long hours in a nonprofit, nongovernmental hospital of this Commonwealth on an even par with those nurses already working in institutions operated by this Commonwealth or under the supervision of this Commonwealth.

The nurses of the State-supervised institutions already have grievance machinery which they can and do use. The nurses in a nonprofit, nongovernmental institution do not have such machinery. That is the reason I think the amendments offered by the Speaker are unimportant amendments, amendments that would tend to weaken the bill rather than strengthen it, and, therefore, I oppose it.

I say, however, Mr. Speaker, that I concur with Mr. Speaker Andrews when his heart bleeds for the people who work in the lonely places, the forgotten places of the hospitals, my heart bleeds along with his. I think that probably we should do something to help unionize the people who work in the hospital kitchen, the girls who carry the trays, the orderlies in the hospitals, and I hereby go on public record in agreement with the Speaker and I offer my services to cosponsor with the Speaker any

bills that he seeks to draw which would so unionize these forgotten and lonely people.

The SPEAKER pro tempore. Does the gentleman from Allegheny, Mr. Sullivan, desire to be recognized again?

Mr. T. F. SULLIVAN. Mr. Speaker and members of the House, just to keep the record straight, nonprofessional employes in Pennsylvania hospitals are not excluded by law from joining the union. If they do not join the union it is not the union's fault. They have the right now to organize, if they want to. There are many hospitals in Pennsylvania that do have the nonprofessional people in unions. I agree with the previous speaker, we should try to do what we can. The job of organizing people under law has to be passed by the National Labor Relations Board vote. If these people do not choose to join the union, it is not the union's fault. They have the right, right now, to join the union of their choice if they so choose. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming, Mr. Whittaker.

#### POINT OF ORDER

Mr. WHITTAKER. I rise to a point of order, Mr. Speaker. Are we speaking on the bill or the amendments?

The SPEAKER pro tempore. The question before this House is on the amendments offered by the gentleman from Cambria, Mr. Andrews.

Mr. WHITTAKER. Will the gentlemen confine their remarks strictly to the amendments and debate the bill later?

The SPEAKER pro tempore. All of the debate to date should have been confined to the amendments. The question is on the amendments.

Mr. McCORMACK. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Irvis?

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Irvis, permit himself to be interrogated?

Mr. IRVIS. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, frankly I must admit my ignorance with respect to the grievance procedure provided by executive order for the State—operated hospitals and institutions and—

The SPEAKER pro tempore. The Chair would like to inquire from the gentleman if the interrogation is on the amendments or on the bills?

Mr. McCORMACK. Well, they are so intimately related, Mr. Speaker, that it is impossible to separate them. I think they pertain to the amendments, the questions, and that it will better enable me to decide whether or not I should vote for the amendments.

The SPEAKER pro tempore. If the interrogation is on the amendments, the Chair will permit the gentleman to proceed with the interrogation.

Mr. McCORMACK. Under the grievance procedure, is there provision for the enforcement of the orders that should be made by a board of arbitrators?

Mr. IRVIS. I cannot answer that question, Mr. Speaker. I am not that familiar with the grievance procedure. I would have to guess and I prefer not to guess.

The SPEAKER pro tempore. I would suggest that if the gentleman from Philadelphia wishes an expert on grievance procedure, he better seek elsewhere. I do not claim to be one.

Mr. McCORMACK. Well, inasmuch as he has said we already have a grievance procedure for these employes, therefore we should not improve them by amending this bill, I thought perhaps if they were not included, if the amendments were not adopted today, that they would be on a similar status as nurses in other institutions. So, you are not able to say whether or not that is so, is that correct?

Mr. IRVIS. Mr. Speaker, I am not prepared this morning to give details on grievance procedure under civil service, if that is what the gentleman from Philadelphia is asking.

Mr. McCORMACK. The purpose of my statement was, that this bill 340, is it to set up grievance machinery?

Mr. IRVIS. Which machinery has already been set up with nurses in State institutions under, I believe, the executive order of Governor Leader, May 27, 1957.

That would be the extent of my remarks, Mr. Speaker.

Mr. McCORMACK. Well, my question is, whether or not they have the right to enforce any order of the courts, whether or not they would have the right to appeal to the Supreme Court of the Commonwealth in the event they were dissatisfied under the present grievance procedure?

Mr. IRVIS. I have already answered that, Mr. Speaker. I said I would not guess.

Mr. ADAMS. Mr. Speaker, if the State nurses have grievance machinery through executive order and not by law, it can also be removed by executive order. I think that the State nurses are entitled to the same consideration as the nurses in private hospitals, and if you are going to have legislation on the books for the nurses in the private hospitals, I think we should give the same consideration to the other nurses, and I rise to support the amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. ANDREWS and McCANN and were as follows:

#### YEAS—105

Adams,	Foor,	Kramer,	Rutherford,
Anderson, J. H.,	Fox,	Lee, A. M.,	Scarcelli,
Arlene,	Gailey,	Lee, K. B.,	Seltzer,
Ashton,	Gibb,	Lippincott,	Simmons,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Slack,
Backenstoe,	Gramlich,	Manbeck,	Snare,
Blair,	Gross,	Markley,	Steckel,
Bossert,	Guthrie,	Marsh,	Stimmel,
Bower,	Hankins,	May,	Stone,
Bowman,	Heffner,	McCandless,	Strausser,
Buchanan,	Helm,	McCormack,	Tompkins,
Bush,	Henzel,	McInroy,	Ujobai,
Capano,	Hocker,	McNally,	Wall,
Capitolo,	Holliday,	Miller,	Wargo,
Cioffi,	Holman,	Mullen,	Weidner,
Crossin,	Horst,	Munley,	Whittaker,
Curwood,	Isaacs,	Needham,	Willaredt,
Davis,	Johnson, A. W.,	O'Dell,	Williams, A. D.,
Dengler,	Johnson, R. P.,	Ogilvie,	Williams, E. S.,
Dennison,	Kamyk,	Pashley,	Wilt,
Donaldson,	Kaiser,	Perry,	Wood,
Edwards,	Kernaghan,	Piper,	Worley,
Ellberg,	Kessler,	Pursley,	Zemmer,
Elvey,	King,	Reidenbach,	Zimmerman,
Eshleman,	Kistler,	Rubin,	Andrews,
Farabaugh,	Kooker,	Rudisill,	Speaker
Fineman,	Korns,		

#### NAYS—82

Anderson, S. A.,	Gallagher,	Lutty,	Renwick,
Bachman,	Gelfand,	Maxwell,	Riley,



Boies,	Goldstein, M. H.,	McCann,	Rovansek,
Bonner,	Gray,	McDevitt,	Sakulsky,
Branca,	Gremminger,	McKeever,	Schaaf,
Breth,	Guesman,	McLaughlin,	Schuster,
Cauley,	Hartley,	Meholchick,	Shelton,
Cianfrani,	Haudenschild,	Merry,	Sherman,
Clarke,	Heavey,	Mihm,	Shupnik,
Comer,	Irviss,	Mills,	Stank,
Cooley,	Jenkins,	Monroe,	Sullivan, J. A.,
Dougherty,	Jim,	Morley,	Sullivan, T. F.,
Doughten,	Jones,	Murphy,	Taylor,
Down,	Klein,	O'Donnell, J. A.,	Thompson,
Ewing,	Knecht,	O'Donnell, J. P.,	Trusio,
Filo,	Kornick,	Parlante,	Varnar,
Flynn,	Lamb,	Petrosky,	Verona,
Foerster,	Lawson,	Polaski,	Welsh,
Frascella,	Leonard,	Polen,	Willard,
Fry,	Limper,	Prendergast,	Yetter,
Fulmer,	Long, Wm. Jas.,		

## NOT VOTING—19

Eshback,	Hamilton,	Musto,	Stiteler,
Fetterolf,	Kelly,	Odorisio,	Tomascik,
George,	Magee,	Price,	Walsh,
Gibbons,	McDonald,	Reibman,	Wescott,
Goodrich,	Murray,	Royer,	

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. SCHAAF. Mr. Speaker, rather than having a corpse lying in the aisle, I move we recommit House bill 340 to the committee from whence it came.

The SPEAKER pro tempore. The motion is not in order at this time. It can be made after the bill has been prepared for final passage and appears on our calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 410, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), further providing for the employment of a certified public accountant.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## Yeas—172

Adams,	Galley,	Long, Wm. Jas.,	Rovansek,
Anderson, J. H.,	Gallagher,	Long, Wm. Jos.,	Rubin,
Anderson, S. A.,	Gelfand,	Lutty,	Rudisill,
Arlene,	Gibb,	Manbeck,	Rutherford,
Ashton,	Goldstein, J. H.,	Markley,	Sakulsky,
Auker,	Goldstein, M. H.,	Marsh,	Scarcelli,
Bachman,	Gramlich,	Maxwell,	Schaaf,
Backenstoe,	Gray,	McCandless,	Schuster,
Blair,	Gremminger,	McCann,	Seltzer,
Boies,	Guesman,	McCormack,	Shelton,
Bonner,	Hankins,	McDevitt,	Sherman,
Bossert,	Hartley,	McDonald,	Shupnik,
Bower,	Haudenschild,	McInroy,	Simmons,
Bowman,	Heavey,	McKeever,	Slack,
Branca,	Heffner,	McLaughlin,	Snare,
Breth,	Henzel,	McNally,	Stank,
Capano,	Hocker,	Meholchick,	Steckel,
Capitolo,	Holliday,	Merry,	Stimmel,
Cauley,	Irviss,	Mihm,	Stiteler,
Cioffi,	Isaacs,	Miller,	Stone,
Clarke,	Jenkins,	Mills,	Strausser,
Comer,	Jim,	Monroe,	Sullivan, J. A.,

Cooley,	Johnson, R. P.,	Morley,	Sullivan, T. F.,
Crossin,	Jones,	Mullen,	Taylor,
Curwood,	Kamyk,	Murphy,	Thompson,
Davis,	Kelser,	Musto,	Trusio,
Dengler,	Kernaghan,	Needham,	Ujobai,
Dennison,	Kessler,	O'Dell,	Varnar,
Donaldson,	King,	O'Donnell, J. A.,	Verona,
Dougherty,	Kistler,	O'Donnell, J. P.,	Weidner,
Doughten,	Klein,	Ogilvie,	Welsh,
Down,	Knecht,	Parlante,	Wescott,
Edwards,	Kooker,	Pashley,	Willard,
Ellberg,	Kornick,	Perry,	Willaredt,
Eshleman,	Korns,	Petrosky,	Williams, A. D.,
Ewing,	Kramer,	Piper,	Williams, E. S.,
Farabaugh,	Lamb,	Polaski,	Wilt,
Filo,	Lawson,	Polen,	Wood,
Fineman,	Lee, A. M.,	Prendergast,	Worley,
Flynn,	Lee, K. B.,	Reibman,	Yetter,
Foerster,	Leonard,	Reidenbach,	Zember,
Frascella,	Limper,	Renwick,	Zimmerman,
Fry,	Lippincott,	Riley,	Andrews,

Speaker

## NAYS—20

Buchanan,	Fox,	Helm,	Pursley,
Bush,	Fulmer,	Holman,	Tompkins,
Cianfrani,	Goodrich,	Horst,	Wall,
Elvey,	Gross,	Johnson, A. W.,	Wargo,
Foor,	Guthrie,	Munley,	Whittaker,

## NOT VOTING—14

Eshback,	Hamilton,	Murray,	Royer,
Fetterolf,	Kelly,	Odorisio,	Tomascik,
George,	Magee,	Price,	Walsh,
Gibbons,	May,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 608, entitled:

An Act relating to plumbing and providing for the establishment of plumbing standards and the licenses of persons engaged in plumbing.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Mr. MAXWELL. Mr. Speaker, I rise to oppose recommitment of this bill. I think about every legislative trick in the book has been used to stop this bill from coming before the House for a vote. This bill was recommitted once and it was only through the courtesy of the chairman and members of that committee that this bill was reported back on the floor. This committee was a super-pickling committee. Now they want to put it in Rules Committee, which is a super-duper-pickling committee, so I would ask the membership of the House to vote against recommitment. Let this bill come to a vote. Let the chips fall where they may. If the bill falls or if it passes, that will be okay, but let the bill come to a vote. It is a good bill.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. MAXWELL and FOERSTER and were as follows:

## YEAS—105

Adams,	Gibb,	Lawson,	Rudisill,
Anderson, J. H.,	Goodrich,	Lee, A. M.,	Sakulsky,
Arlene,	Gramlich,	Lee, K. B.,	Scarcelli,
Ashton,	Gray,	Lippincott,	Shelton,
Backenstoe,	Gross,	Markley,	Sherman,
Blair,	Guesman,	May,	Simmons,
Bossert,	Guthrie,	McCandless,	Slack,
Bowman,	Hartley,	McCann,	Steckel,
Buchanan,	Haudenschild,	McCormack,	Stimmel,
Comer,	Heavey,	McDevitt,	Stiteler,
Davis,	Helm,	McInroy,	Strausser,
Dengler,	Henzel,	McKeever,	Thompson,
Dennison,	Hocker,	McNally,	Tompkins,
Dougherty,	Holliday,	Meholchick,	Ujobai,
Down,	Holman,	Merry,	Wall,
Edwards,	Horst,	Mills,	Weidner,
Eilberg,	Isaacs,	Musto,	Wescott,
Ewing,	Jim,	O'Dell,	Willard,
Farabaugh,	Johnson, A. W.,	Ogilvie,	Willaredt,
Fineman,	Johnson, R. P.,	Parlante,	Williams, A. D.,
Foor,	Jones,	Perry,	Williams, E. S.,
Fox,	Kernaghan,	Petrosky,	Wood,
Frascella,	Kessler,	Polaski,	Yetter,
Fry,	Kistler,	Pursley,	Zember,
Fulmer,	Knecht,	Reidenbach,	Zimmerman,
Galley,	Korns,	Renwick,	Andrews,
Gelfand,			Speaker

## NAYS—84

Anderson, S. A.,	Flynn,	Long, Wm. Jos.,	Riley,
Auker,	Foerster,	Lutty,	Rovansek,
Bachman,	Gallagher,	Marsh,	Rubin,
Boies,	Goldstein, J. H.,	Maxwell,	Rutherford,
Bower,	Goldstein, M. H.,	McDonald,	Schaaf,
Branca,	Gremminger,	McLaughlin,	Schuster,
Breth,	Hamilton,	Mihm,	Shupnik,
Bush,	Hankins,	Miller,	Snare,
Capano,	Heffner,	Monroe,	Stank,
Cauley,	Irviss,	Morley,	Stone,
Cianfrani,	Jenkins,	Mullen,	Sullivan, J. A.,
Cioffi,	Kamyk,	Munley,	Sullivan, T. F.,
Clarke,	Keiser,	Murphy,	Taylor,
Cooley,	King,	Needham,	Trusio,
Crossin,	Klein,	O'Donnell, J. A.,	Varner,
Curwood,	Kooker,	O'Donnell, J. P.,	Verona,
Donaldson,	Kornick,	Pashley,	Wargo,
Doughten,	Kramer,	Piper,	Welsh,
Elvey,	Lamb,	Polen,	Whittaker,
Eshleman,	Leonard,	Prendergast,	Wilt,
Filo,	Long, Wm. Jas.,	Reibman,	Worley,

## NOT VOTING—17

Bonner,	Gibbons,	Manbeck,	Royer,
Capitolo,	Kelly,	Murray,	Seltzer,
Eshback,	Limper,	Odorisio,	Tomascik,
Fetterolf,	Magee,	Price,	Walsh,
George,			

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 659, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), limiting the number of persons who may hunt deer in unison or as a party.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—171

Adams,	Fulmer,	Lamb,	Reidenbach,
Anderson, J. H.,	Galley,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rubin,
Arlene,	Gelfand,	Limper,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Goldstein, M. H.,	Lutty,	Scarcelli,
Backenstoe,	Goodrich,	Manbeck,	Schuster,
Boies,	Gramlich,	Markley,	Seltzer,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Gremminger,	Maxwell,	Sherman,
Bower,	Gross,	May,	Shupnik,
Bowman,	Guesman,	McCandless,	Simmons,
Branca,	Guthrie,	McCann,	Slack,
Breth,	Hamilton,	McDevitt,	Stank,
Buchanan,	Hankins,	McDonald,	Steckel,
Bush,	Hartley,	McInroy,	Stimmel,
Cauley,	Haudenschild,	McKeever,	Stiteler,
Cianfrani,	Heavey,	McLaughlin,	Stone,
Clarke,	Heffner,	McNally,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Merry,	Sullivan, T. F.,
Crossin,	Hocker,	Miller,	Taylor,
Curwood,	Holliday,	Mills,	Thompson,
Davis,	Holman,	Monroe,	Ujobai,
Dengler,	Irviss,	Morley,	Varner,
Dennison,	Isaacs,	Mullen,	Verona,
Donaldson,	Jenkins,	Munley,	Wall,
Dougherty,	Jim,	Murphy,	Wargo,
Doughten,	Johnson, R. P.,	Musto,	Weidner,
Down,	Jones,	Needham,	Welsh,
Edwards,	Kamyk,	O'Dell,	Wescott,
Eilberg,	Keiser,	O'Donnell, J. P.,	Whittaker,
Eshleman,	Kernaghan,	Ogilvie,	Willard,
Ewing,	Kessler,	Parlante,	Willaredt,
Filo,	King,	Pashley,	Williams, A. D.,
Fineman,	Kistler,	Perry,	Williams, E. S.,
Flynn,	Klein,	Petrosky,	Wilt,
Foerster,	Knecht,	Piper,	Wood,
Foor,	Kooker,	Polaski,	Yetter,
Fox,	Kornick,	Polen,	Zember,
Frascella,	Korns,	Pursley,	Zimmerman,
Fry,	Kramer,	Reibman,	

## NAYS—15

Blair,	Horst,	O'Donnell, J. A.,	Schaaf,
Capano,	Johnson, A. W.,	Prendergast,	Snare,
Elvey,	Lippincott,	Renwick,	Worley,
Farabaugh,	McCormack,	Rovansek,	

## NOT VOTING—20

Capitolo,	Gibbons,	Mihm,	Tomascik,
Cioffi,	Kelly,	Murray,	Tompkins,
Eshback,	Lawson,	Odorisio,	Trusio,
Fetterolf,	Leonard,	Price,	Walsh,
George,	Magee,	Royer,	Andrews,
			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 665, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing licensees manufacturers and their employes and agents to sponsor support or contribute to certain athletic contests or tournaments.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House bill 665 has been caucused, of course, in both caucuses. This is an amend-



ment to the Liquor Code in which the athletic contests or tournaments, the licensees, manufacturers, and so forth, may sponsor, support or contribute to these contests.

By the very virtue of the fact that we do not have this law, we have many worthwhile manufacturers, taverns, hotels and others who would certainly like to contribute to various little leagues and other leagues for which we need such great help to keep them going, because it is all on a voluntary contribution basis, and, since we do have people who are willing to help us in this field, I ask the membership of this House to support this bill as a most worthwhile cause, which would permit them to do this.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—127

Adams,	Frascella,	Long, Wm. Jas.,	Reibman,
Anderson, J. H.,	Fry,	Long, Wm. Jos.,	Reidenbach,
Anderson, S. A.,	Galley,	Lutty,	Renwick,
Arlene,	Gallagher,	Manbeck,	Riley,
Auker,	Gelfand,	Markley,	Rovanse,
Bachman,	Gray,	Marsh,	Rubin,
Backenstoe,	Gremminger,	Maxwell,	Rudisill,
Boles,	Gross,	May,	Rutherford,
Bonner,	Guesman,	McCann,	Sakulsky,
Bower,	Hamilton,	McCormack,	Scarcelli,
Branca,	Hankins,	McDevitt,	Schaaf,
Capano,	Hartley,	McKeever,	Schuster,
Capitolo,	Heavey,	McLaughlin,	Seltzer,
Cauley,	Heffner,	McNally,	Shelton,
Cianfrani,	Horst,	Meholchick,	Sherman,
Cioffi,	Irviss,	Merry,	Shupnik,
Clarke,	Isaacs,	Mills,	Snare,
Comer,	Jenkins,	Monroe,	Stank,
Cooley,	Jim,	Morley,	Steckel,
Crossin,	Jones,	Munley,	Stone,
Curwood,	Kamyk,	Murphy,	Sullivan, J. A.,
Dengler,	Kernaghan,	Musto,	Sullivan, T. F.,
Dennison,	Klein,	Needham,	Taylor,
Dougherty,	Knecht,	O'Donnell, J. A.,	Trusio,
Doughten,	Kornick,	Parlante,	Verona,
Eilberg,	Kramer,	Pashley,	Wargo,
Eshleman,	Lamb,	Perry,	Weidner,
Farabaugh,	Lee, A. M.,	Petrosky,	Welsh,
Filo,	Lee, K. B.,	Piper,	Yetter,
Fineman,	Leonard,	Polaski,	Zember,
Flynn,	Limper,	Prendergast,	Andrews,
Foerster,	Lippincott,	Pursley,	Speaker

#### NAYS—60

Ashton,	Fulmer,	Kelser,	Thompson,
Blair,	Gibb,	Kessler,	Tompkins,
Bossert,	Goldstein, J. H.,	King,	Ujobai,
Bowman,	Goldstein, M. H.,	Kooker,	Varner,
Breth,	Goodrich,	Korns,	Wall,
Buchanan,	Gramlich,	McCandless,	Wescott,
Bush,	Guthrie,	McInroy,	Whittaker,
Davis,	Haudenschild,	Miller,	Willard,
Donaldson,	Helm,	O'Dell,	Willaredt,
Down,	Henzel,	Ogilvie,	Williams, A. D.,
Edwards,	Hocker,	Polen,	Williams, E. S.,
Elvey,	Holliday,	Simmons,	Wilt,
Ewing,	Holman,	Slack,	Wood,
Foor,	Johnson, A. W.,	Stiteler,	Worley,
Fox,	Johnson, R. P.,	Strausser,	Zimmerman,

#### NOT VOTING—19

Eshback,	Kistler,	Mullen,	Royer,
Fetterolf,	Lawson,	Murray,	Stimmel,
George,	Magee,	O'Donnell, J. P.,	Tomasick,
Gibbons,	McDonald,	Odorisio,	Walsh,
Kelly,	Mihm,	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 694, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), appropriating certain moneys obtained through proceedings relating to escheatable property to the Department of Revenue for the payment of compensation fees and expenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, on this particular bill we have considered it in our caucus with what information we had at hand and it is our opinion that this is a pretty loose way of permitting money of the Commonwealth to be spent, even though it might accomplish a good purpose. There is nothing wrong with our system today of having appropriation committee appropriate money to run the Department of Revenue and provide them with the funds to do this job and for them to get this blank check that this bill would give to them, we feel is not good government and I am asking the members to vote against this bill.

Mr. GELFAND. Mr. Speaker, I rise to discuss this bill and request the members on both sides of the House to vote in favor of this legislation. The legislation in itself is rather a simply constructed bill and as a matter of fact, despite the statements of the minority leader, this bill, this legislation is good legislation because it leads to efficient operation and also provides the mechanics to obtain the most possible funds in the area of escheats. What we do at the present time is this, that when we appoint an escheater, the escheater brings action to recover moneys which rightfully belong to the Commonwealth under our escheat laws, he has no way of being paid except through an appropriation which is made from the General Fund. And oftentimes council for the escheater, the escheater and the informer have to wait at least two years before they can be compensated for the efforts that they put in and discovering the fund and the efforts and energy they put in to make it a realization. What this bill says is that the escheater and the informer would be paid up to 25% out of the fund that they create, so that they would be aware that they are going to receive compensation within a reasonable time after they create the fund, and from the very fund that they create. As a matter of fact at the present time, the reason for this legislation is this, we find it difficult and in many cases the Commonwealth loses funds that could readily be escheated to it because informers, attorneys and escheaters do not wish to undertake the efforts involved to obtain the acquisition of these funds because they are never assured that after long litigation they might not have to wait for years in order to be paid. What we do at the present time is work on estimates. We make appropriations based on what we think will be necessary to pay these people who under statute are entitled to be paid. And if estimates are inaccurate we have an insufficiency of funds to pay them, then we have to wait a couple of years, now because of the new process at least one year in order to

provide funds for the operation of this aspect of the Commonwealth's business. It would be efficient operation and would work to the advantage of this Commonwealth in its acquiring tremendous amounts of money which would be readily available for this Commonwealth if we passed this type of legislation. It is good, it is efficient, there is no reason to vote in opposition to it. It creates no boondoggling, it creates no funds for political haymaking and it would provide for this Commonwealth something in so far as additional acquisition of funds which the Commonwealth needs. It is good legislation and should be supported by both sides.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—93

Anderson, S. A.,	Fry,	Maxwell,	Reidenbach,
Arlene,	Gallagher,	McCormack,	Riley,
Bachman,	Gray,	McDevitt,	Rovanseck,
Boies,	Gremminger,	McDonald,	Rubin,
Bonner,	Guesman,	McKeever,	Rudisill,
Branca,	Hamilton,	McLaughlin,	Sakulsky,
Breth,	Hankins,	McNally,	Scarcelli,
Capano,	Hartley,	Meholchick,	Schaaf,
Cauley,	Heavey,	Mihm,	Schuster,
Cianfrani,	Irvis,	Mills,	Shelton,
Cioffi,	Jenkins,	Monroe,	Sherman,
Clarke,	Jim,	Morley,	Shupnik,
Comer,	Jones,	Mullen,	Stone,
Cooley,	Kamyk,	Munley,	Sullivan, J. A.,
Crossin,	Klein,	Murphy,	Sullivan, T. F.,
Curwood,	Kornick,	Musto,	Taylor,
Doughten,	Kramer,	Needham,	Trusio,
Eilberg,	Lamb,	Parlante,	Verona,
Farabaugh,	Lawson,	Pashley,	Wargo,
Filo,	Leonard,	Perry,	Welsh,
Fineman,	Limper,	Polaski,	Yetter,
Flynn,	Long, Wm. Jas.,	Prendergast,	Andrews,
Foerster,	Long, Wm. Jos.,	Reibman,	Speaker
Frascella,	Lutty,		

## NAYS—96

Adams,	Gibb,	Kooker,	Simmons,
Anderson, J. H.,	Goldstein, J. H.,	Korns,	Slack,
Ashton,	Goldstein, M. H.,	Lee, A. M.,	Snare,
Auker,	Goodrich,	Lee, K. B.,	Stank,
Backenstoe,	Gramlich,	Lippincott,	Steckel,
Blair,	Gross,	Manbeck,	Stimmel,
Bossert,	Guthrie,	Markley,	Stiteler,
Bower,	Haudenshield,	Marsh,	Strausser,
Bowman,	Heffner,	May,	Thompson,
Buchanan,	Helm,	McCandless,	Tompkins,
Bush,	Henzel,	McCann,	Ujobai,
Davis,	Hocker,	McInroy,	Varner,
Dennison,	Holliday,	Miller,	Wall,
Donaldson,	Holman,	O'Dell,	Weidner,
Dougherty,	Horst,	O'Donnell, J. A.,	Wescott,
Down,	Isaacs,	Ogilvie,	Whittaker,
Edwards,	Johnson, A. W.,	Petrosky,	Willard,
Elvey,	Johnson, R. P.,	Piper,	Williams, A. D.,
Eshleman,	Kelser,	Polen,	Williams, E. S.,
Ewing,	Kernaghan,	Pursley,	Wilt,
Foor,	Kessler,	Renwick,	Wood,
Fox,	King,	Royer,	Worley,
Fulmer,	Kistler,	Rutherford,	Zember,
Gelfand,	Knecht,	Seltzer,	Zimmerman,

## NOT VOTING—17

Capitolo,	George,	Merry,	Price,
Dengler,	Gibbons,	Murray,	Tomasclik,
Eshback,	Kelly,	O'Donnell, J. P.,	Walsh,
Fetterolf,	Magee,	O'Dorisio,	Willaredt,
Galley,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 721, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing the appointment of educational specialists in lieu of assistant county superintendents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—181

Adams,	Fulmer,	Lee, K. B.,	Rovanseck,
Anderson, J. H.,	Galley,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Goldstein, M. H.,	Lutty,	Scarcelli,
Backenstoe,	Gramlich,	Manbeck,	Schaaf,
Blair,	Gray,	Markley,	Schuster,
Boles,	Gremminger,	Maxwell,	Seltzer,
Bonner,	Guesman,	McCandless,	Shelton,
Bossert,	Guthrie,	McCann,	Sherman,
Bower,	Hankins,	McCormack,	Shupnik,
Bowman,	Hartley,	McDevitt,	Simmons,
Branca,	Haudenshield,	McDonald,	Slack,
Breth,	Heavey,	McKeever,	Snare,
Buchanan,	Heffner,	McLaughlin,	Stank,
Bush,	Helm,	McNally,	Steckel,
Capano,	Henzel,	Meholchick,	Stiteler,
Cauley,	Hocker,	Merry,	Stone,
Cianfrani,	Holliday,	Mihm,	Strausser,
Clarke,	Holman,	Miller,	Sullivan, J. A.,
Comer,	Horst,	Mills,	Sullivan, T. F.,
Cooley,	Irvis,	Monroe,	Taylor,
Crossin,	Isaacs,	Morley,	Thompson,
Curwood,	Jenkins,	Mullen,	Trusio,
Davis,	Jim,	Munley,	Ujobai,
Dengler,	Johnson, A. W.,	Murphy,	Varner,
Dennison,	Johnson, R. P.,	Musto,	Verona,
Donaldson,	Jones,	Needham,	Wall,
Dougherty,	Kamyk,	O'Dell,	Wargo,
Doughten,	Kelser,	O'Donnell, J. A.,	Weidner,
Down,	Kernaghan,	O'Donnell, J. P.,	Welsh,
Edwards,	Kessler,	Ogilvie,	Wescott,
Eilberg,	King,	Parlante,	Whittaker,
Elvey,	Kistler,	Pashley,	Willard,
Eshleman,	Klein,	Perry,	Williams, A. D.,
Ewing,	Knecht,	Petrosky,	Williams, E. S.,
Farabaugh,	Kooker,	Piper,	Wilt,
Filo,	Kornick,	Polaski,	Wood,
Fineman,	Korns,	Polen,	Worley,
Flynn,	Kramer,	Pursley,	Yetter,
Foerster,	Lamb,	Reibman,	Zember,
Foor,	Lawson,	Reidenbach,	Zimmerman,
Fox,	Lee, A. M.,	Renwick,	Andrews,
Frascella,			Speaker

## NAYS—6

Goodrich,	Marsh,	Prendergast,	Tompkins,
Gross,	McInroy,		

## NOT VOTING—19

Capitolo,	George,	May,	Stimmel,
Cioffi,	Gibbons,	Murray,	Tomasclik,
Eshback,	Hamilton,	Odorisio,	Walsh,
Fetterolf,	Kelly,	Price,	Willaredt,
Fry,	Magee,	Riley,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.



Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 722, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) by further providing for the termination of contracts of professional employees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Adams,	Galley,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gallagher,	Leonard,	Rovansek,
Anderson, S. A.,	Gelfand,	Limper,	Royer,
Arlene,	Gibb,	Lippincott,	Rubin,
Ashton,	Goldstein, J. H.,	Long, Wm. Jas.,	Rudisill,
Auker,	Goldstein, M. H.,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goodrich,	Lutty,	Sakulsky,
Backenstoe,	Gramlich,	Manbeck,	Scarcelli,
Blair,	Gray,	Markley,	Schaaf,
Boies,	Gremminger,	Marsh,	Schuster,
Bonner,	Gross,	Maxwell,	Seltzer,
Bossert,	Guesman,	McCandless,	Shelton,
Bower,	Guthrie,	McCann,	Sherman,
Bowman,	Hamilton,	McDevitt,	Shupnik,
Branca,	Hankins,	McDonald,	Simmons,
Breth,	Hartley,	McInroy,	Slack,
Buchanan,	Haudenschild,	McKeever,	Snare,
Bush,	Heavey,	McLaughlin,	Stank,
Capano,	Heffner,	McNally,	Steckel,
Cauley,	Helm,	Meholchick,	Stimmel,
Cianfrani,	Henzel,	Merry,	Stiteler,
Clarke,	Hocker,	Mihm,	Stone,
Comer,	Holliday,	Miller,	Sullivan, J. A.,
Cooley,	Holman,	Mills,	Sullivan, T. F.,
Crossin,	Horst,	Monroe,	Taylor,
Curwood,	Irviss,	Morley,	Thompson,
Davis,	Isaacs,	Mullen,	Tompkins,
Dengler,	Jenkins,	Munley,	Trusio,
Dennison,	Jim,	Murphy,	Ujobai,
Donaldson,	Johnson, A. W.,	Musto,	Varnier,
Dougherty,	Johnson, R. P.,	Needham,	Verona,
Doughten,	Jones,	O'Dell,	Wall,
Dewn,	Kamyk,	O'Donnell, J. A.,	Wargo,
Edwards,	Keiser,	O'Donnell, J. P.,	Weidner,
Ellberg,	Kernaghan,	Ogilvie,	Welsh,
Elvey,	Kessler,	Parlante,	Wescott,
Eshleman,	King,	Pashley,	Whittaker,
Ewing,	Kistler,	Perry,	Willard,
Farabaugh,	Klein,	Petrosky,	Willaredt,
Filo,	Knecht,	Piper,	Williams, A. D.,
Fineman,	Kooker,	Polaski,	Williams, E. S.,
Flynn,	Kornick,	Polen,	Wilt,
Foerster,	Korns,	Prendergast,	Wood,
Foor,	Kramer,	Pursley,	Worley,
Fox,	Lamb,	Reibman,	Yetter,
Frascella,	Lawson,	Reidenbach,	Zember,
Fry,	Lee, A. M.,	Renwick,	Zimmerman,
Fulmer,			

## NAYS—0

## NOT VOTING—17

Capitolo,	Gibbons,	McCormack,	Strausser,
Cioffi,	Kelly,	Murray,	Tomascik,
Eshback,	Magee,	Odorisio,	Walsh,
Fetterolf,	May,	Price,	Andrews,
George,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 740, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) excluding music from supplies of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—183

Adams,	Fulmer,	Lee, K. B.,	Rubin,
Anderson, J. H.,	Galley,	Leonard,	Rudisill,
Anderson, S. A.,	Gallagher,	Limper,	Rutherford,
Arlene,	Gelfand,	Lippincott,	Sakulsky,
Ashton,	Gibb,	Long, Wm. Jas.,	Scarcelli,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Bachman,	Goldstein, M. H.,	Lutty,	Schuster,
Backenstoe,	Goodrich,	Manbeck,	Seltzer,
Blair,	Gramlich,	Markley,	Shelton,
Boies,	Gray,	Marsh,	Sherman,
Bonner,	Gremminger,	Maxwell,	Shupnik,
Bossert,	Gross,	May,	Simmons,
Bower,	Guesman,	McCandless,	Slack,
Bowman,	Guthrie,	McCann,	Snare,
Branca,	Hamilton,	McDevitt,	Stank,
Breth,	Hankins,	McDonald,	Steckel,
Buchanan,	Hartley,	McInroy,	Stimmel,
Bush,	Haudenschild,	McKeever,	Stiteler,
Capano,	Heffner,	McLaughlin,	Stone,
Cauley,	Helm,	McNally,	Strausser,
Cianfrani,	Henzel,	Meholchick,	Sullivan, J. A.,
Cioffi,	Hocker,	Merry,	Sullivan, T. F.,
Clarke,	Holliday,	Mihm,	Taylor,
Comer,	Holman,	Miller,	Thompson,
Crossin,	Horst,	Mills,	Tompkins,
Curwood,	Irviss,	Monroe,	Trusio,
Davis,	Isaacs,	Morley,	Ujobai,
Dengler,	Jenkins,	Munley,	Varnier,
Dennison,	Jim,	Musto,	Verona,
Donaldson,	Johnson, R. P.,	Needham,	Wall,
Dougherty,	Jones,	O'Dell,	Wargo,
Doughten,	Kamyk,	O'Donnell, J. A.,	Weidner,
Down,	Keiser,	Ogilvie,	Welsh,
Edwards,	Kernaghan,	Perry,	Wescott,
Ellberg,	Kessler,	Petrosky,	Whittaker,
Elvey,	King,	Piper,	Willard,
Eshleman,	Kistler,	Polaski,	Willaredt,
Ewing,	Klein,	Polen,	Williams, A. D.,
Farabaugh,	Knecht,	Prendergast,	Williams, E. S.,
Filo,	Kooker,	Pursley,	Wilt,
Fineman,	Kornick,	Reibman,	Wood,
Flynn,	Korns,	Reidenbach,	Worley,
Foerster,	Kramer,	Renwick,	Yetter,
Foor,	Lamb,	Riley,	Zember,
Fox,	Lawson,	Rovansek,	Zimmerman,
Frascella,	Lee, A. M.,	Royer,	

## NAYS—3

Murphy, O'Donnell, J. P., Pashley,

## NOT VOTING—20

Capitolo,	George,	Magee,	Parlante,
Cooley,	Gibbons,	McCormack,	Price,
Eshback,	Heavey,	Mullen,	Tomascik,
Fetterolf,	Johnson, A. W.,	Murray,	Walsh,
Frascella,	Kelly,	Odorisio,	Andrews,
			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 817, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) deleting the requirement of reports by artificial propagation licenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Adams,	Fry,	Lawson,	Reidenbach,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Riley,
Arlene,	Gallagher,	Leonard,	Rovansek,
Ashton,	Gelfand,	Limper,	Royer,
Auker,	Gibb,	Lippincott,	Rubin,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Goldstein, M. H.,	Lutty,	Rutherford,
Blair,	Goodrich,	Manbeck,	Sakulsky,
Boies,	Gramlich,	Markley,	Scarcelli,
Bonner,	Gray,	Marsh,	Schaaf,
Bossert,	Gremminger,	Maxwell,	Schuster,
Bower,	Gross,	May,	Seltzer,
Bowman,	Guesman,	McCandless,	Shelton,
Branca,	Guthrie,	McCann,	Sherman,
Breth,	Hamilton,	McCormack,	Shupnik,
Buchanan,	Hankins,	McDevitt,	Simmons,
Bush,	Hartley,	McDonald,	Slack,
Capano,	Haudenshield,	McInroy,	Snare,
Capitolo,	Heavey,	McKeever,	Stank,
Cauley,	Heffner,	McLaughlin,	Steckel,
Cianfrani,	Helm,	McNally,	Stiteler,
Cioffi,	Henzel,	Meholchick,	Stone,
Clarke,	Hocker,	Merry,	Strausser,
Comer,	Holliday,	Miller,	Sullivan, T. F.,
Cooley,	Holman,	Mills,	Taylor,
Crossin,	Horst,	Monroe,	Thompson,
Curwood,	Irviss,	Morley,	Tompkins,
Davis,	Isaacs,	Mullen,	Trusio,
Dengler,	Jenkins,	Munley,	Ujobal,
Dennison,	Jim,	Murphy,	Varner,
Donaldson,	Johnson, A. W.,	Musto,	Verona,
Dougherty,	Johnson, R. P.,	Needham,	Wall,
Doughten,	Jones,	O'Dell,	Weidner,
Down,	Kamyk,	O'Donnell, J. A.,	Welsh,
Edwards,	Keiser,	O'Donnell, J. P.,	Wescott,
Ellberg,	Kernaghan,	Ogilvie,	Whittaker,
Elvey,	Kessler,	Parlante,	Willard,
Eshleman,	King,	Pashley,	Willaredt,
Ewing,	Kistler,	Perry,	Williams, A. D.,
Farabaugh,	Klein,	Petrosky,	Williams, E. S.,
Filo,	Knecht,	Piper,	Wilt,
Fineman,	Kooker,	Polaski,	Wood,
Flynn,	Kornick,	Polen,	Worley,
Foerster,	Korns,	Prendergast,	Yetter,
Foor,	Kramer,	Pursley,	Zember,
Fox,	Lamb,	Reibman,	Zimmerman,
Frascella,			

## NAYS—0

## NOT VOTING—17

Eshback,	Long, Wm. Jas.,	Odoorisio,	Tomasick,
Fetterolf,	Magee,	Price,	Walsh,
George,	Mihm,	Stimmel,	Wargo,
Gibbons,	Murray,	Sullivan, J. A.,	Andrews,
Kelly,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 823, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) changing the fishing license year.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—183

Adams,	Frascella,	Lee, K. B.,	Riley,
Anderson, J. H.,	Fry,	Limper,	Rovansek,
Anderson, S. A.,	Fulmer,	Lippincott,	Royer,
Arlene,	Gailey,	Long, Wm. Jas.,	Rubin,
Ashton,	Gallagher,	Long, Wm. Jos.,	Rudisill,
Auker,	Gelfand,	Lutty,	Rutherford,
Bachman,	Gibb,	Manbeck,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Markley,	Scarcelli,
Blair,	Goldstein, M. H.,	Marsh,	Schaaf,
Boies,	Goodrich,	Maxwell,	Schuster,
Bonner,	Gramlich,	May,	Seltzer,
Bossert,	Gray,	McCandless,	Shelton,
Bower,	Gremminger,	McCann,	Sherman,
Bowman,	Guesman,	McCormack,	Shupnik,
Branca,	Guthrie,	McDevitt,	Simmons,
Breth,	Hamilton,	McDonald,	Slack,
Buchanan,	Hankins,	McInroy,	Snare,
Bush,	Hartley,	McKeever,	Stank,
Capano,	Haudenshield,	McLaughlin,	Steckel,
Capitolo,	Heavey,	McNally,	Stimmel,
Cauley,	Heffner,	Meholchick,	Stiteler,
Cianfrani,	Helm,	Miller,	Stone,
Cioffi,	Henzel,	Mills,	Strausser,
Clarke,	Hocker,	Monroe,	Sullivan, T. F.,
Comer,	Holliday,	Morley,	Taylor,
Cooley,	Holman,	Mullen,	Thompson,
Crossin,	Horst,	Munley,	Trusio,
Curwood,	Irviss,	Murphy,	Ujobal,
Davis,	Isaacs,	Musto,	Varner,
Dengler,	Jenkins,	Needham,	Verona,
Dennison,	Jim,	O'Dell,	Wall,
Donaldson,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Dougherty,	Jones,	O'Donnell, J. P.,	Welsh,
Doughten,	Kamyk,	Ogilvie,	Wescott,
Down,	Keiser,	Parlante,	Whittaker,
Edwards,	Kernaghan,	Pashley,	Willard,
Ellberg,	King,	Perry,	Willaredt,
Elvey,	Kistler,	Petrosky,	Williams, A. D.,
Eshleman,	Klein,	Piper,	Williams, E. S.,
Ewing,	Knecht,	Polaski,	Wilt,
Filo,	Kooker,	Polen,	Wood,
Fineman,	Kornick,	Prendergast,	Worley,
Flynn,	Korns,	Pursley,	Yetter,
Foerster,	Lamb,	Reibman,	Zember,
Foor,	Lawson,	Reidenbach,	Zimmerman,
Fox,	Lee, A. M.,	Renwick,	

## NAYS—3

Gross, Johnson, A. W., Tompkins,

## NOT VOTING—20

Eshback,	Kelly,	Merry,	Sullivan, J. A.,
Farabaugh,	Kessler,	Mihm,	Tomasick,
Fetterolf,	Kramer,	Murray,	Walsh,
George,	Leonard,	Odoorisio,	Wargo,
Gibbons,	Magee,	Price,	Andrews,
			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.



## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, for the information of the many members who have been asking, we probably will go until 12:30 and then take a slight break for lunch. It will make it a little easier in the cafeteria at that time than it would right now, if that is agreeable with the House.

I call up House bill 827, printer's No. 909.

Mr. A. W. JOHNSON. Mr. Speaker, we have not caucused on this bill so we will have to pass it over.

## BILL PASSED OVER

There being no objection

House bill No. 827, printer's No. 909

was passed over at the request of Mr. A. W. JOHNSON.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 856, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class \*\*\*" providing for payments to dependent parents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Adams,	Fulmer,	Lippincott,	Rovansek,
Anderson, J. H.,	Galley,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Rubin,
Arlene,	Gelfand,	Lutty,	Rudisill,
Ashton,	Gibb,	Manbeck,	Rutherford,
Auker,	Goldstein, J. H.,	Markley,	Sakulsky,
Bachman,	Goldstein, M. H.,	Marsh,	Scarcell,
Backenstoe,	Goodrich,	Maxwell,	Schaaf,
Blair,	Gramlich,	May,	Schuster,
Boles,	Gray,	McCandless,	Seltzer,
Bonner,	Gremminger,	McCann,	Shelton,
Bossert,	Gross,	McCormack,	Sherman,
Bower,	Guesman,	McDevitt,	Shupnik,
Bowman,	Guthrie,	McDonald,	Simmons,
Branca,	Hamilton,	McInroy,	Slack,
Breth,	Hankins,	McKeever,	Snare,
Buchanan,	Hartley,	McLaughlin,	Stank,
Bush,	Haudenshield,	McNally,	Steckel,
Capano,	Heavey,	Meholchick,	Stimmel,
Capitolo,	Heffner,	Merry,	Stiteler,
Cianfrani,	Helm,	Mihm,	Stone,
Cioffi,	Henzel,	Miller,	Strausser,
Clarke,	Hocker,	Mills,	Sullivan, J. A.,
Comer,	Holliday,	Monroe,	Sullivan, T. F.,
Cooley,	Holman,	Morley,	Taylor,
Crossin,	Horst,	Mullen,	Thompson,
Curwood,	Irvs,	Munley,	Tompask,
Davis,	Isaacs,	Murphy,	Tompkins,
Dengler,	Jenkins,	Musto,	Trusio,
Dennison,	Jim,	Needham,	Ujobai,
Donaldson,	Johnson, A. W.,	O'Dell,	Varner,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Verona,
Doughten,	Jones,	O'Donnell, J. P.,	Wargo,
Down,	Kamyk,	Ogilvie,	Weidner,
Edwards,	Keiser,	Parlante,	Welsh,
Elberg,	Kernaghan,	Pashley,	Wescott,
Elvey,	Kessler,	Perry,	Whittaker,
Eshleman,	King,	Petrosky,	Willard,
Ewing,	Kistler,	Piper,	Willaredt,
Farabaugh,	Klein,	Polaski,	Williams, A. D.,
Filo,	Kooker,	Polen,	Williams, E. S.,
Fineman,	Kornick,	Prendergast,	Wilt,
Flynn,	Korns,	Pursley,	Wood,
Foerster,	Lamb,	Reibman,	Worley,

Foor,  
Fox,  
Frascella,  
Fry,

Lawson,  
Lee, K. B.,  
Leonard,  
Limper,

Reldenbach,  
Renwick,  
Riley,

Yetter,  
Zember,  
Zimmerman,

## NAYS—0

## NOT VOTING—16

Cauley,  
Eshback,  
Fetterolf,  
George,

Gibbons,  
Kelly,  
Knecht,  
Kramer,

Lee, A. M.,  
Magee,  
Murray,  
Odorisio,

Price,  
Wall,  
Walsh,  
Andrews,

Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 948, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the purchase acceptance receipt or possession of starter pistols or similar pistols by minors and revising exemptions under this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Adams,	Frascella,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Fry,	Leonard,	Royer,
Anderson, S. A.,	Fulmer,	Limper,	Rubin,
Arlene,	Galley,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gallagher,	Long, Wm. Jos.,	Rutherford,
Auker,	Gelfand,	Lutty,	Sakulsky,
Bachman,	Gibb,	Manbeck,	Scarcell,
Backenstoe,	Goldstein, J. H.,	Markley,	Schaaf,
Blair,	Goldstein, M. H.,	Marsh,	Schuster,
Boles,	Goodrich,	Maxwell,	Seltzer,
Bonner,	Gramlich,	May,	Shelton,
Bossert,	Gray,	McCandless,	Sherman,
Bower,	Gremminger,	McCann,	Shupnik,
Bowman,	Gross,	McCormack,	Slack,
Branca,	Guesman,	McDevitt,	Snare,
Breth,	Guthrie,	McDonald,	Stank,
Buchanan,	Hamilton,	McInroy,	Steckel,
Bush,	Hankins,	McKeever,	Stimmel,
Capano,	Hartley,	McLaughlin,	Stiteler,
Capitolo,	Haudenshield,	Meholchick,	Stone,
Cauley,	Heavey,	Merry,	Strausser,
Cianfrani,	Heffner,	Mihm,	Sullivan, J. A.,
Cioffi,	Helm,	Miller,	Sullivan, T. F.,
Clarke,	Henzel,	Mills,	Taylor,
Comer,	Hocker,	Monroe,	Thompson,
Cooley,	Holliday,	Morley,	Tompask,
Crossin,	Holman,	Mullen,	Tompkins,
Curwood,	Horst,	Munley,	Trusio,
Davis,	Irvs,	Murphy,	Varner,
Dengler,	Jenkins,	Musto,	Verona,
Dennison,	Jim,	Needham,	Wall,
Donaldson,	Johnson, A. W.,	O'Dell,	Wargo,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Doughten,	Jones,	O'Donnell, J. P.,	Welsh,
Down,	Kamyk,	Ogilvie,	Wescott,
Edwards,	Keiser,	Parlante,	Whittaker,
Elberg,	Kernaghan,	Pashley,	Willard,
Elvey,	Kessler,	Perry,	Willaredt,
Eshleman,	King,	Petrosky,	Williams, A. D.,
Ewing,	Kistler,	Piper,	Williams, E. S.,
Farabaugh,	Klein,	Polaski,	Wilt,
Filo,	Kooker,	Polen,	Wood,
Fineman,	Kornick,	Prendergast,	Worley,
Flynn,	Korns,	Reibman,	Yetter,
Foerster,	Lamb,	Reldenbach,	Zember,
Foor,	Lawson,	Renwick,	Zimmerman,
Fox,	Lee, A. M.,	Riley,	

## NAYS—2

Isaacs, Lippincott,

## NOT VOTING—17

Eshback,	Knecht,	Murray,	Simmons,
Fetterolf,	Kramer,	Odorisio,	Ujobai,
George,	Magee,	Price,	Walsh,
Gibbons,	McNally,	Pursley,	Andrews,
Kelly,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 970, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) providing for certain payments to dependent parents when there is no widow or no surviving children.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Anderson, J. H.,	Galley,	Lippincott,	Rovansek,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Royer,
Arlene,	Gelfand,	Long, Wm. Jos.,	Rubin,
Ashton,	Gibb,	Lutty,	Rudisill,
Bachman,	Goldstein, J. H.,	Manbeck,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Markley,	Sakulsky,
Blair,	Goodrich,	Marsh,	Scarcelli,
Boles,	Gramlich,	Maxwell,	Schaaf,
Bonner,	Gray,	May,	Schuster,
Bossert,	Gremminger,	McCandless,	Seltzer,
Bower,	Gross,	McCann,	Shelton,
Bowman,	Guesman,	McCormack,	Sherman,
Branca,	Guthrie,	McDevitt,	Shupnik,
Breth,	Hamilton,	McDonald,	Simmons,
Buchanan,	Hankins,	McInroy,	Slack,
Bush,	Hartley,	McKeever,	Snare,
Capano,	Haudenschild,	McLaughlin,	Stank,
Capitolo,	Heavey,	McNally,	Steckel,
Cauley,	Heffner,	Meholchick,	Stimmel,
Cianfrani,	Helm,	Merry,	Stiteler,
Cioffi,	Henzel,	Mihm,	Stone,
Clarke,	Hocker,	Miller,	Strausser,
Comer,	Holliday,	Mills,	Sullivan, T. F.,
Cooley,	Holman,	Monroe,	Taylor,
Crossin,	Horst,	Morley,	Thompson,
Curwood,	Isaacs,	Mullen,	Tomasick,
Davis,	Jenkins,	Munley,	Tompkins,
Dengler,	Jim,	Murphy,	Trusio,
Dennison,	Johnson, A. W.,	Musto,	Ujobai,
Donaldson,	Johnson, R. P.,	Needham,	Varner,
Dougherty,	Jones,	O'Dell,	Verona,
Doughten,	Kamyk,	O'Donnell, J. A.,	Wall,
Down,	Keiser,	O'Donnell, J. P.,	Wargo,
Edwards,	Kernaghan,	Ogilvie,	Weidner,
Ellberg,	Kessler,	Parlante,	Welsh,
Elvey,	King,	Pashley,	Wescott,
Eshleman,	Kistler,	Perry,	Whittaker,
Ewing,	Klein,	Petrosky,	Willard,
Farabaugh,	Knecht,	Piper,	Willaredt,
Filo,	Kooker,	Polaski,	Williams, A. D.,
Flynn,	Kornick,	Polen,	Williams, E. S.,
Foerster,	Korns,	Prendergast,	Wilt,
Foor,	Lamb,	Pursley,	Wood,
Fox,	Lawson,	Reibman,	Worley,
Frascella,	Lee, A. M.,	Reidenbach,	Yetter,
Fry,	Lee, K. B.,	Renwick,	Zember,
Fulmer,	Limper,	Riley,	Zimmerman,

## NAYS—0

## NOT VOTING—18

Adams,	George,	Leonard,	Price,
Auker,	Gibbons,	Magee,	Sullivan, J. A.,
Eshback,	Irvis,	Murray,	Walsh,
Fetterolf,	Kelly,	Odorisio,	Andrews,
Fineman,	Kramer,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House bill No. 1015, printer's No. 1641

was passed over temporarily at the request of Mr. McCANN.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, it will take a matter of five minutes to clear the desk. I would like to make plans for the members to have a lunch period of 45 minutes. This House will reconvene at 1 o'clock and we will try to finish as soon as we can. I want to bring to the attention of the House that on bills on final passage, page 14, House bill 663, printer's No. 1497, the gentleman from Allegheny, Mr. Goldstein, will have amendments which will be debated this afternoon. He estimates it will be 10, 15, 20 minutes.

Also, there is House bill 1136 on page 15, on final passage, which I understand has been cleared.

On page 16, if possible, on House bill 203, on final passage postponed, and House bill 1121, Mr. Johnson desires to clear amendments with his caucus.

Mr. Speaker, the members may take a recess they may have lunch, and this House will reconvene promptly at 1 o'clock.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. GOODRICH asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

## QUESTION OF PERSONAL PRIVILEGE

Mr. AUKER. Mr. Speaker, in the debate yesterday on House bill 363, I believe it was, concerning the full-crew bill, it was stated by the gentleman from Washington, Mr. Murphy, that I was misleading the House.

I want to set the record straight. I have never intentionally or unintentionally, so far as I know, tried to mislead this House. In the statement and what I read into the record pertaining to the particular section of the Public Utility Code I said that it has never been repealed or declared unconstitutional by the Supreme Court of this State. What was declared unconstitutional was the full-crew bill as it existed on the books for 23 years. I wanted to set the record straight on that.

The SPEAKER pro tempore. The remarks of the gentleman under the question of personal privilege will be spread upon the record.

## QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman from Berks, Mr. Adams, rise?



Mr. ADAMS. I rise to a question of personal privilege. The SPEAKER pro tempore. The gentleman will state it.

Mr. ADAMS. Mr. Speaker, yesterday when the House voted on House bill 970, printer's No. 1558, I had some business on the phone. Had I been here in the hall at the time, I would have voted "aye" on that bill.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

### REPORTS FROM COMMITTEE

Mr. IRVIS from the Committee on Judiciary, reported as amended, Senate bill No. 103, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" creating the crime of fatality by motor vehicles or tractors making it illegal to cause the death of another by motor vehicle or tractor and providing penalties.

Mr. WILT from the Committee on Appropriations, re-reported as amended, House bill No. 1335, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

Mr. WILT from the Committee on Appropriations, reported as committed, House bill No. 1380, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" changing provisions relating to the approval of projects for reimbursement purposes.

Mr. WILT from the Committee on Appropriations, reported as committed, House bill No. 1381, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue in relation thereto; and providing for the payment of interest on and the redemption of such bonds; and making an appropriation.

Mr. McNALLY from the Committee on Highways, reported as committed, Senate bill No. 400, entitled:

An Act amending the act of May 31, 1911 (P. L. 468) entitled "Sproul Highway Law" by permitting a contractor to deposit certain securities with the Secretary of Highways as an alternative to the payment by the Secretary of Highways of interest on amounts withheld pending satisfactory completion of a contract.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1380, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" changing provisions relating to the approval of projects for reimbursement purposes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1381, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue in relation thereto; and providing for the payment of interest on and the redemption of such bonds; and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 400, entitled:

An Act amending the act of May 31, 1911 (P. L. 468) entitled "Sproul Highway Law" by permitting a contractor to deposit certain securities with the Secretary of Highways as an alternative to the payment by the Secretary of Highways of interest on amounts withheld pending satisfactory completion of a contract.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 681.

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" further defining compensation and final average salary in the case of certain members of the General Assembly.

HOUSE BILL No. 682.

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" further providing for retirement of members of the General Assembly.

HOUSE BILL No. 683.

An Act amending the act of June 1, 1959 (P. L. 350) entitled "An act relating to the retirement of public school employees amending revising consolidating and changing the laws relating thereto" further providing for multiple service credit in the case of certain members.

HOUSE BILL No. 1200.

An Act amending the act of June 1, 1956 (P. L. 1949) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court \* \* \* and the salary and expenses of the members of the General Assembly \* \* \*" fixing the allowance of members of the General Assembly for clerical assistance and other expenses.

HOUSE BILL No. 1252.

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" limiting superannuation retirement allowances of members of the General Assembly.

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 681.

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" further defining compensation and final average salary in the case of certain members of the General Assembly.

## HOUSE BILL No. 682.

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" further providing for retirement of members of the General Assembly.

## HOUSE BILL No. 683.

An Act amending the act of June 1, 1959 (P. L. 350) entitled "An act relating to the retirement of public school employees amending revising consolidating and changing the laws relating thereto" further providing for multiple service credit in the case of certain members.

## HOUSE BILL No. 1200.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court \* \* \* and the salary and expenses of the members of the General Assembly \* \* \*" fixing the allowance of members of the General Assembly for clerical assistance and other expenses.

## HOUSE BILL No. 1252.

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" limiting superannuation retirement allowances of members of the General Assembly.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess until 1 p. m.

The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

CAMERON COUNTY HIGH SCHOOL  
STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the senior class of the Cameron County High School, who are here under the supervision of Mr. Manners, Mr. Miller, and Mr. Bricker.

The Cameron County pupils are the guests of the gentleman from Cameron, Mr. Tompkins.

The Chair did not know that there were that many people in Cameron County altogether.

## BILLS INTRODUCED AND REFERRED

By Mrs. REIBMAN, Messrs. HELM, ANDREWS  
and DONALDSON. HOUSE BILL No. 1423.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the establishment of standards and regulations for the merger of school districts, and the reorganization of school districts and administrative units by the State Council of Education.

Referred to the Committee on Education.

By Mrs. REIBMAN, Messrs. HELM, ANDREWS  
and DONALDSON. HOUSE BILL No. 1424.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further classifying school districts.

Referred to the Committee on Education.

By Mrs. REIBMAN, Messrs. HELM, ANDREWS  
and DONALDSON. HOUSE BILL No. 1425.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), prescribing powers and duties of the Department of Public Instruction and the State Council of Education concerning and establishing procedures for the reorganization of county superintendencies.

Referred to the Committee on Education.

By Mrs. REIBMAN, Messrs. HELM, ANDREWS  
and DONALDSON. HOUSE BILL No. 1426.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) providing for the reorganization of county superintendencies, intermediate boards of school directors and intermediate superintendents; prescribing powers and duties of the Department of Public Instruction and the State Council of Education with respect thereto and establishing transition procedure.

Referred to the Committee on Education.

By Messrs. LAMB, CLARKE and IRVIS.  
HOUSE BILL No. 1427.

An Act amending the act of April 26, 1933 (P. L. 89), entitled "An Act authorizing any city of the second class in this Commonwealth to sell or dispose of its interest in property condemned for public park or for any public use \* \* \*" authorizing the property to be leased or to be used for other city purposes and removing certain limitations on sale and disposition of the cities right, title and interest in property.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. BRETH, BOWER, STONE and  
TOMPKINS. HOUSE BILL No. 1428.

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159) changing the definition of assessed valuation.

Referred to the Committee on Municipal Corporations.

By Messrs. BRETH, MAXWELL, AUKER and  
GOODRICH. HOUSE BILL No. 1429.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing the granting of permits to run coon dogs for training and exercise purposes for certain periods.

Referred to the Committee on Game and Conservation.



By Messrs. McCORMACK and A. D. WILLIAMS, JR.  
HOUSE BILL No. 1430.

An Act amending the act of March 31, 1860 (P. L. 427) entitled "An act to Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," broadening the power of magistrates to take bail.

Referred to the Committee on Judiciary.

By Messrs. GELFAND and PERRY.  
HOUSE BILL No. 1431.

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania, for maintenance and support.

Referred to the Committee on Appropriations.

By Messrs. FLYNN, CAPANO, ROVANSEK and McNALLY.  
HOUSE BILL No. 1432.

An Act amending the act of June 7, 1901 (P. L. 493), entitled, as amended, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, \* \* \*" increasing examination, examining board and re-registration fees.

Referred to the Committee on Professional Licensure.

By Messrs. CAPANO, FLYNN, T. F. SULLIVAN and KORNICK.  
HOUSE BILL No. 1433.

An Act requiring employers in the coal industry to file bonds or establish proof of security to insure payment of employees' wages; prescribing powers and duties of the Department of Mines and Mineral Industries and the Secretary of the Commonwealth; \* \* \*.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. CAPANO, FLYNN, T. F. SULLIVAN and WELSH.  
HOUSE BILL No. 1434.

An Act requiring certain employers to file bonds or establish proof of security to insure payment of employees' wages; prescribing powers and duties of the Department of Labor and Industry and the Secretary of the Commonwealth; prescribing procedure for the collection of unpaid wages and prescribing penalties.

Referred to the Committee on Labor Relations.

By Messrs. CIANFRANI and RILEY.  
HOUSE BILL No. 1435.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) providing for the issuance of additional operator's license cards to applicants operating motor vehicles for commercial purposes or as paid employees, and further regulating the suspension of operating privileges.

Referred to the Committee on Motor Vehicles.

By Messrs. CIANFRANI, RILEY and WORLEY  
(By Request).  
HOUSE BILL No. 1436.

An Act defining the terms "church" and "place of actual religious worship," as used in acts of Assembly heretofore and hereafter enacted relating to the taxation of real estate.

Referred to the Committee on Judiciary.

By Messrs. CIANFRANI, RILEY and WORLEY  
(By Request).  
HOUSE BILL No. 1437.

An Act amending "The Vehicle Code," approved April

29, 1959 (P. L. 58), further regulating operator's licenses and learner's permit; providing for minimum financial responsibility as a prerequisite to issuance of operator's licenses or learner's permits.

Referred to the Committee on Motor Vehicles.

By Messrs. MURPHY, ROVANSEK, SAKULSKY and KESSLER.  
HOUSE BILL No. 1438.

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act," approved May 31, 1945 (P. L. 1198) further regulating bituminous strip mining operations; changing provisions with respect to bonds, filing dates, reports, registration, backfilling and overburden, including certain persons within the provisions of the act, and providing for the use of funds in certain cases.

Referred to the Committee on Mines and Mineral Industries.

## REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, the members on the Republican side of the House have been wondering what time we will caucus next Monday. I would like to announce that our caucus next Monday will be at 2 o'clock, from 2 to 4, as usual. You will not receive a caucus letter, so we would like to have all Republican members present at our caucus at 2 o'clock Monday.

Mr. McCANN. May I interrogate the gentleman one moment while we are waiting for the members to come?

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

The SPEAKER. I missed that. What's the battle all about?

Mr. McCANN. I would like to ask the gentleman if he believes in two hours he can caucus on all the bills that need to be caucused on, so that on Monday and Tuesday we could proceed to vote on bills without an additional caucus on Tuesday?

Mr. A. W. JOHNSON. I doubt it.

Mr. McCANN. Could I recommend that you come and caucus at noon or 11 o'clock in the morning?

Mr. A. W. JOHNSON. We do a pretty good job in two hours. We have all the bills caucused now that you can pass today conveniently.

Mr. McCANN. I would like to bring to the gentleman's attention that there will be in position to vote almost \$900 million worth of appropriation bills next Monday and Tuesday, \$950 million, I believe.

I would like to recommend that you caucus on those bills that move from second to third reading to be in position to vote on them.

Mr. A. W. JOHNSON. Thank you, Mr. Speaker. We will endeavor on Monday to try to cover the entire calendar. We have been doing a pretty good job of it.

Mr. A. W. JOHNSON. May I interrogate the majority leader?

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Will the gentleman please state to the House how many days we will be in session next week?

Mr. McCANN. Monday, Tuesday, Wednesday, and Thursday.

Mr. A. W. JOHNSON. There will be a four-day session for sure next week, right?

Mr. McCANN. Yes, sir.

Mr. A. W. JOHNSON. Thank you.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1015, entitled:

An Act amending the "Bail Approval Commissioner Act" approved June 25, 1937 (P. L. 2326) increasing the fee for bail certificates.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—192

Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goldstein, M. H.,	Lutty,	Sakulsky,
Backenstoe,	Goodrich,	Manbeck,	Scarcelli,
Blair,	Gramlich,	Markley,	Schaaf,
Boles,	Gray,	Marsh,	Schuster,
Bossert,	Gremminger,	Maxwell,	Seltzer,
Bower,	Gross,	May,	Shelton,
Bowman,	Guesman,	McCandless,	Sherman,
Branca,	Guthrie,	McCann,	Shupnik,
Breth,	Hamilton,	McCormack,	Simmons,
Buchanan,	Hankins,	McDevitt,	Slack,
Bush,	Hartley,	McDonald,	Snare,
Capano,	Haudenshield,	McInroy,	Stank,
Capitolo,	Heavey,	McKeever,	Steckel,
Caulley,	Heffner,	McLaughlin,	Stimmel,
Cianfrani,	Helm,	McNally,	Stiteler,
Cioffi,	Henzel,	Meholchick,	Stone,
Clarke,	Hocker,	Merry,	Strausser,
Comer,	Holliday,	Mihm,	Sullivan, J. A.,
Cooley,	Holman,	Miller,	Sullivan, T. F.,
Crossin,	Horst,	Mills,	Taylor,
Curwood,	Irviss,	Monroe,	Thompson,
Davis,	Isaacs,	Morley,	Tompkins,
Dengler,	Jim,	Mullen,	Truslo,
Dennison,	Johnson, A. W.,	Munley,	Ujobal,
Donaldson,	Johnson, R. P.,	Murphy,	Varnier,
Dougherty,	Jones,	Musto,	Verona,
Doughten,	Kamyk,	Needham,	Wall,
Down,	Kelser,	O'Dell,	Wargo,
Edwards,	Kelly,	O'Donnell, J. A.,	Weidner,
Ellberg,	Kernaghan,	O'Donnell, J. P.,	Welsh,
Elvey,	Kessler,	Ogilvie,	Wescott,
Eshleman,	King,	Parlante,	Whittaker,
Ewing,	Kistler,	Pashley,	Willard,
Farabaugh,	Klein,	Perry,	Willaredt,
Filo,	Knecht,	Petrosky,	Williams, A. D.,
Fineman,	Kooker,	Piper,	Williams, E. S.,
Flynn,	Kornick,	Polaski,	Wilt,
Foerster,	Korns,	Polen,	Wood,
Foor,	Leonard,	Reibman,	Yetter,
Fox,	Limper,	Rovansek,	Zember,
Frascella,	Lippincott,	Royer,	Zimmerman,
Fry,	Long, Wm. Jas.,	Rubin,	Andrews,
		Rudisill,	Speaker

#### NAYS—0

#### NOT VOTING—14

Bonner,	George,	Jenkins,	Price,
Eshback,	Gibb,	Magee,	Tomascik,
Fetterolf,	Gibbons,	Murray,	Walsh,
		Odoriso,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. We request permission at this time on the bill we spoke about, to turn to page 14, bills on final passage, to call up House bill 663, printer's No. 1497. The gentleman from Allegheny, Mr. Goldstein, has amendments which he wishes to offer.

### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 663, entitled:

An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes \* \* \* authorizing rules and regulations and providing penalties for violations thereof and making an appropriation.

### RECONSIDERATION OF VOTE

Mr. M. H. GOLDSTEIN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. M. H. GOLDSTEIN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Bill, page 5, by inserting between lines 7 and 8:

Section 10. No roadside rests shall be constructed or erected pursuant to this act, unless surrounded on all sides, except that side which fronts on a State highway, by at least six hundred and sixty feet of Federal or State-owned lands in which no commercial signs or other advertising media are situated, or authorized, or by privately owned lands, the owners of which have irrevocably agreed in writing with the Commonwealth that no commercial signs or other advertising media or commercial enterprises will be permitted thereon or within six hundred and sixty feet thereof without the written permission of the Commonwealth or by an area of at least six hundred and sixty feet, which is zoned to prohibit the erection of commercial signs or other advertising media or commercial enterprises thereon.

Amend Sec. 10, page 5, line 8, by striking out "10" and inserting: 11

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein, who desires to interrogate the majority leader.

Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, are there not roadside rests constructed in the State of Pennsylvania which are surrounded by billboard advertising and other commercial enterprises, these being roadside rests which were erected before the act of 1957?

Mr. McCANN. Mr. Speaker, there are roadside rests erected in the Commonwealth of Pennsylvania that were constructed in Pennsylvania prior to the law he speaks of in which there is billboard advertising around or near the roadside rests. This is correct.



Mr. M. H. GOLDSTEIN. Mr. Speaker, as a result of a bill introduced in 1957 by Admiral Davis of Forest County, was not a prohibition established in the law whereby billboards and commercial enterprises would not be within 1,200 feet of a roadside rest?

Mr. McCANN. Mr. Speaker, that is the present law. He is correct.

Mr. M. H. GOLDSTEIN. Was not that legislation designed to improve the climate of roadside rests in rural areas?

Mr. McCANN. That was the intent of it at the time it was debated and voted on and approved in this House and the Senate, and signed by the Governor.

Mr. M. H. GOLDSTEIN. If House bill 663 is passed as it now exists, will it not give the Secretary of Highways absolute power to establish a roadside rest adjacent to a carnival, if he so desires?

Mr. McCANN. Mr. Speaker, the gentleman, of course, could state that a roadside rest would be built adjacent to a carnival, provided, as he would put it, that under the existing law they could build it for \$8,000, that it would be approved by the Highway Department and that the Secretary of Highways would agree to such a thing, to which I am sure the answer would be a blunt "no."

Mr. M. H. GOLDSTEIN. I am not asking what he would not do; I am asking what could he do under the law. Suppose the Secretary of Highways was not Mr. Martin or a Republican who happens to believe in regulation of billboards, and you had a man who believed in construction of billboards adjacent to roadside rests, could he do that if he so desired?

Mr. McCANN. Under the proposed law the answer, I think, would be correct in what you are assuming, except we must also debate the cost allowed in the proposed law, because he would be bound by the proposal that you speak of in limiting the roadside rest to not exceed \$12,000. This must certainly be taken into consideration when we talk about the land, or the additional land, that would be required as indicated in your amendment to take care of that.

Mr. M. H. GOLDSTEIN. Mr. Speaker, the majority leader certainly does not believe that the Secretary of Highways is limited to \$12,000 if it is adjacent to an interstate highway. I suggest that he reads Section 9 of the bill, which gives him unlimited power to construct a roadside rest for a million dollars. Is that not true? Look at the section and refresh your recollection.

Mr. McCANN. Mr. Speaker, I do not want the gentleman to confuse—

The SPEAKER. Will you clarify this for the Speaker? Are we now discussing the bill or are we discussing the amendments?

Mr. McCANN. I would like the gentleman to discuss the amendments.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I have to discuss the amendments because the amendments remove the evils of the bill.

The SPEAKER. I am just asking for information.

The gentleman will proceed.

Mr. McCANN. Mr. Speaker, for the gentleman's information and for the information of this House, a roadside rest which would be built on an interstate system would be under the United States Bureau of Public Roads' approval, in which the United States Department of Com-

merce would participate on a 90-10 basis, and it would also be a roadside rest that would be built under their specifications. Those specifications are entirely different from what we are talking about here. There is no question that the Secretary of Highways, with the approval of the Bureau of Public Roads, does have a right to build roadside rests on interstate highway systems in which the Federal Government does participate 90-10, but they also must have running water, toilets for men and women, commodes, septic tanks, safe public drinking water and many other additions that are not placed in our roadside rests.

Mr. M. H. GOLDSTEIN. I will ask one more question before I debate the amendments. If you had a roadside rest which would cost \$100,000, say, \$90,000 for the Federal Government and \$10,000 for the State government, can you point out any prohibition in the present existing Federal law which would prevent a motel from being erected adjacent to this particular roadside rest?

Mr. McCANN. Absolutely. Under the Bureau of Public Roads on an interstate highway system you can erect everything you want to as long as you own the property, except that the road, or the entrance, or the abutment of the property to the highway, the interstate highway, shall be fenced or closed from entry or exit to that area.

So if anyone would care to build a million-dollar motel next to a roadside rest, it certainly would be screened off, and, who would care to invest his money in that manner? I would like to know what businessman in this world that may be.

Mr. M. H. GOLDSTEIN. I am glad you gave me that answer, Mr. McCann. I will ask you this question: Why was not a similar prohibition as to screening off put in this particular bill?

Mr. McCANN. I am trying to explain to the members of this House, you are dealing with a roadside rest law. We have in this Commonwealth the State highway system. Do not confuse this with interstate system. In every county you have the FAP, FAS roads, Federal-Aid Primary, Federal-Aid Secondary, 100 percent State.

The construction of roadside rests as proposed in this act refer to the State road system, not to the interstate road system. We are talking about the Secretary of Highways being authorized to build roadside rests on these roads, FAP, FAS, and 100 percent State, not interstate.

Mr. M. H. GOLDSTEIN. That is all, Mr. McCann.

Mr. Speaker, I have been very much concerned about House bill 663, which I am advised is an administrative measure.

We struggled for over three years trying to pass House bill 560 which regulates billboards in the Commonwealth of Pennsylvania, and we placed proper restrictions against the construction of billboards adjacent to interstate highways in order to get the benefit of some millions of dollars.

Now, what do we do since we have had experience since 1945 in this particular legislation? We say that we as legislators should abdicate our privilege to maintain and create standards of legislation. You say to us, trust Mr. Martin, but we are all human and, if Mr. Martin is not here, are we to trust Mr. X? What will happen under this type of legislation unless these amendments are passed? I want to be realistic. I reduced the prohibition against commercial enterprises and billboards to 660 feet.



These roadside rests are not going to be established in Philadelphia, Scranton, Altoona, or Pittsburgh; they are established so that we city residents can go out in the country and enjoy the sylvan beauty of Forest County or Pike County. When we get there are we going to have a repetition of the situation that now exists in northwestern Pennsylvania, that when you go to a roadside rest you are entirely surrounded by billboards, or you are entirely surrounded by a carnival, a situation which now exists in this Commonwealth.

I say to you, not referring to the interstate highway where you have no prohibition of \$12,000, that we are opening the door to political chicanery, that it would be possible under this particular bill for people who have influence to have State roadside rests constructed adjacent to their motels, adjacent to the hot-dog stands or any other commercial enterprise in which they are interested. This is absolutely significant, and I say that sponsors of this bill were derelict in their duty in not at least providing that there would be an enclosure adjacent to this particular roadside rest. What is there to stop a man who leases on a legal lease? He can lease land from the Commonwealth of Pennsylvania with the provision that he is to have the right to maintain and continue a commercial enterprise, not facing on the State highway, but in the rear of the roadside rest.

I am certainly of the opinion and I feel the same on this matter from all viewpoints, that the administration and its leader on the floor could not be serious in wanting legislation of this character to pass. We certainly would want to have a setup whereby business people would not be able to encroach upon a roadside rest. Therefore, in order to maintain the standards for which the Commonwealth fought for three or four years, in order to protect people, in order to protect the Commonwealth's investment and the taxpayers, and in order to prevent a repetition of what we had occur in connection with horse racing, whereby politicians got the benefit, and I say it is possible in this bill for politicians to get the benefit of commercial advantage adjacent to roadside rests, therefore, I say to you this is a matter which you, not only as Democrats but as Republicans, should vote for this amendment. If you do not vote for the amendment I predict that you will have a honky-tonk adjacent to the roadside rests in years to come, and you will regret it. I ask for a roll-call vote.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I ask that this House carefully study this situation. The gentleman said that we passed billboard legislation. That we did, and it is law. But, what did we say on the interstate road system? This was the decision of this House and Senate. Now then, on the road that he speaks of we have been under the present law as indicated since 1957. You would think that at this time we would be able to build a good many roadside rests, not only in Pike and Forest and other counties, but also in Allegheny County and Bucks, Chester, Delaware, and many other places where we want to build roadside rests. Why can't we build them?

No. 1, because we are limited to \$8,000 for the purchase of the land to build, and build the roadside rest. Now then, the gentleman says that if we do this without the amendment the answer is that someone will build either

a carnival, a motel, or some other item that will abut the roadside rest. When the roadside rest is built, before it is built, there is selected by the right of way engineer and the engineer in the Highway Department such a site for approval. Before purchase of the ground to build the roadside rest all those items are considered. He will say that after it is done they will build these items. The answer is a cold, no, because after they have purchased the ground for the roadside rest we are required, under our new law, to fence people off even on FAS, FAP. There has only been one roadside rest built in the Pocono area, in Pike County, on US Route 6, outside of a place called Hawley, I believe, Pennsylvania. That roadside rest is entirely surrounded by State forest and game lands and no other requirements are needed because the Commonwealth is the sole owner of all ground on opposite sides in every direction.

Why have there not been roadside rests built? Roadside rests have not been built because of the law that we passed in this House. Not that we do not want to build them, not that we do not want them built, not that we do not have sites to build them, except, number one, we cannot build them for the amount of money that this House and Senate stated was the amount that you would allow under the law. When you propose a roadside rest, you take that total amount of money out of the Highway Department and earmark it instantly for payment at that point.

I appeal to you people that if you believe roadside rests should be built in Pennsylvania, as we think they should, in fact, I am not firmly convinced that \$12,000 is the proper ceiling, because I took time to check the construction of every roadside rest since 1957 to the present date, the number of places in which you have proposed roadside rests and could not build them because of two sections of this law. For this reason I am appealing to this House to, number one, oppose Mr. Goldstein's amendments. Strike that provision out. Why? Because this House, in its billboard legislation, saw fit that it shall apply only to the interstate system. It did not say secondary, primary, or 100 percent State roads. The other provision that you support the bill to give it an opportunity, as you did the '57 law, to see if we cannot build roadside rests in other counties. I say to you that if you, as members, are interested in roadside rests because they are important to both the people in your own county and the traveling public, that you will support this position in conformity with what we did in the previous law. If not, why did you not support the position of eliminating billboards on FAS and FAP and 100 per cent State roads? Your answer was, no; my answer was, no. Therefore, I think we should be uniform in the position that we adopted on one measure to enact into the other.

Now then, by the 660 feet that the gentleman proposed in these amendments, if you own a piece of ground along a State highway, we will say that a proposed new roadside rest may be three, four, five, six acres, take any figure you want. You own the ground. To buy that ground you know that you as the owner of the property are entitled to the proper value of that ground before the Department of Highways takes over. But if, with his amendments, you are going to propose to take over the same ground for roadside rests, then you must also take 660 feet more than the proposed roadside rest



ground and pay to that owner of that ground its proper value, because you are prohibiting such an item as he proposes in this legislation. If you are limited now to \$8,000 and you are going to raise it to \$12,000 which I believe is still incorrect—it should be \$20,000 or \$25,000 for roadside rests tell me, if you owned the ground, and were buying the ground, and then put the prohibition in about the 660 more feet, then also build the road, build the driveway, build all the others items that go into that roadside rest, and you tell me how much of a roadside rest you think you can build.

I think this House is very intelligent. I think they know a lot more about things than people think they do and they can use their own minds to figure this out. I appeal to you honestly to oppose these amendments, favor the bill, and should anyone want to amend it to raise the \$12,000 to \$20,000 or \$25,000, I believe it is a step in the right direction that we should have done years ago in this Commonwealth. For that reason, and I can state specific cases, if we want to debate these points today, of the proposed roadside rests in Lehigh County, in Chester, in Delaware in Bucks, in Allegheny, in Beaver, and in Lawrence and prove to you that we cannot build them because of the law you put on the Secretary of Highways, and for that reason I ask your support to move in this direction.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I would like to be given permission to speak generally on the bill because the majority leader has not discussed the issue, the amendments. We have no quarrel with the increase of the amount from \$8,000 to \$12,000. We might be in favor of a maximum of \$20,000, but that is not the issue.

I have been very much concerned about this matter and I have been in contact with the Secretary of Highways and I have a letter from Mr. Froelich who is the chief deputy secretary. I told him we live in a government of laws and not of men, and in his reply to me he said, if expedient now, I believe in your principle.

Mr. McCann, when he discussed the interstate highway system we recognize that it falls back upon congressional regulations which prohibit any roadside rest or similar thing unless it is fenced. Why not have this act amended so it will be fenced? I am trying to prevent people from abutting and encroaching upon the abutting land which they may own at a roadside rest. Mr. McCann is not serious in thinking that we are going to have a roadside rest in the heart of Allegheny County of any material character. I know of very little land of that type, but I say, what you are doing here is, you are now repeating the error that you made in 1955. Incidentally, the legislation is copied word for word from the act of 1945—rather—it is repeated in the 1961 act, House bill 663. When Governor Leader signed this bill as introduced by Admiral Davis he wanted to remedy an evil. Now you say we give carte blanche to the Secretary of Highways, no matter what his name is, and he can construct a roadside rest wherever he wants to, right next to a billboard, right next to a carnival, right next to a hot dog stand.

Mr. McCann is wrong in his argument that we declared it a matter of policy when we passed the billboard legislation that we would limit that only to interstate highways. We are not talking about billboards adjacent to state highways generally; we are talking about billboards adjacent to roadside rests, and I say

there is something wrong about the bill. You can hold a roll call; I am going to debate the thing. I do not buy it. This is an important issue and I repeat again, I cannot understand why Mr. McCann would not try to remedy this thing by having some provision against having enclosures adjacent to roadside rests, and I ask the majority leader for his consent to be interrogated again. I will ask him one question.

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Would the gentleman consent to have this bill held over so that you could put into the bill a provision that there should be enclosures adjacent to roadside rests, so that the people who go to the roadside rests cannot become the victims of individuals who own commercial enterprises adjacent thereto?

Mr. McCANN. Mr. Speaker, the gentleman is asking me to hold it over for a specific reason so he would try to work out an amendment on an enclosure. I think the gentleman should know emphatically that he should have worked carefully with this. Have you ever checked in your own county on one they proposed and why they could not do it? Not because of billboards, not because of this or that, but by the amount of ceiling money that is allowed by law. The same way in my own county except that the highway department does not select or choose such sites and you leave the discretion in the highway department. Even though you press for such a roadside rest, they will not grant it.

I would like to vote on your amendment. I spoke honestly about opposing them and I would like to vote on the amendments that you have offered, and then if the gentleman feels that he has merit on his side of the situation, we could then probably vote on the bill, one way or the other. I honestly would like to do something that would permit the Secretary of Highways to build roadside rests that we need built so badly in this State.

Mr. M. H. GOLDSTEIN. Well, as I say again, I do not want to harangue everybody and repeat, I have no objection to the increase of the ceiling. I have given this some thought. I do not have the administration forces behind me to give me every detail, but I try sincerely to learn about a bill, and when Mr. McCann frankly states that the regulation on Federal highways would prevent commercial enterprises, I do not see any reason why we shall not have the same standards in the State of Pennsylvania.

Mr. COMER. Mr. Speaker, I rise to oppose these amendments. Mr. McCann, in his argument, pretty well covered the field. Mr. Goldstein mentioned a letter he received from the Deputy Secretary of Highways Froelich on April 20. What Mr. Goldstein did not mention was the contents of the letter. I will not take up too much time of the House, but I think they should know the contents of the letter. It says:

April 20

Dear Mr. Goldstein:

Here, for your consideration, are the arguments of the Department of Highways relating to H. B. 663 as it pertains to the erection of advertising devices.

As you know, the present roadside rest law (Public Law 479 of 1957) permits construction of roadside rests at a maximum cost of \$8,000

provided there is a permanent billboard restriction for 1,200 feet on both sides of the roadside rest. The goal of this Act is commendable, but in practice it has not worked out. In the four years since enactment of this Act, the only roadside rests which we have been able to build under its provision have, of necessity, been located in public land areas such as State Forests. Our Roadside Development Unit has diligently searched for a site, other than on public lands, which would qualify but has been stymied in all instances because the necessary releases within the 2,400 feet distance could not be obtained without exceeding the maximum cost permitted.

There are other parts that go on in this lengthy letter, but I believe Mr. McCann covered practically every one of them. It has been impossible for the highway department to secure these sites, and there is one other point I would like to mention that has not been put in the record, in all instances where the department has gone in and built 46 roadside rests, there is only one roadside rest in Lackawanna County, on Route 611 south of Scranton, where a commercial device was placed. The department immediately placed a tree line completely blocking the view of this so-called hot dog stand. The department makes every effort to place a rest where there will be no commercial activities adjacent to the roadside rest. In the event commercial enterprises or commercial signs spring up abundantly in the area adjacent to roadside rests, the department plans to either fence the roadside rest completely, thus blocking access to enterprises, or to plant tree lines to block signs of commercial enterprises. I think the department has in the past shown its ability to cope with this situation. I think Mr. Goldstein's amendments are not needed or necessary, and I ask members on both sides of the House to oppose the amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. McCANN and AUKER and were as follows:

#### YEAS—67

Auker,	Goldstein, M. H.,	King,	Steckel,
Backenstoe,	Goodrich,	Kooker,	Stimmel,
Buchanan,	Gramlich,	Korns,	Stteier,
Bush,	Gross,	Lee, A. M.,	Strausser,
Davis,	Guthrie,	Lee, K. B.,	Thompson,
Dengler,	Haudenschild,	Lippincott,	Tompkins,
Dennison,	Helm,	Markley,	Varnier,
Donaldson,	Henzel,	Marsh,	Weidner,
Down,	Hocker,	May,	Wescott,
Edwards,	Holliday,	McCandless,	Whittaker,
Ewing,	Holman,	McInroy,	Willard,
Foerster,	Isaacs,	Miller,	Willaredt,
Foor,	Johnson, A. W.,	Pursley,	Williams, A. D.,
Fox,	Johnson, R. P.,	Royer,	Williams, E. S.,
Fulmer,	Keiser,	Rutherford,	Wilt,
Goldstein, J. H.,	Kernaghan,	Seltzer,	Wood,
	Kessler,	Simmons,	Worley,

#### NAYS—125

Adams,	Flynn,	Lutty,	Reibman,
Anderson, J. H.,	Frascella,	Manbeck,	Reidenbach,
Anderson, S. A.,	Fry,	Maxwell,	Renwick,
Arlene,	Galley,	McCann,	Riley,
Ashton,	Gallagher,	McCormack,	Rovansek,
Bachman,	Gelfand,	McDonald,	Rubin,
Blair,	Gray,	McKeever,	Rudisill,
Boles,	Gremminger,	McLaughlin,	Sakulsky,
Bossert,	Guesman,	McNally,	Scarceill,
Bower,	Hamilton,	Meholchick,	Schaaf,
Bowman,	Hankins,	Merry,	Schuster,
Branca,	Hartley,	Mihm,	Shelton,

Breth,	Heavey,	Mills,	Sherman,
Capano,	Heffner,	Monroe,	Shupnik,
Capitolo,	Horst,	Morley,	Slack,
Cauley,	Irvia,	Mullen,	Snare,
Clanfrani,	Jim,	Munley,	Stank,
Clofi,	Jones,	Murphy,	Stone,
Clarke,	Kamyk,	Musto,	Sullivan, J. A.,
Comer,	Kelly,	Needham,	Sullivan, T. F.,
Cooley,	Kistler,	O'Dell,	Taylor,
Crossin,	Klein,	O'Donnell, J. A.,	Tomasick,
Curwood,	Knecht,	O'Donnell, J. P.,	Trusio,
Dougherty,	Kornick,	Ogilvie,	Ujobal,
Doughten,	Kramer,	Parlante,	Verona,
Ellberg,	Lamb,	Pashley,	Wall,
Elvey,	Lawson,	Perry,	Wargo,
Eshleman,	Leonard,	Petrosky,	Yetter,
Farabaugh,	Limper,	Piper,	Zember,
Filo,	Long, Wm. Jas.,	Polaski,	Zimmerman,
Fineman,	Long, Wm. Jos.,	Polen,	Andrews,
		Prendergast,	Speaker

#### NOT VOTING—14

Bonner,	George,	Jenkins,	Odorisio,
Eshback,	Gibb,	Magee,	Price,
Fetterolf,	Gibbons,	McDevitt,	Walsh,
		Murray,	Welsh,

So the question was determined in the negative and the amendments were not agreed to.

#### ANNOUNCEMENT

The SPEAKER. The Chair desires to announce that there is a very important meeting of the General State Authority at 2 p. m. It is rather important that as a member of the Authority the Chair be there. I will ask the gentleman from Armstrong to preside. They have voted on the amendments.

#### Mr. HELM IN THE CHAIR

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker and members of the House, it is with some reluctance that I rise to oppose this bill. I am very much in favor of roadside rests; I always have been. I recall back, I believe it must have been, in '55, when a bill was introduced to change the amount to raise the amount from, I believe, \$3,000 or \$3,500 at that time to \$7,000 or \$7,500 and objections were made then to raising the amount and it was moved back. I was very much surprised to see in the present bill that the amount would be \$8,000. So I am going to read into the record my objections to this bill. Although, as I say, the plan of roadside rests is very laudable, too my mind, and I certainly am in favor of them if they were being built under the proper circumstances and under the proper supervision and under the proper cost. In addition to what I read into the record, I will be forced to vote against the bill since these amendments of Mr. Goldstein went down. If for no other reason than that, I would vote against the bill. Now, Mr. Speaker, I desire to read into the record my opposition to the bill and why I am voting against the bill.

House bill No. 663, providing for the erection and maintenance of roadside rests adjacent to Pennsylvania State highways, and I do not mean by that interstate highways, is a good bill and laudable in its principle.



However, I believe the bill goes much too far in several of its provisions.

Mr. Speaker, it is rather hard for me to talk at times when there is audible conversation going on around me. I do not try to do it when anybody else is speaking.

1. First of all, Mr. Speaker, it grants permission to the State Highway Department to contract for the erection of such roadside rests with independent contractors. This, in my mind, is entirely unnecessary. These roadside rests, as many of them as have been built in Pennsylvania, are an accommodation measure to our traveling and touring public both inside and outside the State, and have heretofore generally been built by employees of the State Highway Department, including all sanitary and other facilities of said roadside rests, and using in large measures lumber taken from State-owned land at little, if any, cost to the taxpayers of the State. Those conditions still exist today. They can and should be built again by the highway employees and could be built at substantially less cost than if contracted for outside of the State Highway Department.

2. The maximum cost of said roadside rests is raised from \$8,500 to \$12,000, an increase of \$3,500. This, in my humble opinion, is entirely unnecessary and would be a waste of taxpayers' money.

By these provisions in the bill I do not believe that the taxpayers' money in Pennsylvania, and particularly in view of the raise in gasoline tax just recently passed, and which I voted against, is being in any sense protected or guarded. In fact, it would make it possibly, and not only possibly but probably, a very considerable waste of taxpayers' money.

In my opinion there are more than ample employees in the State Highway Department, if they would be put on an efficient working basis, to have ample manpower and skill to erect such roadside rests, without it being necessary for any outside contracting and at very considerable costs less than the maximum set forth in this bill. In fact, it is my opinion that they could be built for less cost than the maximum in the existing law, \$8,500. And, Mr. Speaker, nothing that has been said on this floor today has changed my opinion one iota in regard to what I have already read.

Therefore, it is with great reluctance, in view of the foregoing, that I am forced to vote against this bill unless the bill is corrected to conform with my thoughts, ideas, and opinions which I have expressed. That is my privilege. Roadside rests are laudable. Many more of them should be built to attract more tourists into the State and to provide for accommodations, not only for our own State people, but also for the tourists who we are attempting to attract into the State and to use and view the great scenic wonders of our State, which are exceeded by no other State in the Union. But it should be done with the utmost economy and with the most savings possible to the taxpayers of the State, and in no way should such a measure be passed that would make it possible, and no doubt probable, for a waste of the taxpayers' money through a much greater expenditure for the erection of such rests if it was done by the State Highway employees themselves on an efficient working-day basis and with the full utilization of the man hours of the State Highway employees and the arts and skills which are possessed by such highway employees.

Mr. McCORMACK. Mr. Speaker, I may speak often but I do not speak long, so I ask your indulgence. It seems to me that this bill serves a very laudable and high purpose in that it is for the benefit of the traveling public and tourists in Pennsylvania, and I think for that reason such a bill is desirable. But judging from the debate on the amendments it would appear to me that it is the desire of the House and also the highway department to erect these roadside rests away from commercial enterprises. Now, section 5 of this bill raises the ceiling to an unlimited amount, but it provides that in no event shall the Secretary of Highways spend or commit more than \$12,000 in State funds. In the event that the roadside rests cost more than \$12,000, there is a provision in section 5, for the Department of Highways to acquire or, and I quote, "Either fiscal material or labor gifts or donations from local groups, commercial or institutional, towards construction and construction costs." Now, it seems to me, and I might be interpreting this incorrectly, that this provision is a built-in provision for commercial enterprises to induce the Department of Highways to erect roadside rests adjacent to commercial enterprises. If I am wrong, I hope to get a correction on the record. Now, I will be finished in just a second.

I would think that if I owned a chain of motels and I was desirous of having a \$25,000 or a \$35,000 roadside rest adjacent to my premises, in order to attract business, that under this act I could lease or give my adjacent land to the Commonwealth and have the Secretary of Highways erect a roadside rest thereon and get the State to subsidize me to the extent of \$12,000, and that any amount above that I would contribute so that I would have a beautiful and elaborate roadside rest adjacent to my string of motels. Now, that is the question that concerns me, whether or not this section would permit that and, if not, I would like to be corrected.

Mr. McCANN. Mr. Speaker, the gentleman from Philadelphia is most incorrect when he says that the section is built in for that purpose. I will give you examples of why it was written in.

Let us take a chamber of commerce. I can quickly name one, in the Johnstown area, for example, and I think Mr. McNally was a part of it, when the chamber of commerce tried to provide land and funds to help build the roadside rests, to the Secretary of Highways, and still they cannot do it at \$12,000. This surely would not work an advantage to you in buying so many acres of ground to put your carnival up and then you would give a part of it. That would be good, the Secretary of Highways would accept it; then he would build the tree barrier or the fence barrier right around it and, if you are willing to give it for that purpose, God bless you.

Mr. McCORMACK. That is a good explanation, if the gentleman will answer my question. May I interrogate the gentleman from Greene, Mr. McCann?

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. McCORMACK. I just want to ask whether or not it is the intention in this bill to indicate that by commercial you mean this is restricted to nonprofit groups, or whether the chamber of commerce is a commercial group?

Mr. McCANN. Mr. Speaker, I could not answer whether



the chamber of commerce is commercial or nonprofit or in the noncommercial group. It would be my honest opinion that a chamber of commerce would be nonprofit, and certainly the people and the directors of the chamber of commerce, would represent all types of people in a community. I could not answer your question with respect to the technical point that you have asked, but I do believe that the gentleman is well aware that that position would not fit.

Mr. KISTLER. Mr. Speaker, I should like to interrogate the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. KISTLER. Mr. Speaker, would enactment of House bill 663 permit unlimited construction in the number of roadside rests?

Mr. McCANN. House bill 663, as proposed, would permit the Secretary of Highways to construct unlimited numbers, that is right. The present law is 134 roadside rests, two per county, I believe.

Mr. KISTLER. Mr. Speaker, would the money for the construction of these roadside rests come from the gasoline tax funds?

Mr. McCANN. It would come from the highway money, which I believe is gasoline tax, as well as license plate money, which is motor license funds turned over to the highway department, that is correct.

Mr. KISTLER. I thank the gentleman.

Mr. A. M. LEE. Mr. Speaker, somewhat apologetically I, also, would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. M. LEE. Mr. Speaker, it is my understanding that this bill confers the power of eminent domain, the power to condemn, upon the Secretary of Highways for the purpose of roadside rests, is that correct.

Mr. McCANN. That is correct, sir.

Mr. A. M. LEE. The bill also contains a limitation of \$12,000 on the amount that can be spent for the acquisition, construction, and so forth, of a roadside rest?

Mr. McCANN. That is correct, sir.

Mr. A. M. LEE. Now the problem is, Mr. Speaker, suppose that property is condemned by the Secretary of Highways for this purpose, and suppose ultimately the board of view awards more than \$12,000 in damages to the property owner, where do we stand? Where does the Commonwealth stand, and where does the owner stand?

Mr. McCANN. A very good question. The answer is simply this: Roadside rests are not handled in that manner. If a piece of ground proposed for a roadside rest cannot be agreed upon as to the figure in the first agreement, with the Department of Highways' men estimating its value with you as a property owner, it now stops and ends right there because of the law. The whole question would be that it would get to the point where it would eventually end in court, and the answer is, no, because it could happen that it would exceed the law. Therefore, no roadside rest is in any way past that stage, or ever proposed, until the property owner, you as a property owner, agree that your land is worth so much and that you will turn it over to the Commonwealth.

Mr. A. M. LEE. But, Mr. Speaker, it is my understanding that from the plain terms of this bill it confers upon the Secretary of Highways the power of condemnation?

Mr. McCANN. Mr. Speaker, it does, but I say to you that you have a law which deals with a ceiling in an overall construction, and to the Department of Highways that right is granted. But now if you, as a property owner, do not agree upon the value, that stops the entire roadside rest, because the court could award more and it would exceed this law and the Secretary of Highways would be in violation of the law. Therefore, no roadside rest moves past that stage.

Mr. A. M. LEE. Mr. Speaker, it is apparent that I do not understand the nature of the power of eminent domain which is conferred by this bill. Eminent domain is for the purpose of taking land without an agreement.

Mr. McCANN. That is right. There is no question that you do understand the law of eminent domain.

Mr. A. M. LEE. There may be a question on that.

Mr. McCANN. Now then what I am trying to say to you is, when you are dealing with the highway, you of course, can proceed to get to the figure that even the courts will award. In a roadside rest project, the eminent domain law applies, certainly it does, but, now then, you have a law which deals with a ceiling. When the Department of Highways comes into your property under that law and you do not agree because it will go to court and could exceed, the Highway Department stops instantly and no roadside rest project is moved any farther.

Mr. A. M. LEE. Then, Mr. Speaker, will the gentleman explain to me as to why the power of eminent domain is in this bill, because if the only way it can be acquired is by agreement, there is no sense in having that power in this legislation.

Mr. McCANN. Yes, there is, Mr. Speaker, and I certainly can explain it.

Let us take a roadside rest that is pretty well known as to the cost of building a road in that area off the highway. Depending upon the terrain it can be figured by the highway department engineers very carefully. Now you have a law of \$8,000 ceiling. Say you proceed and the difference is a matter of \$1,000 or so for the land. The eminent domain provision gives the Secretary of Highways power. You as a property owner want \$4,000 for your land; the Highway Department says your land is worth \$2,500. By going on to that provision, adding \$4,000, if the court would award the highest total, they must calculate the balance of what it would take to construct a roadside rest. They have not moved on any of those projects, Mr. Speaker, because of the figure. They would move on some which the court could settle and still be in compliance with the law at \$12,000.

Mr. A. M. LEE. But again, Mr. Speaker, I still do not understand the explanation that the majority leader gives. What I am talking about is the situation where no matter what the limit is, \$8,000, \$12,000, and property owner may want more than that limit and the highway department less, and in that instance it is possible that there may be an award of more than the limit.

Mr. McCANN. That is what I am saying, Mr. Speaker.

Mr. A. M. LEE. Was the gentleman saying that as long as the property owner wants a figure less than the limita-



tion then the Secretary would use the power of eminent domain if there could not be an agreement?

Mr. McCANN. Yes.  
Mr. A. M. LEE. Then my answer to you is that every property owner who does not want his property taken will set a figure above the limit and he will just stop the condemnation, so the power is no good.  
Mr. McCANN. Mr. Speaker, you are taking an assumptive position in an opposite situation from which most roadside rest requests come in to begin with.

Roadside rest requests for consideration originate with various State organizations in an area. They have always been helpful in this, but I again bring to your attention that you must figure that it is the total cost of the project—total cost. Certainly there are some who would object to their ground being taken over, and they would ask a figure that they in their opinion believe to be correct, and the highway department disagrees, but the figure they are asking and the figure that the highway department believes should be paid, plus the balance of what it would take to build that roadside rest, could not exceed \$12,000, as proposed in this bill. If it went to court and the court awarded under eminent domain the figure that the gentleman was asking who owned the ground, taking that highest figure, plus the amount it would take to build the roadside rest it could not exceed the proposed law. That is why the eminent domain provision is important in there.

Mr. A. M. LEE. I am sorry, Mr. Speaker, but I am still not convinced on the gentleman's explanation because I still think it is a defect, in some measure, in the bill. Let me make my position clear. As far as the limitation is concerned, that does not particularly concern me, because I also would like to see roadside rests built. As I understood it, the majority leader, in connection with Mr. Goldstein's interrogation, said that these roadside rests are not being built for two reasons at the present time. The first is the \$8,000 and the second is some inability to acquire this 1,200-foot easement.

I would only say to you that my own position in connection with this legislation is, that if we have to raise the limit above \$12,000, I would be in favor of that, but I still feel most strongly that the 1,200-foot provision should be in there, and I would be willing to raise the limit even further in order to make it possible to acquire these things, plus the easement that would protect them from commercialization and billboard advertisement. Thank you.

On the question recurring,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—157

Adams,	Fry,	Long, Wm. Jos.,	Reidenbach,
Anderson, J. H.,	Galley,	Luty,	Renwick,
Anderson, S. A.,	Gallagher,	Manbeck,	Riley,
Arlene,	Gelfand,	Markley,	Rovansek,
Bachman,	Gramlich,	Marsh,	Royer,
Backenstoe,	Gray,	Maxwell,	Rubin,
Blair,	Gremminger,	May,	Rudisill,
Boles,	Guesman,	McCandless,	Rutherford,
Bossert,	Guthrie,	McCann,	Sakulsky,
Bower,	Hamilton,	McCormack,	Scarcelli,
Bowman,	Hankins,	McDevitt,	Schaaf,
Branca,	Hartley,	McDonald,	Schuster,
Breth,	Heavey,	McKeever,	Seltzer,
Buchanan,	Heffner,	McLaughlin,	Shelton,

Bush,	Helm,	McNally,	Sherman,
Capano,	Holman,	Meholchick,	Shupnik,
Capitolo,	Horst,	Merry,	Snare,
Cauley,	Irvic,	Mihm,	Stank,
Cianfrani,	Jenkins,	Miller,	Steckel,
Cioffi,	Jim,	Mills,	Stimmel,
Clarke,	Johnson, A. W.,	Monroe,	Stone,
Comer,	Jones,	Morley,	Strausser,
Cooley,	Kamyk,	Mullen,	Sullivan, J. A.,
Crossin,	Kelser,	Munley,	Sullivan, T. F.,
Curwood,	Kelly,	Musto,	Taylor,
Dennison,	Kessler,	Needham,	Thompson,
Dougherty,	Kling,	O'Dell,	Tomasick,
Doughten,	Kistler,	O'Donnell, J. A.,	Trusio,
Down,	Klein,	O'Donnell, J. P.,	Ujobal,
Edwards,	Knecht,	Parlante,	Verona,
Ellberg,	Kornick,	Pashley,	Wall,
Elvey,	Korns,	Perry,	Wargo,
Eshleman,	Kramer,	Petrosky,	Welsh,
Farabaugh,	Lamb,	Piper,	Wescott,
Filo,	Lawson,	Polaski,	Whittaker,
Fineman,	Lee, K. B.,	Polen,	Williams, E. S.,
Flynn,	Leonard,	Prendergast,	Worley,
Foerster,	Limper,	Pursley,	Yetter,
Frascella,	Long, Wm. Jas.,	Reibman,	Zember,
			Zimmerman,

NAYS—37

Ashton,	Goldstein, M. H.,	Kernaghan,	Stiteler,
Auker,	Goodrich,	Kooker,	Tompkins,
Davis,	Gross,	Lee, A. M.,	Varner,
Dengler,	Haudenshield,	Lippincott,	Weidner,
Donaldson,	Henzel,	McInroy,	Willard,
Ewing,	Hocker,	Murphy,	Willaredt,
Foor,	Holliday,	Ogilvie,	Williams, A. D.,
Fox,	Isaacs,	Simmons,	Wilt,
Fulmer,	Johnson, R. P.,	Slack,	Wood,
Goldstein, J. H.,			

NOT VOTING—12

Bonner,	George,	Magee,	Price,
Eshback,	Gibb,	Murray,	Walsh,
Fetterolf,	Gibbons,	Odorisio,	Andrews,
			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 1038, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey all of its right title and interest that it may have in a tract of land in the borough of Canonsburg Washington County Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Galley,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Lippincott,	Rudisill,
Ashton,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Auker,	Goldstein, M. H.,	Lutty,	Sakulsky,
Bachman,	Goodrich,	Manbeck,	Scarcelli,
Backenstoe,	Gramlich,	Markley,	Schaaf,
Blair,	Gray,	Marsh,	Schuster,
Boles,	Gremminger,	Maxwell,	Seltzer,
Bossert,	Gross,	May,	Shelton,
Bower,	Guesman,	McCandless,	Sherman,
Bowman,	Guthrie,	McCann,	Shupnik,
Branca,	Hamilton,	McCormack,	Simmons,

Breth,	Hankins,	McDevitt,	Slack,
Buchanan,	Hartley,	McInroy,	Snare,
Bush,	Haudenshield,	McKeever,	Stank,
Capano,	Heavey,	McLaughlin,	Steckel,
Capitolo,	Heffner,	McNally,	Stimmel,
Cauley,	Helm,	Meholchick,	Stiteler,
Cianfrani,	Henzel,	Merry,	Stone,
Cioffi,	Hocker,	Mihm,	Strausser,
Clarke,	Holliday,	Miller,	Sullivan, J. A.,
Comer,	Holman,	Mills,	Sullivan, T. F.,
Cooley,	Horst,	Monroe,	Taylor,
Crossin,	Irvis,	Morley,	Thompson,
Curwood,	Isaacs,	Mullen,	Tomasck,
Davis,	Jenkins,	Munley,	Tompkins,
Dengler,	Jim,	Murphy,	Trusio,
Dennison,	Johnson, A. W.,	Musto,	Ujobal,
Donaldson,	Johnson, R. P.,	Needham,	Varner,
Dougherty,	Jones,	O'Dell,	Verona,
Doughten,	Kamyk,	O'Donnell, J. A.,	Wall,
Down,	Kelser,	O'Donnell, J. P.,	Wargo,
Edwards,	Kelly,	Parlante,	Weldner,
Ellberg,	Kernaghan,	Pashley,	Welsh,
Elvey,	Kessler,	Perry,	Wescott,
Eshleman,	King,	Petrosky,	Whittaker,
Ewing,	Kistler,	Piper,	Willard,
Farabaugh,	Klein,	Polaski,	Willardt,
Filo,	Knecht,	Polen,	Williams, A. D.,
Fineman,	Kooker,	Prendergast,	Williams, E. S.,
Flynn,	Kornick,	Pursley,	Wilt,
Foerster,	Korns,	Reibman,	Wood,
Foor,	Kramer,	Reidenbach,	Worley,
Fox,	Lamb,	Renwick,	Yetter,
Frascella,	Lawson,	Riley,	Zember,
Fry,	Lee, A. M.,		Zimmerman,

## NAYS—0

## NOT VOTING—14

Bonner,	Gibb,	McDonald,	Price,
Eshback,	Gibbons,	Murray,	Walsh,
Fetterolf,	Long, Wm. Jos.,	Odorisio,	Andrews,
George,	Magee,		<b>Speaker</b>

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1042, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) expanding the authority of boroughs to make annual appropriations for nursing services.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—174

Adams,	Fulmer,	Lawson,	Rovansek,
Anderson, S. A.,	Galley,	Lee, A. M.,	Royer,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Rubin,
Arlene,	Gelfand,	Leonard,	Rudisill,
Ashton,	Goldstein, M. H.,	Limper,	Rutherford,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goodrich,	Lutty,	Scarcelli,
Blair,	Gramlich,	Manbeck,	Schaaf,
Bossert,	Gray,	Markley,	Schuster,
Bower,	Gremminger,	Marsh,	Seltzer,
Bowman,	Gross,	Maxwell,	Shelton,
Branca,	Guesman,	May,	Sherman,
Breth,	Guthrie,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McCormack,	Snare,
Capano,	Hartley,	McDevitt,	Stank,
Capitolo,	Haudenshield,	McInroy,	Steckel,
Cauley,	Heavey,	McKeever,	Stimmel,

Cianfrani,	Heffner,	McLaughlin,	Stiteler,
Cioffi,	Helm,	McNally,	Stone,
Clarke,	Henzel,	Meholchick,	Strausser,
Comer,	Hocker,	Merry,	Sullivan, J. A.,
Cooley,	Holliday,	Mihm,	Sullivan, T. F.,
Crossin,	Holman,	Miller,	Taylor,
Curwood,	Horst,	Mills,	Thompson,
Davis,	Irvis,	Monroe,	Tomasck,
Dengler,	Jim,	Monroe,	Trusio,
Dennison,	Johnson, A. W.,	Mullen,	Ujobal,
Donaldson,	Johnson, R. P.,	Munley,	Varner,
Dougherty,	Jones,	Murphy,	Verona,
Doughten,	Kamyk,	Musto,	Wall,
Down,	Kelser,	O'Dell,	Welsh,
Ellberg,	Kelly,	O'Donnell, J. P.,	Wescott,
Elvey,	Kessler,	Parlante,	Whittaker,
Ewing,	King,	Pashley,	Willard,
Farabaugh,	Kistler,	Perry,	Willardt,
Filo,	Klein,	Petrosky,	Williams, A. D.,
Flynn,	Knecht,	Piper,	Williams, E. S.,
Foerster,	Kooker,	Polaski,	Wilt,
Foor,	Kornick,	Polen,	Wood,
Fox,	Korns,	Pursley,	Worley,
Frascella,	Kramer,	Reibman,	Yetter,
Fry,	Lamb,	Renwick,	Zember,
		Riley,	Zimmerman,

## NAYS—12

Auker,	Isaacs,	Lippincott,	Shupnik,
Edwards,	Jenkins,	O'Donnell, J. A.,	Tompkins,
Eshleman,	Kernaghan,	Ogilvie,	Weldner,

## NOT VOTING—20

Boles,	George,	McDonald,	Price,
Bonner,	Gibb,	Murray,	Reidenbach,
Eshback,	Gibbons,	Needham,	Walsh,
Fetterolf,	Long, Wm. Jos.,	Odorisio,	Wargo,
Fineman,	Magee,	Prendergast,	Andrews,
			<b>Speaker</b>

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1173, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) clarifying the definition of documents and transactions providing for determination of deficiencies redetermination reviews and appeals therefrom imposing duties upon the Secretary of the Commonwealth and conferring additional powers and duties upon the Department of Revenue.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. CLARKE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1179, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the membership of the Water and Power Resources Board by including the Secretary of Internal Affairs the Secretary of Agriculture and the Secretary of Commerce and eliminating the engineer member of the board.

On the question,

Will the House agree to the bill on third reading?



It was agreed to.  
On the question,  
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mercer, Mr. Down.

Mr. DOWN. Mr. Speaker, I would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. DOWN. Mr. Speaker, for what reason is he eliminating the engineer on the Water and Power Resources Board?

Mr. McCANN. Mr. Speaker, I yield to Mr. Foerster of Allegheny County, or to Mr. Renwick who debated it in the caucus.

Mr. DOWN. I will be glad to discuss the bill with either one of them.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Foerster.

The gentleman from Allegheny, Mr. Foerster, yields to the gentleman from Westmoreland, Mr. Petrosky. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. Speaker, the new members indicated on the board represent departments that are vitally concerned with certain phases of the waters of the Commonwealth. The objective of the proposed bill is to provide for a more concerted effort in the protection of the waters of the Commonwealth, so that there shall be an adequate supply for the citizens of the Commonwealth, the needs of agriculture and the needs of industry and commerce.

The engineer member is primarily one that serves in an advisory capacity. He will continue to do so, although not being an actual member of the board. Incidentally, this increase the board from five to seven, and, of course, rather than going into an eight-member board, the gentleman that is the engineer will continue, as I have indicated, in an advisory capacity.

There is no need as a member of the board for the engineer to be on it as such.

Mr. DOWN. I cannot understand the reason, actually, for eliminating the engineer. I know in Pymatuning Lake, in my district, the Mercer-Crawford District, the engineer is a member of the Water and Power Resources Board and controls most of the activity regulating the water, and so forth, and I agree with you that, most likely, he would be there in an advisory capacity. But I see no reason for eliminating him from the Water and Power Resources Board, or even increasing the board. And I do not know why the Secretary of Internal Affairs should be put on the board.

Mr. PETROSKY. For a very specific reason, because the Secretary of Internal Affairs' offices are concerned with water problems as related to the particular bureaus in that department that deal with water in relation to geological surveys, and so forth, that they compile statistics on. I think you can recall just two years ago the water bill, and so on, that emanated from that department. They have a major operation in the waters of the Commonwealth in their present jurisdiction and they should be on this policy-making board. This, of course, as I indicated, is through the advice of the engineers.

Incidentally, this is in agreement with all departments concerned.

Mr. DOWN. Is the administration in agreement with the Department of Forests and Waters?

Mr. PETROSKY. This is in agreement with Forests and Waters, with Agriculture, Internal Affairs, and all the departments concerned.

Mr. DOWN. I have no quarrel with that, but I am against the elimination of the engineer as a member of this board.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann, the majority leader.

Mr. McCANN. Mr. Speaker, the gentleman raised the question about the engineer. The engineer, the person he speaks of, is now a member of the board under the present law. The engineer falls under the Department of Forests and Waters dealing with the same situation now. The Secretary of Forests and Waters is a member of the Water and Power Resources Board. In increasing the board to seven and adding the two we spoke of, the Secretary of Internal Affairs and the Secretary of Agriculture, I think there is no question in your mind why they should be considered as a part of the board. This, of course, would be the only change of what is now the law, eliminating the engineer who is a member of the board and who is a part of the Department of Forests and Waters. However, the Secretary would still be a member. This is an important move in trying to give the Water and Power Resources Board the thinking of all these and, particularly, Agriculture from the view point of all the farm ponds and everything else dealing with water and under the Agriculture Soil Conservation Act, and Internal Affairs, dealing with all the authorities which are concerned with water, as well as the geological report and Water Well Drillers' Act, which makes a report of all the water drilled in all the wells in Pennsylvania. This would make a better board, in the opinion of many people.

Mr. PETROSKY. Mr. Speaker, I want to enlighten the membership of the House that this is only one of two bills that appear on our calendar. I do not want to discuss them at length. However, as the majority leader has indicated, these are very important measures in behalf of the welfare of all of the people of the Commonwealth.

The companion bill that appears on the final-passage calendar is House bill No. 1191. In the event you would want a full discussion, inasmuch as I have discussed amendments to 1191 with several members of the other side, I assumed we were possibly in an area of agreement and I wanted to conserve the time of the House and take up the entire package. I will, in the event that the House would want me to, go into detail, for I would like to see House bill No. 1179 run, and then again House bill No. 1191, which takes in this field of protection to the people of the Commonwealth on the water question in the event that we are ever faced with an emergency in this area.

If there is any further need of discussion, I will continue. However, I will be happy to take a roll call in the event that the membership on both sides of the House feel that there are proper measures to be acted upon at this time.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—119

Anderson, S. A.,	Galley,	Lutty,	Reidenbach,
Arlene,	Gallagher,	Maxwell,	Renwick,
Auker,	Gelfand,	McCann,	Riley,
Bachman,	Goldstein, M. H.,	McCormack,	Rovasek,
Backenstoe,	Gray,	McDevitt,	Rubin,
Boles,	Gremminger,	McKeever,	Rudisill,
Bower,	Guesman,	McLaughlin,	Rutherford,
Branca,	Guthrie,	McNally,	Sakulsky,
Breth,	Hamilton,	Meholchick,	Scarcelli,
Capano,	Hankins,	Mihm,	Schaaf,
Capitolo,	Hartley,	Miller,	Schuster,
Cauley,	Heavey,	Mills,	Shelton,
Cianfrani,	Helm,	Monroe,	Sherman,
Cioffi,	Holliday,	Morley,	Shupnik,
Clarke,	Irviss,	Mullen,	Snare,
Comer,	Jenkins,	Munley,	Stank,
Cooley,	Jim,	Murphy,	Stimmel,
Crossin,	Jones,	Musto,	Stone,
Curwood,	Kamyk,	Needham,	Sullivan, J. A.,
Dougherty,	Kelly,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Kessler,	O'Donnell, J. P.,	Taylor,
Edwards,	Klein,	Parlante,	Tomasick,
Eilberg,	Kornick,	Pashley,	Trusio,
Farabaugh,	Kramer,	Perry,	Verona,
Filo,	Lamb,	Petrosky,	Wall,
Fineman,	Lawson,	Polaski,	Wargo,
Flynn,	Lee, K. B.,	Polen,	Welsh,
Foerster,	Leonard,	Prendergast,	Yetter,
Frascella,	Limper,	Pursley,	Andrews,
Fry,	Long, Wm. Jas.,	Reibman,	Speaker

## NAYS—73

Adams,	Fulmer,	Knecht,	Slack,
Anderson, J. H.	Goldstein, J. H.,	Kooker,	Steckel,
Ashton,	Goodrich,	Korns,	Strausser,
Blair,	Gramlich,	Lee, A. M.,	Thompson,
Bossert,	Gross,	Lippincott,	Tompkins,
Bowman,	Haudenshield,	Manbeck,	Ujober,
Buchanan,	Heffner,	Markley,	Varnier,
Bush,	Henzel,	Marsh,	Weldner,
Davis,	Hocker,	May,	Wescott,
Dengler,	Holman,	McCandless,	Whittaker,
Dennison,	Horst,	McInroy,	Willard,
Donaldson,	Isaacs,	Merry,	Willardt,
Down,	Johnson, A. W.,	O'Dell,	Williams, A. D.,
Elvey,	Johnson, R. P.,	Ogilvie,	Williams, E. S.,
Eshleman,	Kelser,	Piper,	Wilt,
Ewing,	Kernaghan,	Royer,	Wood,
Foor,	King,	Seltzer,	Worley,
Fox,	Kistler,	Simmons,	Zember,
			Zimmerman,

## NOT VOTING—14

Bonner,	Gibb,	McDonald,	Price,
Eshback,	Gibbons,	Murray,	Stiteler,
Fetterolf,	Long, Wm. Jos.,	Odorisio,	Walsh,
George,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1204, entitled:

An Act providing for the abatement of nuisances arising out of unsafe buildings or premises in cities of the first class and providing for the service or posting of notices relating to the work necessary to abate such nuisances.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—187

Adams,	Fry,	Lee, K. B.,	Royer,
Anderson, J. H.,	Fulmer,	Leonard,	Rubin,
Anderson, S. A.,	Galley,	Limper,	Rudisill,
Arlene,	Gallagher,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gelfand,	Lutty,	Sakulsky,
Auker,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Bachman,	Goldstein, M. H.,	Markley,	Schaaf,
Backenstoe,	Goodrich,	Marsh,	Schuster,
Blair,	Gramlich,	Maxwell,	Seltzer,
Boles,	Gray,	May,	Shelton,
Bossert,	Gremminger,	McCandless,	Sherman,
Bower,	Gross,	McCann,	Shupnik,
Bowman,	Guesman,	McCormack,	Simmons,
Branca,	Guthrie,	McDevitt,	Slack,
Breth,	Hamilton,	McInroy,	Snare,
Buchanan,	Hankins,	McKeever,	Stank,
Bush,	Hartley,	McLaughlin,	Steckel,
Capano,	Haudenshield,	McNally,	Stimmel,
Capitolo,	Heavey,	Meholchick,	Stiteler,
Cauley,	Heffner,	Merry,	Stone,
Cianfrani,	Helm,	Mihm,	Sullivan, J. A.,
Cioffi,	Henzel,	Miller,	Sullivan, T. F.,
Clarke,	Hocker,	Mills,	Taylor,
Comer,	Holliday,	Monroe,	Thompson,
Cooley,	Holman,	Morley,	Tomasick,
Crossin,	Horst,	Mullen,	Tompkins,
Curwood,	Irviss,	Munley,	Trusio,
Davis,	Jenkins,	Murphy,	Ujober,
Dengler,	Jim,	Musto,	Varnier,
Dennison,	Johnson, R. P.,	Needham,	Verona,
Donaldson,	Jones,	O'Dell,	Wall,
Dougherty,	Kamyk,	O'Donnell, J. A.,	Wargo,
Doughten,	Kelser,	Ogilvie,	Weldner,
Down,	Kelly,	Parlante,	Welsh,
Edwards,	Kernaghan,	Pashley,	Wescott,
Eilberg,	King,	Perry,	Whittaker,
Elvey,	Kessler,	Petrosky,	Willard,
Eshleman,	Kistler,	Piper,	Willardt,
Ewing,	Klein,	Polaski,	Williams, A. D.,
Farabaugh,	Knecht,	Polen,	Williams, E. S.,
Filo,	Kooker,	Prendergast,	Wilt,
Fineman,	Kornick,	Pursley,	Wood,
Flynn,	Korns,	Reibman,	Worley,
Foerster,	Kramer,	Reidenbach,	Yetter,
Foor,	Lamb,	Renwick,	Zember,
Fox,	Lawson,	Riley,	Andrews,
Frascella,	Lee, A. M.,	Rovasek,	Speaker

## NAYS—3

Isaacs,	Lippincott,	Zimmerman,
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## NOT VOTING—16

Bonner,	Gibb,	Magee,	Odorisio,
Eshback,	Gibbons,	McDonald,	Price,
Fetterolf,	Johnson, A. W.,	Murray,	Strausser,
George,	Long, Wm. Jos.,	O'Donnell, J. P.,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1036, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the issuance and transfer of malt and brewed beverage licenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—181

Adams,	Fry,	Lee, K. B.,	Rovanssek,
Anderson, J. H.,	Fullmer,	Leonard,	Royer,
Anderson, S. A.,	Galley,	Limper,	Rubin,
Arlene,	Gallagher,	Lippincott,	Rudisill,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goldstein, J. H.,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Markley,	Scarcelli,
Blair,	Goodrich,	Marsh,	Schaaf,
Bossert,	Gramlich,	Maxwell,	Schuster,
Bower,	Gray,	May,	Seltzer,
Bowman,	Gremminger,	McCandless,	Shelton,
Branca,	Gross,	McCann,	Sherman,
Breth,	Guesman,	McCormack,	Shupnik,
Buchanan,	Guthrie,	McDevitt,	Simmons,
Bush,	Hamilton,	McInroy,	Slack,
Capano,	Hankins,	McKeever,	Snare,
Capitolo,	Hartley,	McLaughlin,	Steckel,
Cauley,	Haudenschild,	McNally,	Stimmel,
Cianfrani,	Heavey,	Meholchick,	Stiteler,
Cioffi,	Heffner,	Merry,	Stone,
Clarke,	Helm,	Mihm,	Sullivan, T. F.,
Comer,	Henzel,	Miller,	Taylor,
Cooley,	Hocker,	Mills,	Thompson,
Crossin,	Holliday,	Monroe,	Tomasick,
Curwood,	Holman,	Morley,	Trusio,
Davis,	Irvie,	Mullen,	Ujohal,
Dengler,	Isaacs,	Murphy,	Varner,
Dennison,	Jenkins,	Musto,	Verona,
Donaldson,	Jim,	Needham,	Wall,
Dougherty,	Johnson, A. W.,	O'Dell,	Weidner,
Doughten,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Down,	Jones,	Ogilvie,	Wescott,
Edwards,	Kamyk,	Parlante,	Whittaker,
Ellberg,	Kelly,	Pashley,	Willard,
Elvey,	Kernaghan,	Perry,	Willaredt,
Eshback,	Kessler,	Petrosky,	Williams, A. D.,
Eshleman,	King,	Piper,	Williams, E. S.,
Ewing,	Kistler,	Polaski,	Wilt,
Farabaugh,	Klein,	Polen,	Wood,
Filo,	Knecht,	Prendergast,	Worley,
Fineman,	Kooker,	Pursley,	Yetter,
Flynn,	Kornick,	Reibman,	Zember,
Foerster,	Korns,	Reidenbach,	Zimmerman,
Foor,	Kramer,	Renwick,	Andrews,
Fox,	Lamb,	Riley,	Speaker
Frascella,	Lee, A. M.,		

## NAYS—9

Botes,	Keiser,	Munley,	Stank,
Horst,	Manbeck,	O'Donnell, J. A.,	Tompkins,
			Wargo,

## NOT VOTING—16

Auker,	Gibb,	Magee,	Price,
Bonner,	Gibbons,	McDonald,	Strausser,
Petterolf,	Lawson,	Murray,	Sullivan, J. A.,
George,	Long, Wm. Jos.,	Odorisio,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## REPORT FROM COMMITTEE

Mr. CIOFFI from the Committee on Highways, reported as committed, House bill No. 415, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), providing for payment by the Commonwealth of damages occasioned by a change of width, line or grades of streets designated as State highways in cities of the second class A and third class.

## BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 415, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), providing for payment by the

Commonwealth of damages occasioned by a change of width, line or grades of streets designated as State highways in cities of the second class A and third class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Mr. McCANN. Mr. Speaker, I request permission to call up bills for the purpose of amendment.

I call up House bill No. 980 on page 15 of the calendar.

## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 980, entitled:

An Act relating to the payment of wages or compensation for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FINEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Section 9 (b), page 6, line 17, by adding at the end thereof as follows: nothing in this paragraph shall be construed to apply to any employer once said employer is the subject of a petition in bankruptcy in a federal district court such petition may be either voluntary or involuntary

The SPEAKER pro tempore. Will the House give unanimous consent to the offering as an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1101, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) subjecting domestic mutual fire insurance companies to the provisions thereof requiring approval of policies contracts or certificates of insurance by the Insurance Commissioner.

On the question,

Will the House agree to the bill on third reading?

Mr. HAMILTON asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Bill, page 5, by inserting after line 13  
Section 2 This act shall take effect September 30, 1962.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1216, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the General Fund and certain funds and subsequent transfers of equal sums between such funds and making appropriations necessary to effect such transfers.

On the question,

Will the House agree to the bill on third reading?

Mr. BUCHANAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 3, lines 2 and 3, by striking out "not later than 30 days after the end of such fiscal period."

Amend Sec. 2, page 3, line 4, by inserting after "direct" but in no event later than thirty days after the end of such fiscal period.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 104, entitled:

An Act amending the act of April 29, 1959 (P. L. 158) entitled "The Vehicle Code" granting the power to the Secretary of Highways to establish speed limits.

On the question,

Will the House agree to the bill on third reading?

Messrs. MERRY and CIOFFI asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, last three lines of Title, by striking out "grant-" in third from last line, and all of last two lines of Title, and inserting: changing provisions relating to speed limits

Amend Sec. 1, page 2, line 1, by striking out "Clause" and inserting: Clauses (6) and

Amend Sec. 1, page 2, line 2, by striking out "is" and inserting: are

Amend Sec. 1 (Sec. 1002), page 2, by inserting between lines 7 and 8:

(6) Fifty (50) or sixty (60) miles an hour speed limit: All vehicles except those otherwise restricted by this act to lower maximum speeds and except as provided in [clauses] clause (7) [and (9)] sixty (60) miles per hour during daytime and fifty (50) miles per hour during hours of nighttime As used in this section daytime means from one-half (½) hour before sunrise to one-half (½) hour after sunset. Nighttime means at any other hour.

\* \* \*

Amend Sec. 1 (Sec. 1002), page 2, lines 9 to 12, by striking out all of said lines, and inserting: lish further restricted speed zones [on State highways outside of business and residence districts where traffic conditions or other conditions of the highway make it unsafe to operate motor vehicles at the maximum speeds as provided by this act] of forty-five (45) fifty (50) or fifty-five (55) miles per hour maximum on any paved road of fourteen (14) feet or less in width or any unpaved road which is in inferior condition because of pot holes or broken shoulders. The Secretary of Highways shall remove such restricted speed zones when any road is made or returned to safe condition.

Amend Sec. 1 (Sec. 1002), page 2, line 13, by striking out the brackets before and after "zone"

Amend Sec. 1 (Sec. 1002), page 2, line 13, by striking out "Limit"

Amend Bill, page 2, by inserting after line 18:

Section 2. Clause (9) of subsection (b) of section 1002 of the act is repealed.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 869, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) regulating voluntary admission of minors to institutions and further regulating emergency commitments.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY. asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2 (Sec. 304), page 3, line 8, by inserting after "patient" Under no circumstances shall a person under twenty-one years of age admitted voluntarily remain a patient for more than thirty days unless prior to the expiration of such thirty day period an order of court is obtained committing the person to the institution. It shall be the duty of the Department of Public Welfare to advise the person admitted of his right to release unless such order of court is obtained and also of his rights with respect to the hearing before the court.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.



On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS PASSED OVER

Mr. McCANN, Mr. Speaker, I request that all bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The chair hears no objection.

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION No. 29

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 419.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) providing that supervisors assessors auditors and tax collectors must be electors of the township in order to be eligible.

#### HOUSE BILL No. 542.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571) further specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

With the information that the Senate has passed the same without amendment.

### SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 65, 209, 378, 381 and 446.

Amended House bill returned for concurrence No. 571.

### SENATE MESSAGE

#### SENATE RESOLUTION SERIAL No. 111

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 13, 1961.

The act of June 4, 1901 (P. L. 431), commonly referred to as the "Mechanics' Lien Law," was enacted subsequent

to the adoption of the Constitution of the Commonwealth of Pennsylvania in 1874 and in as far as the provisions thereof are not divergent from preexisting law, is not in violation of Article III, Section 7, of the Constitution as a special law. However, many sections and amendments to the act have been held unconstitutional by our Supreme Court.

There is great confusion with respect to the construction and application of the act and the General Assembly requires for its use comprehensive factual information relating to the laws concerning mechanics' liens so that they may be codified, simplified and clarified in keeping with the constitutional limitations, as to their construction and application; therefore be it

RESOLVED (the House of Representatives concurring) that the Joint State Government Commission be directed to study the laws relating to mechanics' liens with a view of codifying, clarifying and simplifying such laws; and be it further

RESOLVED, That the Joint State Government Commission report to the General Assembly, its findings and recommendations, together with drafts of legislation necessary to carry its recommendations into effect.

Ordered, that the clerk present the same to the House of Representatives for its concurrence.

### BILLS INTRODUCED AND REFERRED

By Messrs. GOODRICH, DOUGHERTY,  
Mrs. MARKLEY, Messrs. ANDREWS  
PARLANTE and Mrs. KERNAGHAN.

HOUSE BILL No. 1439.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the use of return receipts from registered or certified mail as an operator's license or learner's permit in certain cases after a period of suspension has elapsed and until a surrendered license or permit is returned.

Referred to the Committee on Cities—Counties First Class.

By Messrs. T. F. SULLIVAN, GUESMAN,  
CAPANO and HAMILTON. HOUSE BILL No. 1440.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) requiring employers to furnish replacements for artificial limbs and eyes and to furnish additional medical care in connection therewith.

Referred to the Committee on Workmen's Compensation.

By Messrs. T. F. SULLIVAN, GUESMAN,  
WELSH and McDEVITT. HOUSE BILL No. 1441.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937, P. L. 2897), removing the requirement of certain personal visits to a public employment office in order to be eligible for certain benefits.

Referred to the Committee on Workmen's Compensation.

### ADJOURNMENT

Mr. McCANN, Mr. Speaker, I move that this House do now adjourn until Monday, May 1, 1961, at 3 p.m., e.s.t.

The motion was agreed to, and (at 3:13 p.m., e.s.t.) the House adjourned.





# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, MAY 1, 1961.

No. 44.

## SENATE

MONDAY, May 1, 1961.

The Senate met at 1:30 p.m., Eastern Standard Time.

The PRESIDING OFFICER (John J. Haluska) in the Chair.

## PRAYER

The Chaplain, Rev. PLUMMER R. HARVEY, Former Pastor of Patton Presbyterian Church, Patton, offered the following prayer:

Let us pray.

Almighty God, our Heavenly Father, as we are assembled together this day, we recognize and acknowledge Governor Lawrence's proclamation designating this May 1, 1961 as Law Day.

We thank Thee for the wonderful system of jurisprudence which we have. We pray that as Senators and Representatives of the Commonwealth of Pennsylvania, we may be wise and conscientious in the making of the laws.

O God, who has commanded that no man should be idle, give us grace to employ all our talents and faculties in the service appointed for us that whatsoever our hand findeth to do, we may do it with our might.

O Almighty God, the Fountain of all wisdom, Whose statutes are good and gracious and Whose law is truth, we humbly beseech Thee for the people of the Commonwealth of Pennsylvania, and especially for their Senate now assembled, that Thou wouldst be pleased to direct and prosper all their consultations to the advancement of Thy glory and the safety, honor and welfare of Thy people; that all things may be so ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, may be established among us for the years to come.

Grant that having the mind opened to behold things invisible and unseen, we may, in heart, be inspired by Thy wisdom and, in work, be upheld by Thy strength.

Bind us together this day in the brotherhood of service, in the Name of Him Who came not to be ministered unto, but to minister and to give His life a ransom for many.

Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the pre-

ceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

## LEAVE OF ABSENCE

Mr. LANE asked and obtained leave of absence for Mr. MILLER for this week's Session, due to illness.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 320, 409, 410, 856, 970, 1042 and 1204**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 659, 817 and 823**, which were referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 663**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 665, 948 and 1036**, which were referred to the Committee on Law and Order.

He also presented for concurrence **HB 721, 722 and 740**, which were referred to the Committee on Education.

He also presented for concurrence **HB 1015**, which was referred to the Committee on Judiciary General.

He also presented for concurrence **HB 1038 and 1179**, which were referred to the Committee on State Government.

## BILLS INTRODUCED AND REFERRED

Messrs. RIPP and WEINER presented to the Chair **SB 582**, entitled:

An Act amending the act of November 21, 1959 (P. L. 1579), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers; . . ." authorizing the acquisition of the Thorn Hill School at Warrendale, Allegheny County.

Which was committed to the Committee on State Government.

Mr. SESLER presented to the Chair **SB 583**, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The Military Code of 1949," removing the exemption of certain persons from jury duty.

Which was committed to the Committee on Military Affairs and Aeronautics.

## GUESTS OF SENATOR JO HAYS PRESENTED TO SENATE

Mr. HAYS. Mr. President, I would like to interrupt the proceedings to call attention to the fact that we have ninety young citizens from Clearfield County in the balcony today. These young people consist of the ninth grade of the Moshannon Valley High School, at Madera, Pennsylvania. They are present here today under the sponsorship of Mr. Lamont Close and Mrs. Rene Albright.

Would the Chair please ask these guests to rise in order for them to be greeted in the usual way?

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, welcomes this group of students from Clearfield County. The Chair asks the group, along with their sponsors, to rise. We hope that you will come back on many, many more occasions.

## SENATE RESOLUTIONS

### CONGRATULATING THE WILLIAM PENN FRATERNAL ASSOCIATION ON ITS SEVENTY-FIFTH ANNIVERSARY

Mr. STASEY offered the following resolution (Serial No. 50), which was read, considered and adopted:

In the Senate, May 1, 1961.

The William Penn Fraternal Association, a legal reserve life insurance association, will celebrate its seventy-fifth anniversary on May 28, 1961, at the Penn-Sheraton Hotel in Pittsburgh, Pennsylvania.

The parent organization, or the old Verhovay Air Association, was founded February 21, 1886, in Hazleton, Pennsylvania, by thirteen coal miners who were immigrants from Hungary. At the present time, the association numbers nearly ninety thousand members and, although known as the largest and most widespread of the Hungarian-American societies, it does not restrict its membership to those of Hungarian ancestry alone, but can proudly point to thousands of persons of other national backgrounds among its membership.

The present name of the society, William Penn Fraternal Association, was adopted in 1955 when the Verhovay Fraternal Insurance Association, a later name of the Verhovay Aid Association, with headquarters in Pittsburgh, Pennsylvania, since 1926, merged with the second largest Hungarian-American Society, the Rakoczi Air Association of Bridgeport, Connecticut, a society almost as old as the Verhovay and dating back to April 13, 1888, to become the very progressive fraternal insurance society it now is and shall be.

The society has consistently engaged in many praiseworthy activities and endeavors, such as educational and cultural pursuits, patriotic contributions to the war efforts during the two great world conflicts, assistance to displaced persons and refugees, participation in community events, and cooperation with other fraternal societies.

Most important of all of its activities, the William Penn Fraternal Association maintains a real and progressive march in its life insurance, accident, health, hospitalization and other insurance programs, and is unique in its rigorous application of its slogan, "Insurance with a Heart"; therefore be it

Resolved, That this Senate of Pennsylvania hereby congratulates the William Penn Fraternal Association on attaining the seventy-fifth anniversary of its service to the community in the field of insurance, and the fine spirit of community enterprise it has shown in participating in various noteworthy activities and endeavors; and be it further

Resolved, That a copy of this resolution be forwarded to Mr. Julius Macker, President of the William Penn Fraternal Association, 436 Fourth Avenue, Pittsburgh 19, Pennsylvania.

## BEST WISHES OF THE SENATE EXTENDED TO THE CITY OF WILLIAMSPORT ON ITS FIRST ANNUAL COMMUNITY ARTS FESTIVAL

Mr. CONFAIR offered the following resolution (Serial No. 51), which was read, considered and adopted:

In the Senate, May 1, 1961.

From April 30 through May 7, 1961, the City of Williamsport, Lycoming County, Pennsylvania, is celebrating its First Annual Community Arts Festival.

The purposes of the Annual Community Arts Festival are two-fold: First, to assist the youth of the area in gaining a knowledge of the fine arts and to aid them in planning careers in the various fields of art; and second, to emphasize and make known to the general public the many cultural advantages which the Williamsport area has to offer. Each day of this week-long celebration is devoted to a different aspect of the arts, including music, literature, crafts, visual arts, dance and drama. In addition to numerous fine displays and exhibitions, nationally known speakers in every field of the arts will discuss and present lectures on their specialties. The major social event of the festival, the Beaux Arts Ball, will be held on Thursday evening, May 4th.

The splendid planning and foresight of the Williamsport Chamber of Commerce and the financial assistance of the Junior League of Williamsport, coupled with the unselfish efforts of numerous individuals, have produced an event which is, indeed, worthy of our praise. It is our firm belief and expressed hope that this celebration will be of lasting benefit to Williamsport and to all those who observe it or take part in it; therefore, be it

Resolved, That the Senate of Pennsylvania hereby extends its very best wishes to the city of Williamsport for a successful celebration of its First Annual Community Arts Festival, and expresses its admiration and respect for the individuals and civic groups who have labored so diligently and capably to make this outstanding event possible; and, be it further

Resolved, That a copy of this resolution be transmitted to Mr. Bernard Taylor, General Chairman of the First Annual Community Arts Festival, Griets' Publishing Company, 208 West 3rd Street, Williamsport, Pennsylvania.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor:

### BANKING BOARD

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Francis B. Nimnick, Jr., President Dollar Savings Bank, Pittsburgh, Allegheny County, for appointment as a member of the Banking Board, until September 1, 1965, and until his successor is duly appointed and qualified, vice Francis P. Burns, Melrose Park, deceased.

David L. Lawrence

### MEMBER OF THE CUMBERLAND COUNTY BOARD OF ASSISTANCE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Norman A. Booz (Democrat), R. D. 1, Shippensburg, Cumberland County, for appointment as a member of the Cumberland



County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Robert W. Roschy, Carlisle, resigned.

David L. Lawrence

#### MEMBERS OF THE MONROE COUNTY BOARD OF ASSISTANCE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Monroe County Board of Assistance:

William C. Kopenhaver, M.D., (Republican), 214 Collins Street, Stroudsburg, Monroe County, until December 31, 1961, and until his successor is duly appointed and qualified, vice John Farley, Stroudsburg, resigned.

Thomas R. Joyce (Democrat), 1900 North Fifth Street, Stroudsburg, Monroe County, until December 31, 1962, and until his successor is duly appointed and qualified, vice C. Edward DePuy, Stroudsburg, resigned.

David L. Lawrence

#### JUSTICE OF THE PEACE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter E. Deutschlander, Box 214, Cottage Street, Columbus, Warren County, for appointment as Justice of the Peace in and for the Township of Columbus, Warren County, to serve until the first Monday of January 1962, vice Frank L. Betts, resigned.

David L. Lawrence

#### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. McGINNIS,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and just reported from committee.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Haluska,
Hays,			Presiding Officer

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. McGINNIS. Mr. President, I second the motion. The motion was agreed to.

#### GUESTS OF SENATOR MARTIN SILVERT PRESENTED TO SENATE

Mr. SILVERT. Mr. President, with your permission, may I interrupt the proceedings to present to the Chair and to the Members of the Senate a group of ladies from the Women's Democratic Club of the 49th Ward of the city of Philadelphia? They arose before 6:00 a.m. this morning, in order to be here today to honor the induction of Mrs. Grace Sloan as State Treasurer.

These ladies are here under the leadership of Mrs. Pauline Moldofsky.

Will the Chair be good enough to recognize them?

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, welcomes the Democratic Women from Philadelphia. We trust that you all have had a nice visit. Will you please rise?

Mr. WEINER. Mr. President, knowing how exact the gentleman from Philadelphia usually is, and how he attends to his duties, he did overlook one thing here, however. I believe he did this out of modesty. I think it should not go unnoticed that one of the members of the group is his own good wife, Mrs. Silvert.

#### CALENDAR

##### FINAL PASSAGE CALENDAR

##### BILL OVER IN ORDER

**SB 213**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

##### THIRD READING CALENDAR

##### BILL OVER IN ORDER

**HB 55**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

##### BILLS OVER IN ORDER

**SB 88**—Mr. LANE. Mr. President, inasmuch as we are awaiting the preparation of amendments to this bill, which we expect to have by tomorrow, I request that Senate Bill No. 88 go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

**HB 95 and 132**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 191**—Read at length the third time and agreed to, On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Haluska,
Hays,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 201**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Haluska,
Hays,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 231**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, Senate Bill No. 231, which is the bill presently under consideration, is a bill that would extend for another two years action which the Legislature of Pennsylvania took two years ago, which would bring up to a minimum of \$1,800 the retirement income of school teachers who have retired in the past when teachers' salaries were at such a low rate that the retirement income they have enjoyed has been lower than that figure of \$1,800.

I think most people here will agree with me that certainly this is a worth-while level at which to maintain the incomes of these people who have given so many years of faithful service in the schools of the Commonwealth.

In addition, it also includes those people who retired due to disability rather than the normal course of retirement.

I think, therefore, Mr. President, that this is a very worth-while bill which deserves the support of all of the Members of the Senate.

Mr. BERGER. Mr. President, I concur wholeheartedly in the remarks of Senator Seyler on this bill and, particularly, the portion referring to the disability annuitants who are now included in the bill.

By way of some explanation, in 1959 when this bill was first passed and extended for just two years, we found that certain actuarial objections entered into including disability annuitants. Those have been cleared up and the bill will now benefit those people who certainly deserve it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Haluska,
Hays,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL ON THIRD READING AMENDED

**SB 294**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. ROONEY, by unanimous consent, offered the following amendments:

Amend Sec. 4, page 10, line 16, by striking out "Subsection" and inserting: The section heading and subsection.

Amend Sec. 4 (Sec. 802), page 10, line 18, by inserting brackets before and after "Permissible".

Amend Sec. 4 (Sec. 802), page 13, line 2, by inserting after "vehicle": having a width of eighty (80) inches or more.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. ROONEY.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 307**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Haluska,
Hays,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

**SB 332**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 386**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Haluska,
Hays,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 390**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Haluska,
Hays,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 470**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Haluska,
Hays,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## BILLS OVER IN ORDER

**SB 479**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 505, 506 and 507**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

**SB 518**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 526**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Haluska,
Hays,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

**HB 635** and **636**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 638**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Mullin,	Stalsey,	Haluska,
Hays,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

**HB 715** and **716**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### GUESTS OF SENATOR MARVIN V. KELLER PRESENTED TO SENATE

Mr. KELLER. Mr. President, I would like to introduce a group of very fine ladies from Bucks County, who are here today attending the Democratic Convention. They are under the leadership of Mrs. Fontana, of Bucks County, a candidate for the Jury Commission. I would like you to welcome them, if you will, please.

The PRESIDING OFFICER. The Chair and the Senate both welcome the ladies from Bucks County, and trust they will come back often.

#### SECOND READING CALENDAR

##### BILLS OVER IN ORDER

**SB 30** and **HB 60**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

##### BILL ON SECOND READING

**HB 140**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

##### BILL OVER IN ORDER

**SB 197**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL RECOMMITTED

**SB 219**—Upon motion of Mr. FLEMING, seconded by Mr. BERGER, and agreed to, the bill was recommitted to the Committee on Education for the purpose of further study and possible amendment.

#### BILL POSTPONED

**HB 315**—Mr. WEINER. Mr. President, I move that House Bill No. 315 be placed on the Second Reading Postponed Calendar.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, regarding House Bill No. 315, Printer's No. 344, they are checking the exact metes and bounds of this piece of property. There was some difficulty about it last time and no further action was taken. We are asking now that it be placed on the Postponed Calendar so that the Department of Property and Supplies and the local people can get themselves organized and decide where the area is and the exact description thereof.

When that is done, we will be able to move this bill or not move it, depending on what they find.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

#### BILL OVER IN ORDER

**HB 326**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILL ON SECOND READING AMENDED

**SB 401**—The first, second, third, fourth, fifth, sixth and seventh section were read and agreed to.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 8 (Sec. 2107), page 11, line 17, by inserting after "COMMISSION": NOTHING CONTAINED IN THIS ACT SHALL BE CONSTRUED TO REPEAL OR SUPERSEDE ANY OF THE PROVISIONS OF THE PUBLIC UTILITY LAW

It was agreed to.

The section was agreed to as amended.

The ninth section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend Title, page 2, 4th to 9th line, by striking out "CON-" on the 4th line, and all of the remainder of said lines, and inserting in lieu thereof: PROVIDING FOR REVIEW OF TOWNSHIP ORDINANCES AND REGULATIONS ADVERSELY AFFECTING PUBLIC UTILITY SERVICE

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.



## BILLS OVER IN ORDER

**SB 431**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 442, HB 454 and SB 466**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 474**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 481**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON SECOND READING

**SB 482, 483 and 484**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 493**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 528**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 533 and 534**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING AMENDED

**HB 678**—The first section was read,  
On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 3, line 3, by inserting after "MINES": to buildings or to public highways

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. McMENAMIN.

## BILLS ON SECOND READING

**HB 1060, 1119 and 1120**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

GUESTS OF SENATOR CHARLES R. WEINER  
PRESENTED TO SENATE

Mr. WEINER. Mr. President, at this time, I would like to introduce a group of women from the city of Philadelphia. They are here for the Democratic Convention and are under the leadership of a former House Member, who is now a Council woman in the city of Philadelphia and the President of the Democratic Women of Philadelphia, Mary Varallo.

I would like for the Chair to introduce this group of ladies to the Senate.

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, recognizes and appreciates the presence of the Democratic Women of Philadelphia. We hope you will come back again. It looks like Philadelphia Day here today.

Will the group kindly rise? We certainly welcome you.

## PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, as you probably know, commencing last year, a committee was created by the General Assembly to work on the problem of unemployment in Pennsylvania and to make recommendations on our findings to the Members of the House and of the Senate.

As you know, last week, our committee filed our report with reference to our recommendations. At this particular time, Mr. President, I am about to offer a bill, on behalf of Senator Wagner, Senator Weiner, Senator Flack and myself, appropriating \$100,000 for the purpose of creating an Employment Emergency Fund, in order that should there be an economic catastrophe in the Commonwealth of Pennsylvania, I feel that the Governor should have the power to have these funds in order to alleviate the distress which might be created due to the fact that some of the large industries might shut down inadvertently and the Governor should have that power.

While I have been explaining this legislation, I am informed that Senator Kalman also would like to be a co-sponsor of the bill. If so, I present the bill to the gentleman for his signature.

Mr. President, in addition to that, I have legislation, on behalf of Senator Flack, Senator Weiner, Senator Wagner and myself, which will amend the Public School Code of 1949 by granting power to the State Board of Vocational Education to establish, operate and maintain programs for the training of the unemployed in Pennsylvania.

Mr. President, during the course of our hearings, I believe the Senate would like to know that it seemed to be the unanimous opinion of a great number of the experts that a part of the answer to the unemployment program in Pennsylvania is the retraining of the unemployed. We were informed that at this particular time, we have a number of colleges and vocational training schools which are doing a mighty good job in this particular field. We feel that it should be a State-wide program in its entirety. Therefore, on behalf of the sponsors mentioned, I am about to introduce such a bill.

In addition, Mr. President, on behalf of the sponsors which I mentioned before, we want to appropriate the sum of \$50,000, as a pilot plant, to the Department of Commerce for the purpose of accelerating technical research for the development of new products in Pennsylvania.

The committee feels, Mr. President, that this is the proper department to which to appropriate these funds as they have operated P.I.D.A. in a very efficient manner, and we know very well that they will apply themselves in bringing about technical research for the development of new products here in Pennsylvania.

Also, Mr. President, on behalf of the sponsors that I named before, we will introduce a bill which will empower the Department of Commerce to also lend capital

funds for the establishment of research facilities and make loans wherever possible for this particular field.

On behalf of the same sponsors, Mr. President, our last bill authorizes the Department of Commerce to aid political subdivisions in the purchase of land for industrial parks.

We have found during the course of our hearings, Mr. President, that in a great number of cases throughout Pennsylvania it is absolutely necessary that we create industrial parks. The thought in mind was that once the local industrial development authorities have that power, which they will receive from the Department of Commerce, we will have industrial land available for industry. That being the case, we feel that they should have the right to set up an industrial park program. This has been quite successful throughout the Commonwealth. We feel, also, that this will expedite the re-employment of the good citizens of our Commonwealth.

Mr. President, I also have another piece of legislation which I will probably introduce tomorrow which will complete the augmentation of the recommendations of our report.

Thank you very much.

### BILLS INTRODUCED AND REFERRED

Messrs. LANE, WAGNER, WEINER, FLACK and KALMAN, by unanimous consent, presented to the Chair **SB 584**, entitled:

An Act creating an Employment Emergency Fund; providing for payment of money out of the fund for specific purposes and making an appropriation.

Which was committed to the Committee on Appropriations.

Messrs. LANE, WAGNER, WEINER and FLACK, by unanimous consent, presented to the Chair **SB 585**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," granting power to the State Board of Vocational Education to establish, operate and maintain programs for training unemployed.

Which was committed to the Committee on Education.

They also, by unanimous consent, presented to the Chair **SB 586**, entitled:

An Act making an appropriation to the Department of Commerce so that they may make grants for technical research for the development of new products.

Which was committed to the Committee on Appropriations.

They also, by unanimous consent, presented to the Chair **SB 587**, entitled:

An Act amending the act of May 10, 1939 (P. L. 111), entitled "Commerce Law," empowering the Department of Commerce to make loans.

Which was committed to the Committee on State Government.

They also, by unanimous consent, presented to the Chair **SB 588**, entitled:

An Act amending the act of May 10, 1939 (P. L. 111), entitled "Commerce Law," authorizing the Department of Commerce to aid political subdivisions in the purchase of land for industrial parks.

Which was committed to the Committee on State Government.

Messrs. YATRON, ROONEY, HAYS, SESLER, WADE and MADIGAN, by unanimous consent, presented to the Chair **SB 589**, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law," changing certain definitions; further regulating marking and labeling; conferring additional powers and duties on the Department of Agriculture; and further regulating the sale and importation of bakery products.

Which was committed to the Committee on Agriculture.

Messrs. WEINER and BELL, by unanimous consent, presented to the Chair **SB 590**, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959," defining "State employees" to include certain civilian employees of the National Guard.

Which was committed to the Committee on State Government.

Messrs. WEINER and LANE, by unanimous consent, presented to the Chair **SB 591**, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth, the establishment of a board to hear such claims, powers and duties of the board and salaries of its members, the procedure to be followed by the board, the consent of the Commonwealth to be sued upon contract claims, court appeals and making an appropriation.

Which was committed to the Committee on Judiciary General.

Messrs. STASEY, DEVLIN, RIPP and FLEMING, by unanimous consent, presented to the Chair **SB 592**, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law," providing for payment by the Commonwealth of damages occasioned by a change of width, lines or grades of streets designated as State highways in cities of the second class A and third class.

Which was committed to the Committee on Highways.

### COMMUNICATIONS FROM THE GOVERNOR

#### APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor: **SB 31, 77, 79, 134, 138, 139, 153, 174, 185, 188, 189, 303, 313 and 314.**

### SENATE CONCURRENT RESOLUTION

MEMORIALIZING THE PRESIDENT AND CONGRESS TO PROVIDE ADEQUATE FUNDS TO THE UNITED STATES ARMY CORPS OF ENGINEERS FOR THE NECESSARY SURVEYS AND PLANS FOR A NEW CANAL BETWEEN THE UNITED STATES AND CANADA

Messrs. SESLER and ROONEY, by unanimous consent, offered the following resolution (**Serial No. 116**), which was read, considered and adopted:

In the Senate, May 1, 1960.

Whereas, the United States has assumed an obliga-



tion with its good neighbor, the Government of Canada, to contribute its full share toward the successful operation of the St. Lawrence Seaway-Great Lakes Shipping Route; and

Whereas, The only existing navigable facility connecting lakes Erie and Ontario is the Welland Canal which has been sorely pressed to meet the increasing demands of shipping; and

Whereas, The construction of an alternate ship canal would make a major contribution to the security of the United States as well as Canada, because:

(1) In the event of breakdown or destruction of the existing Welland Canal, the commerce of the entire Great Lakes area of the United States and Canada west of Lake Ontario would be denied access by water transportation to the St. Lawrence Seaway and international shipping lanes;

(2) It would provide a more secure inland route for the movement of iron ore in the event of war;

(3) It would ease the strain on congested rail facilities and east coast ports in the time of emergency; and

(4) It would allow the construction and repair of ocean-going vessels in the more secure areas of the Great Lakes; and

Whereas, The construction of the canal would contribute greatly to the prosperity of commerce, industry and agriculture, not only in those States bordering the Great Lakes, but throughout the entire Nation; and

Whereas, The commerce of the lake ports of the Commonwealth of Pennsylvania would be increased by the benefits accruing to the St. Lawrence Seaway-Great Lakes Shipping Route; and

Whereas, The construction of the canal would stabilize employment, provide job security and expand job opportunities; now, therefore, be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby respectfully memorializes the President and Congress of the United States immediately to provide adequate funds to the U. S. Army Corps of Engineers for the necessary surveys and plans for, and to initiate the construction of, the canal, as foresaid; and, be it further

Resolved, That copies of this resolution be transmitted as follows:

To the President of the United States;

To the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and to each member thereof from the Commonwealth of Pennsylvania;

To the Governor of the Commonwealth of Pennsylvania;

To the Secretary of Commerce of Pennsylvania;

To the Chairman of the Port Authority of Erie;

To the Governors and State Legislative Leaders of the States of New York, Ohio, Michigan, Indiana, Illinois, Wisconsin and Minnesota.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

### SENATE RESOLUTION

#### CONGRATULATING THE PENNSYLVANIA FORESTRY ASSOCIATION ON THE SEVENTY-FIFTH ANNIVERSARY OF ITS FOUNDING

Messrs. STAISEY and MAHADY, by unanimous consent, offered the following resolution (Serial No. 52), which was read, considered and adopted:

In the Senate, May 1, 1961.

The Pennsylvania Forestry Association was founded in 1886 by Dr. Joseph Rothrock and Associates as a nonprofit organization. Since that time the Association has made an outstanding record.

This record includes the creation of the Department of Forests and Waters; the reforestation program; the recreational facilities on our public lands; is the leading

spokesmen against littering, vandalism and other outdoor abuses. The Association for the past two years has been sponsoring a good outdoor manners educational program; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby commends and congratulates the Pennsylvania Forestry Association on this the seventy-fifth anniversary of its founding. This Association is also to be commended on the outstanding job it has done with conservation in this State. Its record is one of the best in the Nation; be it further

Resolved, That a copy of this resolution be sent to the Honorable M. K. Goddard, General Chairman, 75th Anniversary Celebration, Pennsylvania Forestry Association, P. O. Box 983, Harrisburg, Pennsylvania.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

#### COMMITTEE MEETINGS

TUESDAY, MAY 2, 1961

Daylight		
Saving Time	Committee	Room
9:30 A. M.	Elections	301
10:00 A. M.	Military Affairs and Aeronautics	Sen. Dem. Caucus Room
10:30 A. M.	Education	302
11:00 A. M.	Local Government	301
11:30 A. M.	State Government	535
11:45 A. M.	Judiciary General	535
12:00 Noon	Insurance	542
Republican Caucus		11:30 A. M., D.S.T.

#### GUESTS OF SENATOR BERNARD B. MCGINNIS PRESENTED TO SENATE

Mr. MCGINNIS. Mr. President, I would like the privilege of introducing a group of Democratic Women from the 16th Ward and the 26th Ward of the city of Pittsburgh. Also included in the group are Mr. Andrew T. Ferrich, Secretary of the Democratic County Committee, and Mr. Tony O'Block, who gives all that money out there.

The PRESIDING OFFICER. Will the Democratic Women from Pittsburgh kindly rise? We are very happy to have these guests from Pittsburgh with us.

#### GUESTS OF SENATOR WILLIAM J. LANE PRESENTED TO SENATE

Mr. LANE. Mr. President, I notice over here on my extreme left that we also have a segment of a huge crowd from Washington County. They are here to attend the festivities. However, there are three over here on my left and I would like them to stand up and take a bow. They are all Democratic women from Washington County.

The PRESIDING OFFICER. The Chair, on behalf of the members of the Senate, welcomes the ladies from Washington County. We wish you would come back more often.

### ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, May 2, 1961, at 11:30 a.m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:05 p.m.

## HOUSE OF REPRESENTATIVES

MONDAY, May 1, 1961.

The House met at 3 p.m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Almighty God, Whom to know is everlasting life: Grant us to know more perfectly the eternal truths of Thy Word, which doth reveal to us the examples of the Master's disciples of old: especially, on this day as we honor Sts. Philip and James; and help us to come to know Thy Son Jesus Christ to be the Way, the Truth, and the Life; that following His steps we may steadfastly walk in the way that leadeth to eternal life; through the same Jesus Christ, Thy Son, our Lord, Who liveth and reigneth with Thee and the Holy Ghost, ever One God, world without end. Amen.

The SPEAKER. The Chair requests the lady from Philadelphia, Mrs. Sarah Anderson, to preside temporarily.

Mrs. S. A. ANDERSON IN THE CHAIR.

## DELEGATION OF DEMOCRATIC WOMEN WELCOMED

The SPEAKER pro tempore. We are pleased to have with us today a delegation of Democratic women under the direction of Honorable Mary A. Varallo, former member of this House. These women are the guests of all the Democratic members of the House.

## NINTH GRADE STUDENTS WELCOMED

The SPEAKER pro tempore. We are pleased to have with us a group of 9th grade students from Avonworth High School, Allegheny County, and their teacher, Mr. William J. Johnston. They are the guests of the gentlemen from Allegheny County, Messrs. Donaldson, Gibb and Wilt.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Jopurnal of Tuesday, April 4, Wednesday, April 5, Monday, April 10, and Tuesday, April 11, 1961? If not, and without objection, the Journals are approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, April 26, 1961, will be postponed until printed.

The Chair hears none.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 65.

An Act amending the act of June 24, 1939 (P. L. 872),

entitled "The Penal Code" making the sale of regrooved tires without notice thereof a crime.

Referred to the Committee on Judiciary.

SENATE BILL No. 209.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" providing for school bus drivers' seminars and the attendance of school bus drivers at such seminars and imposing duties upon county superintendents of schools in relation thereto.

Referred to the Committee on Rules.

SENATE BILL No. 378.

An Act amending the act of August 9, 1955 (P. L. 312), entitled "An act fixing the salary of the district attorney of Philadelphia" raising the salary of the district attorney of Philadelphia.

Referred to the Committee on Cities—Counties First Class.

SENATE BILL No. 381.

An Act amending the act of May 16, 1921 (P. L. 579), entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons" further providing for the composition of the board of inspectors of the jail or county prison.

Referred to the Committee on Counties.

SENATE BILL No. 446.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" bringing persons between eighteen and twenty-one years of age within the provisions of the act relating to corrupting the morals of children.

Referred to the Committee on Judiciary.

## RESOLUTIONS INTRODUCED AND REFERRED

By Mr. ANDREWS.

RESOLUTION No. 64.

In the House of Representatives, May 1, 1961.

Whereas, The Commonwealth of Pennsylvania has entered into compacts with other states or is negotiating proposed compacts, and

Whereas, The Commonwealth has arranged or is contemplating arranging a wide range of reciprocity agreements with other states, and

Whereas, There is a lack of definite information concerning compacts already negotiated or in the process of negotiation, and

Whereas, There is a lack of definite information concerning both existing reciprocity agreements with other states, as well as reciprocity agreements that are contemplated; therefore be it

Resolved, That the Joint State Government Commission be directed to compile and submit to the General Assembly a report showing:

Compacts that have been established

Compacts that are contemplated

Reciprocity agreements that have been concluded

Reciprocity agreements that are contemplated by various branches of our State Government

Present methods employed in ratifying compacts and reciprocity agreements with other states.

Referred to the Committee on Rules.



By Mr. McCANN.

RESOLUTION No. 65.

In the House of Representatives, May 1, 1961.

Resolved, That Wednesday, May 24, 1961, be fixed as the last day for the introduction of bills in the House of Representatives, except bills:

Raising revenue;  
Making appropriations;  
Reapportionment; and  
Bills proposed by reason of the Report of the Governor's Committee on Education.

Referred to the Committee on Rules.

## SENATE RESOLUTION REFERRED

Senate Resolution Serial No. 111.

Referred to the Committee on Rules.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 251.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) further regulating the use of nets.

HOUSE BILL No. 366.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the bag limit in certain cases.

HOUSE BILL No. 369.

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment.

HOUSE BILL No. 416.

An Act amending the act of May 23, 1945 (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" changing the basis for pensions.

HOUSE BILL No. 418.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing the basis for pensions.

HOUSE BILL No. 419.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) providing that supervisors assessors auditors and tax collectors must be electors of the township in order to be eligible.

HOUSE BILL No. 529.

An Act amending the act of March 15, 1899 (P. L. 8) entitled "An act to regulate the manner in which appropriations to educational penal reformatory charitable benevolent or eleemosynary institutions shall be paid" further providing for reversion of unexpended balances of sums appropriated for specific purposes.

HOUSE BILL No. 542.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571) further specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

HOUSE BILL No. 568.

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350)

providing for the payment of expenses related to investments from interest earnings of the fund providing under certain circumstances for the payment of such expenses by annual appropriations of the Commonwealth and providing for annual crediting of certain funds to the contingent reserve account.

SENATE BILL No. 463.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" permitting boroughs to make appropriations to industrial development agencies.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF HOUSE BILLS Nos. 195, 276, 303, 304, 321, 333, 334, 346, 365, 388, 394, 425, 558, 560, 570, 597, 600, 620, 648, 681, 682, 683, 690, 730, 1200 and 1252

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg.  
April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 195, Printer's No. 197, entitled "An act amending the act of May 1, 1933) (P. L. 103), entitled Second Class Township Code' authorizing appropriations for mosquito control programs."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 276, Printer's No. 301, entitled "An act amending the act of June 24, 1931 (P. L. 1206) entitled 'The First Class Township Code' further providing for the accepting of bids and the awarding of contracts"

DAVID L. LAWRENCE

April 27, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 303, Printer's No. 737, entitled "An act amending the act of April 30, 1929 (P. L. 885) entitled 'An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying live stock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties' further providing for the annulling vacating and forfeiting of the articles of associations and letters patent issued to such associations and imposing duties on the Secretary of Agriculture relative to the reporting of the status of existing associations."

DAVID L. LAWRENCE

April 27, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 304, Printer's No.

738, entitled "An act amending the act of June 12, 1919 (P. L. 466) entitled 'An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture' further providing for the annulling vacating and forfeiting of the articles of associations and letters patent issued to such associations and imposing duties on the Secretary of Agriculture relative to the reporting of the status of existing associations."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 321, Printer's No. 350, entitled "An Act amending the act of March 22, 1907 (P. L. 31) entitled 'An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases' extending the benefits of the act."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 333, Printer's No. 362, entitled "An Act amending the act of May 11, 1921 (P. L. 522) entitled as amended 'Dog Law of 1921' requiring a report from a laboratory approved by the Department of Agriculture when a claim covering death due to rabies is made."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 334, Printer's No. 363, entitled "An Act amending the act of May 11, 1921 (P. L. 522) entitled as amended 'Dog Law of 1921' further regulating the transfer of dog and kennel licenses making it unlawful to fail to produce a license certificate or to fail to restrain dogs in certain cases and providing for the payment of damages in certain cases."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 346, Printer's No. 376, entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and County purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes' authorizing assessment of decedents' property for five years prior to the date in which death occurs."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 365, Printer's No. 402, entitled "An Act authorizing political subdivisions

of the Commonwealth to avail themselves of services offered by the State Civil Service Commission in connection with the employment of personnel for civil defense purposes."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 388, Printer's No. 1309, entitled "An Act amending the act of May 29, 1945 (P. L. 1134) entitled 'An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River with the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia to authorize the Governor of the State to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylvania and their terms of office and providing an appropriation' providing for the appointment of alternate members and conferring additional powers upon the commission."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 394, Printer's No. 431, entitled "An Act amending the act of July 24, 1941 (P. L. 490) entitled 'Uniform Acknowledgment Act' deleting reference to the Philippine Islands from the specification of domestic jurisdictions in which acknowledgments of written instruments may be made before certain officers and providing for the manner and form in which and the officers before whom such acknowledgments may be made by persons serving in or with the armed forces of the United States or their dependents."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 425, Printer's No. 741, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' providing for alternates to serve on the joint school committee."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 558, Printer's No. 603, entitled "An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies conferring powers and imposing duties on the governing bodies of certain political subdivisions."

DAVID L. LAWRENCE



April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 560, Printer's No. 1135, entitled "An Act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways providing for the acquisition of such devices and property use in connection with such devices by the Secretary of Highways and providing penalties for violations."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 570, Printer's No. 615, entitled "An Act amending the act of April 9, 1929 (P. L. 343) entitled 'The Fiscal Code' requiring the Board of Finance and Revenue to make and certify certain annual reports to the Governor."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 597, Printer's No. 642, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'The County Code' authorizing appropriations of moneys to airports operated by municipality authorities."

DAVID L. LAWRENCE

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 600, printer's No. 645, entitled "An Act amending the act of May 1, 1933 (P. L. 103), entitled 'Second Class Township Code,' clarifying certain duties of the supervisors township superintendents and roadmasters."

DAVID L. LAWRENCE.

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 620, printer's No. 673, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code,' authorizing boroughs to have a recreation board of either five or seven members."

DAVID L. LAWRENCE.

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 648, printer's No. 704, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two tracts of land consisting of 29.60 acres more or less and 26.30 acres respectively situate in Woodbury Township, Blair County."

DAVID L. LAWRENCE.

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 681, printer's No. 746, entitled "An Act amending the act of June 1, 1959 (P. L. 392), entitled 'State Employes' Retirement Code of 1959,' further defining compensation and final average salary in the case of certain members of the General Assembly."

DAVID L. LAWRENCE.

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 682, printer's No. 1441, entitled "An Act amending the act of June 1, 1959 (P. L. 392), entitled 'State Employes' Retirement Code of 1959,' further providing for retirement of members of the General Assembly."

DAVID L. LAWRENCE.

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 683, printer's No. 748, entitled "An Act amending the act of June 1, 1959 (P. L. 350), entitled 'Public Employes' Retirement Code of 1959,' further providing for multiple service credit in the case of certain members."

DAVID L. LAWRENCE.

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 690, printer's No. 755, entitled "An Act amending the act of August 9, 1955 (P. L. 323), entitled 'The County Code' authorizing clerks of orphan's courts to join with registers of wills for the purpose of state associations and authorizing payments by the county pertaining to their annual meetings."

DAVID L. LAWRENCE.

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 730, printer's No. 803, entitled "An Act amending the act of May, 1933 (P. L. 103), entitled 'The Second Class Township Code' increasing the amount which supervisors may expend on abandoned cemeteries."

DAVID L. LAWRENCE.

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1200, printer's No. 1372, entitled "An Act amending the act of June 1, 1956 (P. L. 1959), entitled 'An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and

Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts' fixing the allowance of members of the General Assembly for clerical assistance and other expenses."

DAVID L. LAWRENCE.

April 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1252, printer's No. 1426, entitled "An Act amending the act of June 1, 1959 (P. L. 392), entitled 'State Employees' Retirement Code of 1959, limiting superannuation retirement allowances of members of the General Assembly."

DAVID L. LAWRENCE.

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. MURRAY for today because of illness.

Mr. Tompkins for Mr. PRICE for the week because of illness.

Mr. Tompkins for Mr. FETTEROLF for today because of illness.

### BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 103, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" creating the crime of fatality by motor vehicles or tractors making it illegal to cause the death of another by motor vehicle or tractor and providing penalties.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 58, entitled:

An Act amending the act of November 19, 1959 (P. L. 1548) entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System \* \* \*" extending the time for receipt of benefits and including disability annuitants.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 59, entitled:

An Act amending the act of November 21, 1959 (P. L. 1590) entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System \* \* \*" extending the time for receipt of benefits and including disability annuitants.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 415, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) providing for payment by the Commonwealth of damages occasioned by a change of width lines or grades of streets designated as State highways in cities of the second class A and third class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 566, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) defining and providing for special education of exceptional children.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 719, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) eliminating duplicate suspension arising out of same event or occurrence.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 766, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (Phamphlet Laws 1987) and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 768, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 808, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for the fiscal period June 1, 1961 to June 30, 1962 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending May 31, 1961.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1281, entitled:

An Act amending the "Motor Vehicle Sales Finance Act" approved June 28, 1947 (P. L. 1110) further regulating the contents of installment sales contracts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading,

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1300, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) authorizing the appointment of an assistant treasurer requiring him to be bonded and fixing his powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1335, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 2, page 7, lines 2 and 3 by striking out both of said lines and inserting: Development of Camping Area and Construction of Park Improvements ..\$407,916

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1367, entitled:

An Act amending the act of May 18, 1937 (P. L. 654) entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed

\*\*\*\* increasing penalties for violation and providing injunctive relief.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1380, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto" changing provisions relating to the approval of projects for reimbursement purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1381, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 400, entitled:

An Act amending the act of May 31, 1911 (P. L. 468) entitled "Sproul Highway Law" by permitting a contractor to deposit certain securities with the Secretary of Highways as an alternative to the payment by the Secretary of Highways of interest on amounts withheld pending satisfactory completion of a contract.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair thanks the lady from Philadelphia.

## BILLS ON FINAL PASSAGE

### BILL PASSED OVER

There being no objection

House bill No. 32, printer's No. 1568;  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 245, entitled:

An Act authorizing the registration of persons engaged in the business of repairing condemned, rebuilt or used weighing or measuring devices regulating the conduct of such business and providing penalties.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—136

Adams,	Gallagher,	Long, Wm. Jas.,	Riley,
Anderson, J. H.,	Gelfand,	Long, Wm. Jos.,	Rovansek,
Anderson, S. A.,	Gibbons,	Lutty,	Rubin,
Arlene,	Gramlich,	Manbeck,	Rudisill,
Auker,	Gray,	Markley,	Scarcelli,
Bachman,	Gremminger,	Marsh,	Schuster,
Boles,	Guesman,	Maxwell,	Shelton,
Bonner,	Hamilton,	May,	Sherman,
Bossert,	Hankins,	McCann,	Shupnik,
Bower,	Hartley,	McCormack,	Slack,
Bowman,	Heavey,	McDevitt,	Snare,
Breth,	Henzel,	McDonald,	Stank,
Capano,	Holliday,	McKeever,	Steckel,
Cauley,	Holman,	McLaughlin,	Stimmel,
Cioffi,	Irviss,	McNally,	Stone,
Clarke,	Jenkins,	Meholchick,	Strausser,
Comer,	Jim,	Miller,	Sullivan, J. A.,
Cooley,	Johnson, R. P.,	Mills,	Sullivan, T. F.,
Crossin,	Jones,	Morley,	Taylor,
Curwood,	Kamyk,	Munley,	Thompson,
Dengler,	Kelly,	Murphy,	Ujobai,
Dennison,	Kessler,	Musto,	Varner,
Donaldson,	Kistler,	Needham,	Verona,
Dougherty,	Klein,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	Parlante,	Wargo,
Edwards,	Kooker,	Pashley,	Weidner,
Eilberg,	Kornick,	Perry,	Welsh,
Eshleman,	Korns,	Petrosky,	Willard,
Farabaugh,	Kramer,	Piper,	Willaredt,
Filo,	Lamb,	Polaski,	Williams, A. D.,
Flynn,	Lawson,	Polen,	Yetter,
Foerster,	Lee, A. M.,	Prendergast,	Zember,
Frascella,	Leonard,	Reibman,	Zimmerman,
Gailey,	Limper,	Renwick,	Andrews,

Speaker

## NAYS—49

Ashton,	Goldstein, J. H.,	Keiser,	Pursley,
Blair,	Goldstein, M. H.,	Kernaghan,	Royer,
Buchanan,	Goodrich,	King,	Rutherford,
Bush,	Gross,	Lee, K. B.,	Seltzer,
Davis,	Guthrie,	Lippincott,	Simmons,
Elvey,	Haudenshield,	Magee,	Stiteler,
Ewing,	Heffner,	McCandless,	Tompkins,
Foor,	Helm,	McInroy,	Wescott,
Fox,	Hocker,	Merry,	Whittaker,
Fulmer,	Horst,	O'Dell,	Williams, E. S.,
George,	Isaacs,	Odorisio,	Wilt,
Gibb,	Johnson, A. W.,	Ogilvie,	Wood,
			Worley,

## NOT VOTING—21

Backenstoe,	Eshback,	Monroe,	Reidenbach,
Branca,	Fetterolf,	Mullen,	Sakulsky,
Capitolo,	Fineman,	Murray,	Schaaf,
Cianfrani,	Fry,	O'Donnell, J. P.,	Tomasick,
Doughten,	Mihm,	Price,	Trusio,
			Walsh,

## BILL PASSED OVER

There being no objection

House bill No. 257, printer's No. 1688,  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 308, entitled:

An Act amending the act of July 25, 1917 (P. L. 1195) entitled "An act for the encouragement of agriculture and

the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" further providing for the paying of premiums imposing powers and duties on the Secretary of Agriculture further determining what associations are to receive money from the Commonwealth and deleting certain war time and obsolete provisions.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—179

Adams,	Gibb,	Leonard,	Rovansek,
Anderson, J. H.,	Gibbons,	Limper,	Royer,
Anderson, S. A.,	Goldstein, J. H.,	Lippincott,	Rubin,
Arlene,	Goodrich,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gramlich,	Long, Wm. Jos.,	Rutherford,
Auker,	Gray,	Lutty,	Scarcelli,
Bachman,	Gremminger,	Magee,	Schuster,
Blair,	Gross,	Manbeck,	Seltzer,
Boles,	Guesman,	Markley,	Shelton,
Bonner,	Guthrie,	Marsh,	Sherman,
Bossert,	Hamilton,	Maxwell,	Shupnik,
Bower,	Hankins,	May,	Simmons,
Bowman,	Hartley,	McCandless,	Slack,
Breth,	Haudenshield,	McCann,	Snare,
Buchanan,	Heavey,	McCormack,	Stank,
Bush,	Heffner,	McDevitt,	Steckel,
Capano,	Helm,	McDonald,	Stimmel,
Cauley,	Henzel,	McInroy,	Stiteler,
Cioffi,	Holliday,	McKeever,	Stone,
Clarke,	Holman,	McLaughlin,	Strausser,
Comer,	Horst,	McNally,	Sullivan, J. A.,
Cooley,	Irviss,	Meholchick,	Sullivan, T. F.,
Crossin,	Isaacs,	Merry,	Taylor,
Curwood,	Jenkins,	Miller,	Thompson,
Davis,	Jim,	Mills,	Tompkins,
Dengler,	Johnson, A. W.,	Morley,	Ujobai,
Dennison,	Johnson, R. P.,	Munley,	Varner,
Donaldson,	Jones,	Musto,	Verona,
Down,	Kamyk,	Needham,	Wall,
Edwards,	Keiser,	O'Dell,	Wargo,
Eilberg,	Kelly,	O'Donnell, J. A.,	Weidner,
Elvey,	Kernaghan,	Odorisio,	Welsh,
Eshleman,	Kessler,	Ogilvie,	Whittaker,
Ewing,	King,	Parlante,	Willard,
Farabaugh,	Kistler,	Pashley,	Willaredt,
Filo,	Klein,	Perry,	Williams, A. D.,
Flynn,	Knecht,	Petrosky,	Williams, E. S.,
Foerster,	Kooker,	Piper,	Wilt,
Foor,	Kornick,	Polaski,	Wood,
Fox,	Korns,	Polen,	Worley,
Frascella,	Kramer,	Prendergast,	Yetter,
Fulmer,	Lamb,	Pursley,	Zember,
Gailey,	Lawson,	Reibman,	Zimmerman,
Gallagher,	Lee, A. M.,	Renwick,	Andrews,
Gelfand,	Lee, K. B.,	Riley,	Speaker

## NAYS—3

Goldstein, M. H.,	Hocker,	Murphy,
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## NOT VOTING—24

Backenstoe,	Eshback,	Monroe,	Sakulsky,
Branca,	Fetterolf,	Mullen,	Schaaf,
Capitolo,	Fineman,	Murray,	Tomasick,
Cianfrani,	Fry,	O'Donnell, J. P.,	Trusio,
Dougherty,	George,	Price,	Walsh,
Doughten,	Mihm,	Reidenbach,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 340, entitled:

A Supplement to the "Pennsylvania Labor Relations Act" approved June 1, 1937 (P. L. 1168), extending the



provisions of the act to govern the rights, duties and obligations of nonprofit hospital and other health care employers and their employees including State institutions \*\*\*

On the question,  
Shall the bill pass finally?

#### BILL RECOMMENDED

Mr. GEORGE. Mr. Speaker, I move that this bill be recommitted to the committee on Labor Relations for the purpose of further study and possible amendment.

On the question,  
Will the House agree to the motion?

The SPEAKER. Does the majority leader desire to be recognized?

Mr. McCANN. I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I rise to oppose the motion presented by the gentleman from Cumberland, Mr. George, in recommitting House bill 340, printer's No. 1714. I desire the membership to consider opposing the recommitment, to vote on the bill.

On the question recurring,  
Will the House agreed the motion?

The yeas and nays were required by Messrs. GEORGE and McCANN and were as follows:

#### YEAS—95

Anderson, J. H.,	Gibbons,	Knecht,	Simmons,
Ashton,	Goldstein, J. H.,	Kooker,	Slack,
Auker,	Goldstein, M. H.,	Korns,	Snare,
Blair,	Goodrich,	Lee, A. M.,	Steckel,
Bossert,	Gramlich,	Lee, K. B.,	Stimmel,
Bower,	Gross,	Lippincott,	Stiteler,
Bowman,	Guthrie,	Magee,	Strausser,
Buchanan,	Haudenschild,	Manbeck,	Thompson,
Bush,	Heffner,	Markley,	Tompkins,
Davis,	Helm,	Marsh,	Ujohal,
Dengler,	Henzel,	May,	Wall,
Dennison,	Hocker,	McCandless,	Weldner,
Donaldson,	Holliday,	McInroy,	Wescott,
Edwards,	Holman,	McNally,	Whittaker,
Ellberg,	Horst,	Merry,	Willaredt,
Elvey,	Isaacs,	Miller,	Williams, A. D.,
Eshleman,	Johnson, A. W.,	O'Dell,	Williams, E. S.,
Ewing,	Johnson, R. P.,	Odorisio,	Wilt,
Farabaugh,	Kamyk,	Ogilvie,	Wood,
Foor,	Kelsor,	Piper,	Worley,
Fox,	Kernaghan,	Pursley,	Zember,
Fulmer,	Kessler,	Royer,	Zimmerman,
George,	King,	Rudisill,	Andrews,
Gibb,	Kistler,	Seltzer,	Speaker

#### NAYS—90

Adams,	Gallagher,	Lutty,	Reibman,
Anderson, S. A.,	Gelfand,	Maxwell,	Renwick,
Arlene,	Gray,	McCann,	Riley,
Bachman,	Gremminger,	McCormack,	Rovanssek,
Boles,	Guesman,	McDevitt,	Rubin,
Bonner,	Hamilton,	McDonald,	Rutherford,
Breth,	Hankins,	McKeever,	Scarcelli,
Capano,	Hartley,	McLaughlin,	Schuster,
Cauley,	Heavey,	Meholchick,	Shelton,
Cloffi,	Iris,	Mills,	Sherman,
Clarke,	Jenkins,	Morley,	Shupnik,
Comer,	Jim,	Munley,	Stank,
Cooley,	Jones,	Murphy,	Stone,
Crossin,	Kelly,	Needham,	Sullivan, J. A.,
Curwood,	Klein,	O'Donnell, J. A.,	Sullivan, T. F.,
Dougherty,	Kornick,	Parlante,	Taylor,
Down,	Kramer,	Pashley,	Varner,
Filo,	Lamb,	Perry,	Verona,
Flynn,	Lawson,	Petrosky,	Wargo,
Foerster,	Leonard,	Petaski,	Welsh,
Frascella,	Limper,	Polen,	Willard,
Fry,	Long, Wm. Jas.,	Prendergast,	Yetter,
Galley,	Long, Wm. Jos.,		

#### NOT VOTING—21

Backenstoe,	Eshback,	Mullen,	Reidenbach,
Branca,	Fetterolf,	Murray,	Sakulsky,
Capitolo,	Fineman,	Musto,	Schaaf,
Cianfrani,	Mihm,	O'Donnell, J. P.,	Tomasick,
Doughten,	Monroe,	Price,	Trusio,
			Walsh,

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 392, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing the designation of 4-way stop and other multi-way stop intersections.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Willard.

Mr. WILLARD. Mr. Speaker, I would like to speak briefly for the bill.

Mr. Speaker, in the House, last session, 1960, we passed a resolution authorizing the Department of Highways and the Honorable Park H. Martin to investigate the advisability for four-way stop signs and report to this House. At that time I had, and I still do have, petitions from 1800 people requesting the advisability of keeping the four-way stops at one particular crossroad in Mercer County.

I have a letter and a telegram here. I will not bore the House by reading it, but I would like to have it spread on the record.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Does the gentleman from Delaware, Mr. Isaacs, desire to be recognized?

Mr. ISAACS. I do, Mr. Speaker.

I would like to interrogate one of the sponsors of this measure.

The SPEAKER. Will the gentleman from Allegheny, Mr. Luty, permit himself to be interrogated?

Mr. LUTTY. I shall, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, at a right-angle intersection, four-ways, suppose four cars approach the intersection at the same time, all protected by stop signs. Which car has the right of way?

Mr. LUTTY. Mr. Speaker, the one on your right.

Mr. ISAACS. The one on whose right? There are four of them stopped there, Mr. Speaker.

Mr. LUTTY. On your right.

Mr. ISAACS. That is what I was afraid of, Mr. Speaker. I thank the gentleman for his good answer and I would like to briefly debate the bill.

Mr. Speaker, during the 1959 session by an act of the General Assembly, approved by the Governor, we outlawed four-way and multiple stop signs.

I believe the original purpose was that a stop sign was to have one thruway. I think that was a very good reason. When we allowed multiple stop signs, in the territory where I live at least, they sprang up like mushrooms; they impeded traffic and in some political subdivisions every street was blocked off. I think they are a bad thing and I believe the lawyers in this House will agree that one of these intersections is a veritable no-man's land, and I would pity anyone who has an accident in one of them.

I think there would certainly have to be contributory negligence; somebody would be violating a law or somebody would be failing to yield the right of way. If the traffic at an intersection is so important that four of them are needed, then I think we should have a stop-and-go light. I ask the members of the House to oppose this measure.

The SPEAKER. The Chair recognizes the gentleman from Berks.

Mr. PIPER. Mr. Speaker, I do not know how many members of this House have arrived at an intersection when it has four stop signs, traffic is heavy and you have a line of traffic in four different directions. The first car is thinking about pulling out, the fellow from the other side is hesitant, and nobody knows who should go first. The first thing that happens is, there is an accident in the center of the intersection. I have seen these four-way stop signs in operation and they have only caused more accidents.

May I suggest to the members that we vote this bill down, and if a stop sign is needed, use a traffic light to control traffic at an intersection such as have these four-way stop signs.

Mr. LUTTY. Mr. Speaker, in the city of Pittsburgh it just works the opposite. We have eight locations where, before we put the four-way stop sign into effect, we had anywhere from four, nine, eight, three, six, two accidents. Now we come to where we have no accidents at all in many cases. But this proves the contrary, where you have the four-way stop signs, you do not have the accidents. This is a measure to prevent the accidents. You can imagine if four people hit this intersection at one time, with no stop signs and everybody went ahead, there would be many more accidents. I have about three pages from our traffic engineer to prove the necessity of this, which I will not take the time to offer.

Mr. KAMYK. Mr. Speaker, I rise in support of this bill and I ask the House to vote for House bill 392.

This is a "may" bill. If the four-way stop signs do not work out, then the municipality should not have them, but it so happens that in the city of Pittsburgh it has been working out very well to have the four-way stop signs, because when four cars driving from different directions all stop and hesitate, naturally after that one of them moves carefully, it is better than having a collision of two speeding cars. Those corners are such that there is not a large amount of traffic at all times from the two different directions. So it is a proven fact in the city of Pittsburgh, and I understand other municipalities throughout the Commonwealth, that the four-way stop signs are a safety precaution, and I ask the House to support this bill because it is a "may" bill and does not affect any municipality where it does not work out.

Mr. WILLARD. Mr. Speaker, I thought this was a non-controversial bill, and I desired to have a letter spread on the record. I would like to have you reconsider that now and have permission to read this letter. I think it is a very important letter.

The SPEAKER. The gentleman is entitled to read it or file it for the record.

Mr. WILLARD. I will read it, Mr. Speaker.

This letter is addressed to me. It is from the Cunningham Funeral Home in Grove City.

Dear Sir:

I have just received news today that a bill is going to be introduced in the legislature probably next week in regard to the State Highway Department removing two stop signs at the intersection of legislative routes No. 208 and No. 258 located in Springfield Township, Mercer County, and known as London Crossing, but more recently tagged "Slaughter Corners" by our populace and many out of state drivers. This disturbs me no end.

Please permit me to go back a few years with some statistics which have been sent to Harrisburg many times and for which we finally got action with the four-way stop signs we now have.

I am a Pennsylvania licensed funeral director located in Grove City, Pennsylvania, and also one of the different firms rendering ambulance service to our community. Statistics will show that our service answered emergency calls to this crossing on an average of four accidents per week and as high as three in a single day. Many fatalities have occurred also that our firm has personally handled. Something had to be done.

With the aid of Mr. Floyd McClymonds, then editor of our Grove City Reporter, and now with the Albion, Pennsylvania, newspaper, these statistics were gathered along with petitions carrying hundreds of names from our community and sent to Harrisburg with a plea for action. This we received pronto and for which we are very grateful. Since these four stop signs were erected we have not had one single accident at this crossing in the past several years. Surely, this is proof positive that our community can and will contribute to the Highway Safety Program of our Honorable Governor, David L. Lawrence.

Now, we learn that someone thinks the State Highway route should go straight through with no obstruction. Well, all we can say to this "So Does the Mail Truck" but what happens if he is caught in the middle of this intersection?

We have operated ambulance service to hundreds of our citizens for the past twenty-six years and have received citations from our insurance company for not having or causing a single accident, but tomorrow may be the first at this very crossing if left unprotected. God forbid.

I ask you again, Mr. Willard, to do everything humanly possible and to enlist the cooperation of your constituents to make no law or amendment that will tend to carry out the present slaughter on our highways, but to prevent same. All we ask is that these four stop signs remain as in the past and again, we will be ever grateful.

Very truly yours, H. Glenn Cunningham.

Mr. Speaker, I would request the members on both sides of this House who are interested in Highway safety to support this House bill 392. Thank you.

Mr. MAXWELL. Mr. Speaker, I do not know too much about a four-way stop sign, but in the city of Monessen we have a six-way stop sign and until we had this we had quite a few accidents. Since that time I do not think we have had an accident there. I just give that for the information of the members of the House.

Mr. MURPHY. Mr. Speaker, the only comment I have to make is that when you have no stop signs, then all persons approach an intersection with equal right. They all feel as though they have the right of way. The same thing would apply if you have four stop signs on the same intersection. All persons would approach the intersection with the same right, feeling they have the right of way, and thereby take it. I feel there should be a definite right of way given, that there should be one through way and two stop ways and then we will not have confusion on who has the right of way. Therefore, I oppose this bill.



Mr. KISTLER. Mr. Speaker, Camp Hill Borough, along with many other municipalities in the Commonwealth of Pennsylvania, needs four-way stop signs in the vicinity of schools to protect the little children crossing the highways at these points. I therefore ask the members on both sides of the aisle to support House bill No. 392, being especially mindful of the little children, not necessarily the confusion of the adult drivers who have every right in their judgment to proceed at the proper time. Thank you.

Mr. LIPPINCOTT. Mr. Speaker, I just want to say one or two words in support of my colleague's position, Mr. Isaacs, and to substantiate what he has said.

One of the reasons for prohibiting four-way stop signs in 1959 was because of the number of small municipalities, each being jealous of its own right to erect stop signs, would create these monstrosities by each putting up stop signs at a certain intersection where two municipalities joined. I can personally say that it did create quite a monstrous situation if you were trying to drive from one place to another in our county. I think this is very bad legislation.

Mr. LEONARD. Mr. Speaker, I would like to say just a few words in the interest of this bill.

I wonder if those who have been talking against this bill have ever come to a four-sign street. I have a lot of times, and the old word "courtesy" has not left us after all. We all stop and the first one who arrives there proceeds first, then the others go through, and I have not seen an accident. Even at the Pittsburgh airport, where traffic is continuous, there has not been an accident there yet. This is only helpful to us people who forget the word "courtesy."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—152

Anderson, S. A.,	Gibb,	Leonard,	Renwick,
Arlene,	Goldstein, J. H.,	Limper,	Riley,
Auker,	Goldstein, M. H.,	Long, Wm. Jas.,	Rovansek,
Bachman,	Goodrich,	Long, Wm. Jos.,	Royer,
Backenstoe,	Gramlich,	Lutty,	Rubin,
Blair,	Gray,	Magee,	Rutherford,
Boles,	Gremminger,	Manbeck,	Scarcell,
Bonner,	Gross,	Markley,	Schuster,
Bossert,	Guesman,	Maxwell,	Shelton,
Bower,	Hankins,	May,	Sherman,
Breth,	Hartley,	McCandless,	Shupnik,
Buchanan,	Haudenschild,	McCann,	Simmons,
Bush,	Heavey,	McCormack,	Snare,
Capano,	Heffner,	McDevitt,	Stank,
Cauley,	Henzel,	McDonald,	Steckel,
Clarke,	Hocker,	McInroy,	Stimmel,
Comer,	Holliday,	McKeever,	Stiteler,
Cooley,	Holman,	McLaughlin,	Strausser,
Crossin,	Horst,	McNally,	Sullivan, T. F.,
Curwood,	Iris,	Meholchick,	Taylor,
Donaldson,	Jenkins,	Merry,	Thompson,
Dougherty,	Jim,	Miller,	Tompkins,
Down,	Johnson, R. P.,	Mills,	Trusio,
Eilberg,	Jones,	Morley,	Varner,
Elvey,	Kamyk,	Musto,	Verona,
Eshleman,	Kelser,	Needham,	Wargo,
Ewing,	Kelly,	O'Dell,	Welsh,
Farabaugh,	Kessler,	O'Donnell, J. A.,	Wescott,
Flo,	King,	Ogilvie,	Whittaker,
Flynn,	Kistler,	Parlante,	Willard,
Foerster,	Kooker,	Pashley,	Willaredt,
Foor,	Kornick,	Perry,	Williams, A. D.,
Fox,	Korns,	Petrosky,	Williams, E. S.,
Frascella,	Kramer,	Polaski,	Wilt,
Fulmer,	Lamb,	Polen,	Worley,
Galley,	Lawson,	Prendergast,	Yetter,
Gallagher,	Lee, A. M.,	Pursley,	Zimmerman,
Gelfand,	Lee, K. B.,	Reibman,	Andrews,

Speaker

## NAYS—33

Adams,	Edwards,	Klein,	Seltzer,
Anderson, J. H.,	Gibbons,	Knecht,	Slack,
Ashton,	Guthrie,	Lippincott,	Stone,
Bowman,	Hamilton,	Marsh,	Sullivan, J. A.,
Cioffi,	Helm,	Murphy,	Ujobal,
Davis,	Isaacs,	Odorisio,	Wall,
Dengler,	Johnson, A. W.,	Piper,	Weldner,
Dennison,	Kernaghan,	Rudisill,	Wood,
			Zember,

## NOT VOTING—21

Branca,	Fetterolf,	Monroe,	Price,
Capitolo,	Fineman,	Mullen,	Reidenbach,
Cianfrani,	Fry,	Munley,	Sakulsky,
Doughten,	George,	Murray,	Schaaf,
Eshback,	Mihm,	O'Donnell, J. P.,	Tomasick,
			Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House bill No. 398, printer's No. 1634, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 458, entitled

An Act requiring toilet facilities to be furnished for employes and patrons of certain parking lots and fixing penalties.

On the question,

Shall the bill pass finally?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 460, entitled

An Act repealing section 5.1 of the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

On the question,

Shall the bill pass finally?

## BILL RECOMMITTED

Mr. MAXWELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 484, entitled

An Act amending the "Administrative Code of 1929," approved April 9, 1929 (P. L. 177) authorizing the transfer of jurisdiction and control of certain land and improvements thereon declared surplus by an administrative department, independent administrative board or commission to the jurisdiction and control of another administra-

tive department independent administrative board or independent commission.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—170

Adams,	Gibbons,	Limper,	Rudisill,
Anderson, J. H.,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Anderson, S. A.,	Goldstein, M. H.,	Long, Wm. Jos.,	Scarcell,
Arlene,	Goodrich,	Lutty,	Schuster,
Bachman,	Gramlich,	Magee,	Seltzer,
Backenstoe,	Gray,	Manbeck,	Shelton,
Blair,	Gremminger,	Markley,	Sherman,
Boles,	Gross,	Marsh,	Shupnik,
Bonner,	Guesman,	Maxwell,	Simmons,
Bossert,	Guthrie,	May,	Slack,
Bower,	Hamilton,	McCandless,	Snare,
Bowman,	Hankins,	McCann,	Stank,
Breth,	Hartley,	McCormack,	Steckel,
Buchanan,	Haudenshield,	McDevitt,	Stimmel,
Bush,	Heavey,	McDonald,	Stiteler,
Capano,	Heffner,	McInroy,	Stone,
Cioffi,	Helm,	McKeever,	Strausser,
Clarke,	Henzel,	McLaughlin,	Sullivan, J. A.,
Comer,	Hocker,	McNally,	Sullivan, T. F.,
Cooley,	Holman,	Merry,	Taylor,
Crossin,	Horst,	Mills,	Thompson,
Curwood,	Irviss,	Morley,	Tompkins,
Davis,	Jenkins,	Murphy,	Trusio,
Dengler,	Jim,	Musto,	Ujobal,
Donaldson,	Johnson, A. W.,	O'Dell,	Varner,
Dougherty,	Jones,	O'Donnell, J. A.,	Verona,
Down,	Kamyk,	Odorliso,	Wall,
Edwards,	Keiser,	Ogillve,	Weidner,
Elberg,	Kelly,	Parlante,	Welsh,
Elvey,	Kessler,	Pashley,	Whittaker,
Eshleman,	King,	Perry,	Willard,
Ewing,	Kistler,	Petrosky,	Willaredt,
Farabaugh,	Klein,	Piper,	Williams, A. D.,
Filo,	Knecht,	Polaski,	Williams, E. S.,
Flynn,	Kooker,	Polen,	Wilt,
Foerster,	Kornick,	Prendergast,	Wood,
Foor,	Korns,	Pursley,	Worley,
Fox,	Kramer,	Reibman,	Yetter,
Frascella,	Lamb,	Renwick,	Zember,
Galley,	Lawson,	Riley,	Zimmerman,
Gallagher,	Lee, A. M.,	Rovansek,	Andrews,
Gelfand,	Lee, K. B.,	Royer,	
Gibb,	Leonard,	Rubin,	Speaker

## NAYS—10

Ashton,	Dennison,	Holliday,	Kernaghan,
Auker,	Fulmer,	Isaacs,	Lippincott,
		Johnson, R. P.,	Miller,

## NOT VOTING—26

Branca,	Fetterolf,	Monroe,	Reidenbach,
Capitolo,	Fineman,	Mullen,	Sakulsky,
Caulley,	Fry,	Munley,	Schaaf,
Cianfrani,	George,	Murray,	Tomascik,
Doughten,	Meholchick,	Needham,	Walsh,
Eshback,	Mihm,	O'Donnell, J. P.,	Wargo,
		Price,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 616, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the renewal of provisional college certificates.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—182

Adams,	George,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Gibb,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gibbons,	Leonard,	Rubin,
Ashton,	Goldstein, J. H.,	Limper,	Rudisill,
Auker,	Goldstein, M. H.,	Lippincott,	Rutherford,
Bachman,	Goodrich,	Long, Wm. Jas.,	Scarcell,
Backenstoe,	Gramlich,	Long, Wm. Jos.,	Schuster,
Boles,	Gray,	Lutty,	Seltzer,
Bonner,	Gremminger,	Magee,	Shelton,
Bossert,	Gross,	Manbeck,	Sherman,
Bower,	Guesman,	Markley,	Shupnik,
Bowman,	Guthrie,	Marsh,	Simmons,
Breth,	Hamilton,	Maxwell,	Slack,
Buchanan,	Hankins,	May,	Snare,
Bush,	Hartley,	McCandless,	Stank,
Capano,	Haudenshield,	McCann,	Steckel,
Caulley,	Heavey,	McCormack,	Stimmel,
Cioffi,	Heffner,	McDevitt,	Stiteler,
Clarke,	Helm,	McDonald,	Stone,
Comer,	Henzel,	McInroy,	Strausser,
Cooley,	Hocker,	McKeever,	Sullivan, J. A.,
Crossin,	Holliday,	McLaughlin,	Sullivan, T. F.,
Curwood,	Holman,	McNally,	Taylor,
Davis,	Horst,	Merry,	Thompson,
Dengler,	Irviss,	Miller,	Tompkins,
Dennison,	Isaacs,	Mills,	Trusio,
Donaldson,	Jenkins,	Morley,	Ujobal,
Dougherty,	Jim,	Munley,	Varner,
Down,	Johnson, A. W.,	Murphy,	Verona,
Edwards,	Johnson, R. P.,	Musto,	Wall,
Elberg,	Jones,	O'Dell,	Weidner,
Elvey,	Kamyk,	O'Donnell, J. A.,	Welsh,
Eshleman,	Keiser,	Ogillve,	Wescott,
Ewing,	Kelly,	Odorliso,	Whittaker,
Farabaugh,	Kernaghan,	Parlante,	Willard,
Filo,	Kessler,	Pashley,	Willaredt,
Flynn,	King,	Perry,	Williams, A. D.,
Foerster,	Kistler,	Petrosky,	Williams, E. S.,
Foor,	Klein,	Piper,	Wilt,
Fox,	Knecht,	Polaski,	Wood,
Frascella,	Kooker,	Polen,	Worley,
Fulmer,	Kornick,	Prendergast,	Yetter,
Galley,	Korns,	Pursley,	Zember,
Gallagher,	Kramer,	Reibman,	Zimmerman,
Gelfand,	Lamb,	Renwick,	Andrews,
Lawson,	Lawson,	Riley,	Speaker

## NAYS—0

## NOT VOTING—24

Arlene,	Eshback,	Monroe,	Reidenbach,
Blair,	Fetterolf,	Mullen,	Sakulsky,
Branca,	Fineman,	Murray,	Schaaf,
Capitolo,	Fry,	Needham,	Tomascik,
Cianfrani,	Meholchick,	O'Donnell, J. P.,	Walsh,
Doughten,	Mihm,	Price,	Wargo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 728, entitled:

An Act amending the "Elevator Regulation Law" approved May 2, 1929 (P. L. 1518) changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits, inspections and certificates.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Strausser.

Mr. STRAUSSER. Mr. Speaker, it is not my intention



to talk against this bill, but I do think we should have a little more clarification of a portion of the bill.

In my opinion, Pennsylvania has the most stringent and best elevator code of any State in the Nation. I am sure none of us would want to change this.

This, Mr. Speaker, I consider quite a technical bill and, in order to try to clarify a portion of it, I would ask whether one of the sponsors or some technical man would permit himself to be interrogated for the purpose of clarification.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Morley, permit himself to be interrogated?

Mr. MORLEY. I shall, Mr. Speaker.

Mr. STRAUSSER. Mr. Speaker, I understand this is considered a department bill. Will the gentleman tell me whether that is correct or not?

Mr. MORLEY. That is correct.

Mr. STRAUSSER. Mr. Speaker, I wonder if the gentleman knows—this is not any attempt to embarrass anybody, the gentleman or anybody else—it is simply an attempt to clarify the definitions.

Now, this definition has been changed to add in addition to a regular passenger elevator, freight elevators. Now under the act, in fact, all apparatus used in lowering or raising certain personnel, materials or equipment, is that right?

Mr. MORLEY. That is correct.

Mr. STRAUSSER. Mr. Speaker, will the gentleman tell me or can the gentleman tell me what the intent of the present bill is? First, before I ask the question, Mr. Speaker, the new material includes all sorts of "apparatus so long as such hoist or other apparatus raises or lowers personnel, materials or equipment or other goods or cargo between two or more floors of any structure, that is, a vertical lift or line. I ask the gentleman, Mr. Speaker, in the bill does it make a difference between floors?

Mr. MORLEY. I do not understand the question. The difference between floors?

Mr. STRAUSSER. Yes.

Mr. MORLEY. It does not.

Mr. STRAUSSER. Thank you. In other words, any lift whether a floor is three feet four inches above another floor or six feet eight inches above another floor, or whatever the difference, this definition would include any such distance. Is that correct?

Mr. MORLEY. It would, Mr. Speaker.

Mr. STRAUSSER. That, Mr. Speaker, is understandable because you have trucks unloading cargo and men to run the hydraulic lift and the lift raises it to the next floor level.

Now, further on, Mr. Speaker, in line 7, or line 8 on page 3, that is exempting coal mines from the act or from the definition, the new material "up or down slopes whether natural or artificial if the length of the slope exceeds fifty feet." Now, Mr. Speaker, I ask the gentleman, in his opinion, does this portion or this sentence pertain to mines or does that apply to any slopes or ramps whether they be in mines or anywhere else?

Mr. MORLEY. Of course it exempts coal mines, and it seems to me as though it applies to all slopes either in coal mines, outside of coal mines, and so forth, metal mines, and also would include portable conveyances on construction projects. It seems all inclusive outside of coal mines.

Mr. STRAUSSER. Thank you. That is what I thought, Mr. Speaker.

I would further ask the gentleman, in his opinion, any piece of equipment used then to transport a cargo from one floor to another, up a ramp, the ramp being more than 50 feet, would that piece of equipment be considered an elevator under the act?

Mr. MORLEY. I do not think so. It does not appear to me that equipment of that type would be included under the act.

Mr. STRAUSSER. I would further ask the question of the gentleman, Mr. Speaker, under this section of the bill could a piece of equipment used in raising or lowering of repairmen who are working on utility wires be classified as an elevator if the wires were more than 50 feet off the ground?

Mr. MORLEY. It could under this act.

Mr. STRAUSSER. I further ask the gentleman, Mr. Speaker, under the personnel, the part of the bill that refers to raising personnel, could a scenic railway in an amusement park be classified as an elevator under this bill.

Mr. MORLEY. Some of the equipment in recreation areas could be.

Mr. STRAUSSER. I thank the gentleman, Mr. Speaker.

Mr. Speaker, I thought that the amendments offered and adopted would definitely clear up the objectionable part of this bill. And as I said before and will repeat, in my opinion, the Commonwealth of Pennsylvania has the best elevator code in the United States and I would hate to see this bill or any other bill change it.

I wonder if the majority leader might consider laying this bill on the table or delaying action on it until other amendments could be offered.

#### Mr. HELM IN THE CHAIR

The SPEAKER pro tempore. Would the gentleman like to interrogate the majority leader.

Mr. STRAUSSER. Yes, sir.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. STRAUSSER. Mr. Speaker, after this interrogation I wondered whether the majority leader might consider tabling this bill or delaying action on it until such time as it could be either amended or clarified? I feel that this bill now in its present form will more or less make a ridiculous act out of our present elevator code. I am firmly convinced that we have an excellent code and I would hate to see this code be deteriorated in any way.

Mr. McCANN. Mr. Speaker, I certainly will consent to cooperate in any way that the gentleman wishes, but I would like to ask the gentleman, was he not in a series of conferences for better than a week in which the amendments presented to me bore his name and initials as approving that this would make the bill correct?

Mr. STRAUSSER. Mr. Speaker, I do not know whether it was a week, but it was for several days, and I must say that I had full consideration and cooperation from the majority leader and the people on his side. But, in going over this bill over the weekend, Mr. Speaker, I frankly got confused and when I saw the definitions, contradictory sections of this under the definition part of the act, I made up my mind that I was going to clarify

it on the floor before we vote on it. I find no fault at all with the major repairs' part of this bill; it is good; they need to be inspected.

Mr. McCANN. Mr. Speaker, before I consent to the motion, will the gentleman give me some idea of how long it will take at this point to offer the amendments that he has in mind? Could it be done within the next couple days?

Mr. STRAUSSER. We certainly will try, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 739, entitled

An Act relating to apprenticeship and training creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—176

Adams,	Gallagher,	Lamb,	Reibman,
Anderson, J. H.,	Gelfand,	Lawson,	Renwick,
Anderson, S. A.,	George,	Lee, A. M.,	Riley,
Arlene,	Gibb,	Lee, K. B.,	Rovansek,
Auker,	Goldstein, J. H.,	Leonard,	Royer,
Bachman,	Goldstein, M. H.,	Limper,	Rubin,
Backenstoe,	Goodrich,	Long, Wm. Jas.,	Rudisill,
Blair,	Gramlich,	Long, Wm. Jos.,	Rutherford,
Boles,	Gray,	Lutty,	Scarcelli,
Bonner,	Gremminger,	Magee,	Schuster,
Bossert,	Guesman,	Manbeck,	Seltzer,
Bower,	Guthrie,	Markley,	Shelton,
Bowman,	Hamilton,	Marsh,	Sherman,
Breth,	Hankins,	Maxwell,	Shupnik,
Buchanan,	Hartley,	May,	Simmons,
Bush,	Haudenschild,	McCandless,	Snare,
Capano,	Heavey,	McCann,	Stank,
Capitolo,	Heffner,	McCormack,	Steckel,
Cauley,	Helm,	McDevitt,	Stimmel,
Cianfrani,	Henzel,	McDonald,	Stone,
Cioffi,	Hocker,	McInroy,	Strausser,
Clarke,	Holliday,	McKeever,	Sullivan, J. A.,
Comer,	Holman,	McLaughlin,	Sullivan, T. F.,
Cooley,	Horst,	McNally,	Taylor,
Crossin,	Irviss,	Meholchick,	Thompson,
Curwood,	Isaacs,	Merry,	Trusio,
Davis,	Jenkins,	Miller,	Ujobai,
Dennison,	Jim,	Mills,	Varnier,
Donaldson,	Johnson, A. W.,	Morley,	Verona,
Dougherty,	Johnson, R. P.,	Munley,	Wargo,
Down,	Jones,	Murphy,	Weldner,
Edwards,	Kamyk,	Musto,	Welsh,
Eilberg,	Kelser,	Needham,	Wescott,
Elvey,	Kelly,	O'Donnell, J. A.,	Whittaker,
Eshleman,	Kernaghan,	Ogilvie,	Willard,
Farabaugh,	Kessler,	Parlante,	Willaredt,
Flio,	King,	Pashley,	Williams, A. D.,
Flynn,	Kistler,	Perry,	Williams, E. S.,
Foerster,	Klein,	Petrosky,	Wilt,
Foor,	Knecht,	Piper,	Worley,
Fox,	Kooker,	Polaski,	Yetter,
Frascella,	Kornick,	Polen,	Zemmer,
Fulmer,	Korns,	Prendergast,	Zimmerman,
Gailey,	Kramer,	Pursley,	Andrews,

Speaker

### NAYS—13

Ashton,  
Dengler,  
Ewing,

Gibbons,  
Gross,  
Lippincott,

O'Dell,  
Odorisio,  
Slack,

Stiteler,  
Tompkins,  
Wall,  
Wood,

### NOT VOTING—17

Branca,  
Doughten,  
Eshback,  
Fetterolf,

Fineman,  
Fry,  
Mihm,  
Monroe,

Mullen,  
Murray,  
O'Donnell, J. P.,  
Price,

Reidenbach,  
Sakulsky,  
Schaaf,  
Tomasick,  
Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 819, entitled

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), regulating the sale of bait fish and changing the period for which purchased fish bait, fish or fish bait may be sold or held in possession.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, we would appreciate it if Mr. Breth on the other side would explain this bill as it is now amended.

The SPEAKER pro tempore. Will the gentleman from Clearfield, Mr. Breth, permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed. The gentleman has been asked to explain the bill as it has been amended.

Mr. BRETH. Mr. Speaker, I do not want to be technical, but there is a technical point involved in this particular bill.

We all know that fishermen use bait, and bait can be anything, but under law there are two kinds of bait. There is fish bait and bait fish. I think this is, perhaps, the matter that needs to be understood in this particular bill.

Fish bait would be something like worms; bait fish would be minnows. Now, under the present law the Fish Commission has power to regulate the sales of fish and fish bait, but not bait fish. Are you still with me?

All right. Therefore, a part of this bill is inserting bait fish into the act, along with fish bait. The other part of the act changes the period in which fish bait, or bait fish, which is being sold by a licensed seller, can be held by the fisherman who buys it.

In other words, if I bought a certain number of bait fish, and held them for a while, under the present act I can keep adding to those and adding to those. As the Fish Commission here says, they could catch the prohibited bait fish from streams and other areas and add them to it and still show a purchase certificate. Therefore, by extending the period from six days to 15 days that fish bait and bait fish can be kept from the date that they are sold will give the Fish Commission direct control.

Do you want me to go into the problem of control?

In many of our streams there is a limited amount of food available for fish. In certain streams the Fish Com-



mission can regulate the taking of those particular kinds of food which feed the fish that are normally in the stream. Therefore, the fisherman is not allowed to take them out of the stream, although he can purchase them from a licensed propagator, a licensed seller, who raises them himself and offers them for sale. To make sure that the dealer is protected in this act we have exempted in lines 14 and 15 the length of time that a dealer can hold bait fish and fish bait. In other words, a dealer will buy 5,000 minnows. To limit him to 15 days, maybe he would only sell 2,000 in 15 days and he is stuck with the other 3,000. So by re-including in the act, except in the case of bait fish or fish bait which may be held in possession by a dealer until disposed of, makes this act workable by the Commission and workable by the dealer and it is fair to everyone.

I hope you will all see fit to support it. It is especially requested by the Pennsylvania Fish Commission to clarify that particular part of the act.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I would like to interrogate the gentleman from Clearfield, Mr. Breth.

The SPEAKER pro tempore. Will the gentleman from Clearfield permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. AUKER. Mr. Speaker, I would ask the gentleman to turn to the bill and direct his attention particularly to line 13 on page 2.

Mr. BRETH. This bill has not been printed exactly. Do you mean the line below 13 or above 13?

Mr. AUKER. It seems to be line 13. It starts with the word "except" in the brackets.

Mr. BRETH. All right.

Mr. AUKER. Under those brackets the way they are, and I again refer you particularly to the brackets on page 14 where the words "and purchasers" is bracketed out, does that take the purchasers out of this bill entirely?

Mr. BRETH. No. If you will read the bottom of the bill which is in the act as of now, you will see that this bill would be a disservice to the dealers as it was originally introduced, because it made the dealers subject to the limitation of 15 days. Now by bracketing the "dealer" back in and again bracketing out "and purchasers," you regulate the person the Fish Commission wishes to regulate.

Mr. AUKER. Mr. Speaker, I thank the gentleman. I raised the point particularly because I raised that point myself and I was wrong in thinking that the purchasers were out of the bill. I wanted to clarify that for everybody, the purchasers are not out of the law.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—183

Adams,	Gelfand,	Lee, K. B.,	Riley,
Anderson, J. H.	Gibb,	Leonard,	Rovansek,
Anderson, S. A.,	Gibbons,	Limper,	Royer,
Arlene,	Goldstein, J. H.,	Lippincott,	Rubin,
Ashton,	Goldstein, M. H.,	Long, Wm. Jas.,	Rudisill,
Auker,	Goodrich,	Long, Wm. Jos.,	Rutherford,
Bachman	Gramlich,	Lutty,	Scarcelli,
Backenstoe,	Gray,	Magee,	Schuster,

Blair,	Gremminger,	Manbeck,	Seltzer,
Bonner,	Gross,	Markley,	Shelton,
Bossert,	Guesman,	Marsh,	Sherman,
Bowman,	Guthrie,	Maxwell,	Shupnik,
Breth,	Hamilton,	May,	Simmons,
Buchanan,	Hankins,	McCandless,	Slack,
Bush,	Hartley,	McCann,	Snare,
Capano,	Haudenshield,	McCormack,	Stank,
Capitolo,	Heavey,	McDevitt,	Steckel,
Cauley,	Heffner,	McDonald,	Stimmel,
Cianfrani,	Helm,	McInroy,	Stuteler,
Cioffi,	Henzel,	McKeever,	Stone,
Clarke,	Hocker,	McLaughlin,	Strausser,
Comer,	Holliday,	McNally,	Sullivan, J. A.,
Cooley,	Holman,	Meholchick,	Sullivan, T. F.,
Crossin,	Irvig,	Merry,	Taylor,
Curwood,	Isaacs,	Miller,	Thompson,
Davis,	Jenkins,	Mills,	Tompkins,
Dengler,	Jim,	Morley,	Truslo,
Dennison,	Johnson, A. W.,	Munley,	Ujobai,
Donaldson,	Johnson, R. P.,	Murphy,	Verona,
Dougherty,	Jones,	Musto,	Wall,
Down,	Kamyk,	Needham,	Wargo,
Edwards,	Keiser,	O'Dell,	Weldner,
Eilberg,	Kelly,	O'Donnell, J. A.,	Welsh,
Elvey,	Kernaghan,	Odorizio,	Wescott,
Eshleman,	Kessler,	Ogilvie,	Whittaker,
Ewing,	King,	Parlante,	Willard,
Farabaugh,	Kistler,	Pursley,	Willaredt,
Flo,	Klein,	Pashley,	Williams, A. D.,
Flynn,	Knecht,	Perry,	Williams, E. S.,
Foerster,	Kooker,	Petrosky,	Wilt,
Foor,	Kornick,	Piper,	Wood,
Fox,	Korns,	Polaski,	Yetter,
Frascella,	Kramer,	Polen,	Zember,
Fulmer,	Lamb,	Prendergast,	Zimmerman,
Galley,	Lawson,	Reibman,	Andrews,
Gallagher,	Lee, A. M.,	Renwick,	Speaker

## NAYS—2

Bower,

Worley,

## NOT VOTING—21

Boles,  
Branca,  
Doughten,  
Eshback,  
Fetterolf,

Fineman,  
Fry,  
George,  
Horst,  
Mihm,

Monroe,  
Mullen,  
Murray,  
O'Donnell, J. P.,  
Price,  
Reidenbach,  
Sakulsky,  
Schaaf,  
Tomascik,  
Varner,  
Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. For what purpose does the gentleman from Clarion, Mr. Varner, rise?

Mr. VARNER. Mr. Speaker, I wonder if I could get it placed in the record that if I had voted, I would have voted "aye" on the last bill, House bill No. 819.

The SPEAKER pro tempore. The gentleman is in order. His remarks will be spread upon the record.

## ANNOUNCEMENT

The SPEAKER pro tempore. The Chair would like to read a letter while the full membership is here, addressed to the Speaker of the House.

PENNSYLVANIA LEGISLATIVE  
CORRESPONDENTS ASSOCIATION  
524-525 State Capitol—HARRISBURG, PA.

May 1, 1961

Hon. H. G. Andrews  
Speaker  
Pennsylvania House of Representatives  
Room 139  
Capitol  
Harrisburg  
Dear Hy:

This is a reminder to the members that tickets

to our biennial gridiron dinner and show are available with Supervisor Morris Swartz in the newsroom on "E" floor.

The price is \$13, which includes not only the dinner and show but the souvenir program.

The dinner begins at 7 p.m. in the ballroom of the Penn-Harris Hotel.

Regards,  
Fred Walters  
President

Mr. McCANN. Mr. Speaker, We are going to stop voting on bills. We have bills to amend, reconsideration motions, reports of committees, and committee announcements.

### RECONSIDERATION OF VOTE ON HOUSE BILL No. 1075

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 1075, printer's No. 1192, entitled:

"An Act amending the act of June 1, 1915 (P. L. 661), entitled 'An act relating to the maintenance of insane, feeble-minded and other persons confined in the various institutions of the Commonwealth; fixing liability for their support \* \* \* further defining the liability of relatives and estates by the entireties.'"

was defeated on final passage Monday, April 14, 1961, be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCANN, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Washington, Mr. Polen, vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.  
On the question recurring,  
Shall the bill pass finally?

### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

### RECONSIDERATION OF VOTE ON HOUSE BILL No. 1107

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 1107, printer's No. 1237, entitled:

"An Act amending 'The Administrative Code of 1929,' approved April 9, 1929 (P. L. 177), creating the Bedding Advisory Board within the Department of Labor and Industry and prescribing its powers and duties."

was defeated on final passage Monday, April 24, 1961, be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Green, Mr. McCANN, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Washington, Mr. Polen, vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.  
On the question recurring,  
Shall the bill pass finally?

### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

### REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1397, entitled:

An Act making an appropriation to the Department of Public Instruction for payment into The State School Fund of Pennsylvania for assisting public school districts and state teachers' colleges to comply with required safety standards in certain cases.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 59.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 61.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 62.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 63.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 65.

### BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1397, entitled:

An Act making an appropriation to the Department of Public Instruction for payment into The State School Fund of Pennsylvania for assisting public school districts and state teachers' colleges to comply with required safety standards in certain cases.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

### COMMITTEE MEETINGS

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Parlante, chairman, Room 131-A, Tuesday, May 2, at 10:30 a.m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Tuesday, May 2, at 11 a.m.

EDUCATION, Mrs. Reibman, chairman, Room 324, Tuesday, May 2, at 9:15 a.m.

ELECTIONS, Mr. Eiberg, chairman, Room 323, Tuesday, May 2, at 11 a.m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Tuesday, May 2, at 10 a.m.

MINES and MINERAL INDUSTRIES, Mr. Rovanssek, chairman, Room 131-E, Tuesday, May 2, at 12 noon.



PROFESSIONAL LICENSURE, Mr. Boies, chairman, Room 131, Tuesday, May 2, at 10 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Tuesday, May 2, at 11 a.m.

TOWNSHIPS, Mr. Flynn, chairman, Room 131-A, Tuesday, May 2, at 11 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIMES

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 257, entitled

An Act prohibiting and making unlawful the employment of professional strikebreakers in place of employees involved in a labor dispute prohibiting and making unlawful recruitment and furnishing of employees to replace employees involved in a labor dispute by a person or agency not directly involved in the labor dispute and the employment of persons so recruited or furnished and repealing certain existing law.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. GALLAGHER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, line 2, by inserting after "thereof" knowingly

Amend Sec. 2, page 2, line 7, by inserting after "dispute" knowingly

Amend Sec. 2, page 2, line 10, by inserting after "or" knowingly

Amend Sec. 4, page 3, line 9, by inserting after "thereof" knowingly

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 990, entitled

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), prescribing the prices at which malt and brewed beverages may be sold by manufacturers, distributors and importing distributors and fixing penalties.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. SCARCELLI. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mrs. MARKLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. SCARCELLI asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, next to last line of Title, by striking out "manufacturers"

Amend Sec. 1 (Art IV), page 2, line 8, by striking out "Manufacturers"

Amend Sec. 1 (Sec. 484), page 4, line 11, by striking out "manufacturer"

Amend Sec. 1 (Sec. 484), page 4, line 15, by striking out "manufacturer or"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS ON FINAL PASSAGE POSTPONED

### TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 203, printer's No. 1339, on page 11 of today's calendar, bills on final passage postponed.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 169, entitled:

An Act to regulate and control the distribution, sale or offering for sale of ice cream and related frozen products.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. CROSSIN. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 371, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships" approved April 29, 1937 (P. L. 487), providing for registration at shopping centers.

On the question,

Will the House agree to the bill on third reading?

## RECONSIDERATION OF VOTE

Mr. GAILEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 16), page 4, line 7, by striking out "shopping centers" and inserting: six places selected by the county chairmen of the political parties

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. ISAACS. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Gailey.

The SPEAKER pro tempore. Will the gentleman from York, Mr. Gailey, permit himself to be interrogated?

Mr. GAILEY. I will, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, will you explain the amendments?

Mr. GAILEY. I did not hear the gentleman, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, will you explain the amendments?

Mr. GAILEY. I will be happy to, Mr. Speaker.

These amendments are merely corrective. The bill had been amended a week ago to omit the words "shopping centers" and insert the word "places," the idea being that there are many counties which do not have six "shopping centers." Inadvertently, when the Legislative Reference Bureau prepared these amendments, they neglected to replace the words "shopping centers" on the fourth page of the bill with the word "places." All these amendments do is to make that technical correction.

Mr. ISAACS. I thank the gentleman.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 895, entitled:

An Act confirming the right of persons in the service of the Commonwealth to accept election to and serve in certain elective offices of political subdivisions without affecting civil service status or protection.

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, line 2, by striking out "elective office of any political subdivision" and inserting: office

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 929, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), deleting certain limitations with respect to aids and services to the blind.

On the question,

Will the House agree to the bill on third reading?

Mr. STONE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 2320), page 3, line 6, by striking out the bracket before "and"

Amend Sec. 1 (Sec. 2320), page 3, lines 6 and 7, by inserting a bracket before "two" in line 6, and after "(\$250)" in line 7, and inserting immediately thereafter: one thousand dollars (\$1,000)

Amend Sec. 1 (Sec. 2320), page 3, line 8, by striking out the bracket after "months"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 944, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further defining "professional employe" and "teacher" to include manager of school food services.

On the question,

Will the House agree to the bill on third reading?

Mr. MAXWELL asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 1101), page 2, lines 4 to 11, by striking out "trem pro-" in line 4, all of lines 5 to 11 and inserting: term "professional employe" shall include those who are [certified] certificated as teachers, supervisors, supervising principals, principals, directors of vocational education, dental hygienists, visiting teachers, home and school visitors, manager of school food services, school counselors, school secretaries the selection of whom is on the basis of merit as determined by eligibility lists and school nurses.



The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1100, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), prohibiting in certain cases domestic insurers from insuring the lives of persons of residents of or property or operations located in states in which such insurers are not authorized to do business.

On the question,

Will the House agree to the bill on third reading?

Mr. HAMILTON asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 4, line 3, by striking out "in thirty days" and inserting: January 1, 1963

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1259, entitled:

An Act relating to State highways roads and bridges and certain use thereof amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highway relating thereto establishing the State Highway System providing for the construction abandonment and vacation of State highways and placing of existing roads and bridges on the State Highway System \* \* \*.

On the question,

Will the House agree to the bill on third reading?

Mr. COMER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Section 903, Page 41, Line 4, by inserting after "occupation" of a limited

Amend Section 903, Page 41, Line 4, by inserting after "highway" whenever exclusion is necessary to prevent interference with traffic on such highway, or to obtain Federal aid for the construction or reconstruction of such highway.

Amend Section 1003, Page 43, Line 8, by striking out

"The Department shall" and striking out lines 9, 10, 11, 12 and inserting in lieu thereof The Department after consultation with and receiving the advices of the secretaries of Pennsylvania associations representing highway constructors and other parties in interest who have notified the secretary of highways in writing of such interest shall by regulations establish and may from time to time modify or supplement a system for the qualification of competent and responsible bidders on highway projects and furnish to such secretaries and others in interest copies of such regulations in determining the qualifications of bidders The Department shall consider but shall not be limited to the following factors relating to the contractors

Amend Section 1004, Page 44, Line 1, by inserting after "Bonds" (a) Each proposal shall be accompanied by a proposal guaranty in the form of a bond in favor of and payable to the Department of Highways Commonwealth of Pennsylvania in a sum equal to five per centum of the proposal price of the work conditioned that the contractor shall execute a contract for the work according to the terms of the proposal Each bond shall have as surety thereon one or more surety companies legally authorized to transact business in the Commonwealth and satisfactory to the secretary In lieu of a bond such proposal guaranty may be the depositor's check certified to by the bank of deposit Proposal guaranties shall be returned within three (3) days after bids are opened excepting those which the secretary elects to hold until the award is made and the successful bidder qualifies Thereafter proposal guaranties other than that of the qualified low bidder shall be returned at once The proposal guaranty of the bidder to whom the award is made shall be held until the contract is signed by both parties thereto and approved by the Attorney General

(b)

Amend Section 113, Page 50, Line 8, by striking out "113," and inserting in lieu thereof 1113

Amend Section 1502, Page 57, Line 10, by inserting after "highway" other than overhead crossings of electric telephone and telegraph wires and cables Provided however that the construction or removal of such wires or cables does not necessitate the placing or alteration of poles or other structures within the limits of the right-of-way of the highway

Amend Section 1502, Page 57, Line 15, by inserting after "structure" constructed maintained or under the jurisdiction of the Department

Amend Section 1503, Page 58, Line 12, by inserting after "shall" alter repair or

Amend Section 1503, Page 58, Line 16, by inserting after "or" alter repair or

Amend Section 1504, Page 59, Line 16, by inserting after "salvage" or scrap

Amend Section 1504, Page 59, Line 16, by inserting after "value" In the event that the secretary and the public utility are unable to agree on the amount of reimbursement the Pennsylvania Public Utility Commission upon petition of either party shall have jurisdiction to hear the issue and determine such amount

Amend Section 1504, Page 59, Lines 18 and 19, by striking out "Common Pleas Court of Dauphin County" and inserting in lieu thereof Pennsylvania Public Utility Commission

Amend Section 1504, Page 60, Line 1, by striking out "Common Pleas Court of Dauphin County" and inserting in lieu thereof Pennsylvania Public Utility Commission

Amend Section 1504, Page 60, line 10, by inserting after "purposes" or if the substitute right-of-way is to be acquired other than by condemnation the secretary shall procure and deliver to the public utility a deed conveying a requisite estate to it from the owner of the land on which the substitute right-of-way is located

Amend Section 1505, Page 60, Line 18, by inserting after "Highways" Provided, that such agreement shall not be required if the bridge or structure shall have been erected pursuant to an order of Pennsylvania Public Utility Commission, and such order prescribes such occupancy.

Amend Section 1507, Page 61, Line 18, by striking out "Common Pleas Court of Dauphin County" and inserting in lieu thereof Pennsylvania Public Utility Commission

Amend Section 1507, Page 62, Lines 1 and 2, by striking out "Court of Common Pleas of Dauphin County" and inserting in lieu thereof Pennsylvania Public Utility Commission

Amend Section 1602, Page 63, Line 15, by inserting after "vehicle" The secretary shall not exercise the power conferred by this section in a manner inconsistent with the provisions of the act of April 29, 1959 (P. L. 58) known as "The Vehicle Code"

Amend Section 1901, Page 70, Line 14, by striking out "or after"

Amend Section 1902, Page 71, Line 3, by striking out "or after"

Amend Section 2203, Page 84, Line 14, by striking out "1503" and inserting 1502

Amend Section 2303, Page 122, Line 18, by inserting after "herewith" provided that nothing contained in this act shall be construed to repeal or supersede any of the provisions of the act of May 28, 1938 (P. L. 1053) known as the "Public Utility Law"

Amend the Title, Page 1, Bottom Line, by striking out "creating a Joint Legislative Executive "after bridges"

Amend the Title, Page 2, Line 1, by striking out "Commission and prescribing its powers and duties"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar not considered be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 191.

An Act amending the act of November 19, 1959 (P. L.

1535), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College \* \* \*" abolishing the right to acquire a certain tract of land and authorizing the acquisition of certain additional tracts of land.

HOUSE BILL No. 307.

An Act amending the "Meat and Meat Food Products Law" approved May 28, 1915 (P. L. 587), changing certain penalties and providing for license suspensions.

HOUSE BILL No. 390.

An Act repealing the act of July 29, 1953 (P. L. 996), entitled as amended "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study investigation and legislative recommendations relating to the drainage of anthracite mines \* \* \*"

HOUSE BILL No. 638.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for annual estimates of expenses.

With the information that the Senate has passed the same without amendment.

### SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 201, 231, 386 and 526.

Amended House Bill returned for concurrence No. 470.

Resolution for concurrence Serial No. 116.

### ANNOUNCEMENT

Mr. McCANN. For the information of the membership that is here, this House will convene tomorrow at 1 o'clock, but on Wednesday at 11 a.m., and on Thursday, at 10 a.m. Mr. Speaker, that is, Daylight Saving Time.

### ADJOURNMENT

Mr. ADAMS. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 2, 1961, at 1 p.m. e.s.t.

The motion was agreed to, and (at 5:18 p.m., e.s.t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

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HARRISBURG, PA., TUESDAY, MAY 2, 1961.

No. 45.

## SENATE

TUESDAY, MAY 2, 1961.

The Senate met at 11:30 a.m., Eastern Standard Time.

The PRESIDING OFFICER (John J. Haluska) in the Chair.

### PRAYER

The Chaplain, Rev. PLUMMER R. HARVEY, Former Pastor of Patton Presbyterian Church, Patton, offered the following prayer:

Let us pray.

Almighty God, in Whom the whole family of heaven and earth is named, we, Thy children, born of Thy great earthly family, acknowledge Thee to be our God, Creator of our bodies and of our spirits and bountiful Benefactor of our lives. As such, we worship Thee.

O Thou, Who are strong and mighty, we beseech Thee to make us strong in Thee. Give us strength of body that we may do our work well and cheerfully, and bear the burdens of others. Give us strength of mind that we may fearlessly accept Thy truth and faithfully hold to it. Give us strength of heart that we may love Thee with all our powers, and love our neighbor as ourselves. Increase our faith that we may trust in Thy promises. Give us patience that we may, with our Lord and Master, be made perfect through suffering, knowing that all things work together for good to them who love Thee.

O God, Who, by Thy providence, didst lead our forefathers to this good land wherein we found liberty and freedom to worship Thee, we beseech Thee ever to guide our Nation in the way of Thy truth and peace, so that we may never fail in the blessings which Thou hast promised to that people whose God is the Lord. We ask for Thy love's sake. Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. MCGINNIS, further reading was dispensed with, and the Journal was approved.

### LEAVE OF ABSENCE

Mr. WEINER. Mr. President, I request leave of absence for today's Session for Senator John Carl Miller, of Beaver County, who is ill.

The PRESIDING OFFICER. It is the understanding of

the Chair that yesterday, a leave of absence was requested for Senator Miller for the entire week.

Mr. WEINER. Mr. President, I believe that is correct.

The PRESIDING OFFICER. There being no objection, the leave is granted.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

#### JUSTICE OF THE PEACE

May 2, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy M. Killian, R. D. 1, Newburg, Cumberland County, for appointment as Justice of the Peace in and for the Township of Upper Mifflin, Cumberland County, to serve until the first Monday of January 1962, vice Joseph B. Weaver, deceased.

DAVID L. LAWRENCE.

### HOUSE MESSAGES

#### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 245** and **484**, which were referred to the Committee on State Government.

He also presented for concurrence **HB 308**, which was referred to the Committee on Agriculture.

He also presented for concurrence **HB 392**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 616**, which was referred to the Committee on Education.

He also presented for concurrence **HB 739**, which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 819** which was referred to the Committee on Forests and Waters, Game and Fish.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

### BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **HB 251, 366, 369, 416, 418, 419, 529, 542** and **568**.

## REPORTS FROM COMMITTEES

Mr. SESLER, from the Committee on Military Affairs and Aeronautics, reported, as committed, **SB 542** and **552**.

Mr. HAYS, from the Committee on Education, reported, as amended, **SB 306** and **HB 430**; as committed, **HB 721**, **1005** and **1184**.

Mr. DEVLIN, from the Committee on State Government, reported, as committed, **SB 76**, **407**, **439**, **553**, **HB 453**, **508**, **637**, **992**, **1038**, **1130**, **1135**, **1137**, **1139**, **1149**, **1166** and **1179**; as amended, **SB 523**.

He also, from the Committee on Local Government, reported as committed, **SB 530** and **HB 328**.

He also, from the Committee on Military Affairs and Aeronautics, reported, as committed, **HB 1167**.

Mr. MURRAY, from the Committee on Insurance, reported, as committed, **SB 427**, **539**, **540**, **HB 480** and **1102**.

Mr. McCREESH, from the Committee on Elections, reported, as committed, **HB 31**.

He also, from the Committee on Local Government, reported, as committed, **HB 1045**.

Mr. FLACK, from the Committee on Local Government, reported, as committed, **HB 147** and **359**.

Mr. RIPP, from the Committee on Judiciary General, reported, as committed, **SB 497**.

He also, from the Committee on Local Government, reported, as amended, **SB 459**; as committed, **HB 331**, **744**, **745**, **746**, **747** and **984**.

Mr. VAN SANT, from the Committee on Local Government, reported as committed, **SB 295**.

Mr. STROUP, from the Committee on Local Government, reported, as committed, **SB 106** and **HB 171**.

Mr. KROMER, from the Committee on Local Government, reported, as committed **SB 87** and **HB 734**.

Mr. HALUSKA, from the Committee on Local Government, reported, as committed, **HB 323**, **507**, **662** and **1290**.

Mr. KALMAN, from the Committee on Judiciary General, reported, as amended, **SB 441**.

## RESOLUTION REPORTED FROM COMMITTEE

Mr. DEVLIN, from the Committee on State Government, reported without amendment, Senate Resolution, **Serial No. 49**, entitled: Requesting the Governor to Appoint a Committee to Encourage Development of Additional Research Facilities in Pennsylvania.

The PRESIDENT. The resolution will be placed on the Calendar.

## STUDENTS WELCOMED TO THE SENATE

Mr. WARE. Mr. President, I would like to introduce to the Chair and to the Members of the Senate the Gay Street Safety Patrol, from Phoenixville. This group is sponsored by the Parent-Teachers' Association of Phoenixville. They are here, this morning, under the leadership of Mrs. March, School Nurse; Mrs. Simon, one of their teachers; and two parent-chaperons, Mrs. Gausch and Mrs. Fitzcharles.

The PRESIDENT. Will the Safety Patrol from Phoenixville please rise?

We are very happy to have you with us on this wonderful day in Harrisburg. We hope that you will find your viewing of the State Government of great interest to all of you. We are indeed happy to have you with us in the Senate Chamber this morning.

Mr. SEYLER. Mr. President, since we are in the mood for greeting our visitors this morning, I would like to call to the attention of the Chair the fact that we also have a large group of students from the tenth grade of the West York Area High School. The West York Area High School is one of our large, fine high schools in York County.

These 150 students are here under the supervision of four of their teachers; namely, Mr. Ober, Mrs. Golgan, Miss Illginfritz and Mr. Heckard. I would appreciate it if the Chair would recognize that group also.

The PRESIDENT. May the Chair wait just a moment until the youngsters from Phoenixville file out of the Senate Chamber? This would enable us to recognize all of the students from York County.

Would the gentleman from York, Mr. Seyler, again introduce his guests?

Mr. SEYLER. Mr. President, again, I want to call to the attention of the Chair, and to the Members of the Senate, the fact that we have a group of 150 tenth grade students here who attend the West York Area High School. As I said earlier, the West York Area High School is one of our very fine high schools in York County. I also mentioned the names of the teachers who are here supervising these students; namely, Mr. Ober, Mrs. Golgan, Miss Illginfritz and Mr. Heckard.

I certainly would appreciate it, Mr. President, if the Chair would welcome this group to the Senate.

The PRESIDENT. It is a very real pleasure to welcome the tenth graders from the West York Area High School. Will the group please rise?

We are very happy to know that the appropriations and the work which is the work of this Senate goes to good standing in having finer and finer students come into our Senate Chamber. We are very happy to see you and we hope that you will come back. We also hope that your look-see into the Senate Chamber and the Senate workings of government will be of real interest to you.

Thank you for coming.

The PRESIDENT. The Chair now turns the gavel over to the gentleman from Centre, Senator Hays, to preside.

The PRESIDING OFFICER (Jo Hays) in the Chair.

## BILLS INTRODUCED AND REFERRED

Messrs. CONFAIR, PECHAN, FLACK, HALUSKA, STEVENSON and KROMER presented to the Chair **SB 593**, entitled:

An Act amending the act of April 9, 1929 (P.L. 177), entitled "The Administrative Code of 1929," authorizing the Secretary of Property and Supplies to enter into contracts with bidders other than the lowest responsible bidders in certain cases.

Which was committed to the Committee on State Government.

Messrs. LANE and STIEFEL presented to the Chair **SB 594**, entitled:

An Act amending the act of May 28, 1937 (P.L. 1053), entitled "Public Utility Law," providing that appeals shall be taken to the Supreme Court.

Which was committed to the Committee on Corporations.



Messrs. LANE, STIEFEL, WEINER, WAGNER and FLACK presented to the Chair **SB 595**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the establishment and maintenance of regional vocational technical schools; imposing powers and duties on school boards, the Department of Public Instruction and the State Board of Vocational Education relative thereto; providing for the financing and construction of buildings; defining certain terms and providing for payments by the Commonwealth.

Which was committed to the Committee on Education.

Messrs. PROPERT and KESSLER presented to the Chair **SB 596**, entitled:

An Act amending the act of June 15, 1871 (P.L. 387), entitled "An act providing for the entry of certain proceedings on the judgment indexes of the several courts of this commonwealth," changing the place of indexing certain proceedings.

Which was committed to the Committee on Judiciary General.

They also presented to the Chair **SB 597**, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," further regulating indexing of petitions for specific performance of agreements to purchase or sell real estate.

Which was committed to the Committee on Judiciary General.

Messrs. McCREESH, DiSILVESTRO, WEINER and McGINNIS presented to the Chair **SB 598**, entitled:

An Act enabling the Commonwealth, through the Department of Forests and Waters, or any political subdivision of the Commonwealth, to acquire, by purchase, lease, gift, eminent domain, bequest, devise, or otherwise, property interests for park or reservoir, purposes, and providing for the condemnation, valuation, assessment and sale of such property interests.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. VAN SANT and KALMAN presented to the Chair **SB 599**, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," providing for the auditing of certain funds and the release of liability.

Which was committed to the Committee on Local Government.

## SENATE RESOLUTIONS

### MEMORIALIZING CONGRESS TO PROVIDE FOR THE PURCHASE OF THE ISAAC GRAFF HOUSE IN PHILADELPHIA

Messrs. LANE and STIEFEL offered the following resolution (**Serial No. 53**), which was read, considered and adopted:

In the Senate, May 2, 1961.

WHEREAS, Jefferson Medical College commemorates the name of Thomas Jefferson, author of the immortal Declaration of Independence, in the City of Philadelphia where this fundamental statement of American principle was drafted and adopted; and

WHEREAS, Jefferson Medical College traces its origins to 1802 when the General Assembly of the Commonwealth of Pennsylvania honored President Thomas Jefferson and paid tribute to his lifelong interest in educa-

tion by chartering Jefferson College in Canonsburg, Washington County, Pennsylvania; and

WHEREAS, Jefferson College in 1824 brought this recognition of Jefferson's achievements home to the City of Philadelphia by establishing a medical faculty there, a branch which in 1838 became a separate institution, Jefferson Medical College; and

WHEREAS, Jefferson Medical College has grown into one of the world's great institutions of medical learning and research; and

WHEREAS, Thomas Jefferson drafted the Declaration of Independence in his room on the second floor of the Isaac Graff House, which formerly stood on the southwest corner of Seventh and Market Streets, in Philadelphia, not far distant from the present location of Jefferson Medical College; and

WHEREAS, the southwest corner of Seventh and Market Streets lies immediately westward of the Independence Mall and within only two blocks from the Independence National Park enclave, it can be considered as most fitting for inclusion into the area of the Independence National Park; and

WHEREAS, this fortunate set of circumstances links together in a common heritage of greatness the historic site where the Declaration of Independence was drafted and the great medical institution which bears the name of its author; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to provide for the purchase of the site of the Isaac Graff House on the southwest corner of Seventh and Market Streets in the City of Philadelphia, as an addition to the Independence National Park, and for the development of this site as a medical historical museum in connection with Jefferson Medical College, the great medical institution which now commemorates the name of the author of the Declaration of Independence in the city where it was written and adopted.

### COMMENDING THE FIRST CATHOLIC SLOVAK UNION OF THE UNITED STATES AND CANADA

Mr. STAISEY offered the following resolution (**Serial No. 54**), which was read, considered and adopted:

In the Senate, May 2, 1961.

The First Catholic Slovak Union of the United States and Canada, known as the "Jednota," will hold its 34th triennial national convention during the week of August 27, 1961, in Pittsburgh, Pennsylvania, with delegates attending from most of the fifty States in our Nation, to commemorate the founding of the Union seventy-one years ago.

The loyal members of the Slovak Union stand firmly against alien influence seeking to diminish or destroy our American institutions and democratic form of government and they have made many sacrifices for liberation of their Slovak kin and those of other enslaved nations.

The Jednota, the largest body of free people of Slovak origin and descent, numbering more than 103,000 members, has an exemplary and enviable record throughout its seventy-one years of existence, of fostering and perpetuating as a heritage the vigorous support among its members and their neighbors of the principles of freedom and brotherhood which has made America a great Nation.

The Senate of the Commonwealth of Pennsylvania takes this opportunity to extend greetings and encouragement to the "Jednota" and to the delegates attending the convention, for exemplary support and promotion of the principles of freedom and brotherhood; therefore be it

RESOLVED, That this Senate of Pennsylvania extends its welcome to the delegates at this 34th triennial national convention and commends the First Catholic Slovak Union of the United States and Canada, the "Jednota," on the occasion of this convention and celebration of its seventy-first anniversary; and be it further

RESOLVED, That a copy of this resolution be transmitted to the First Catholic Slovak Union of the United States and Canada.

## CALENDAR

## FINAL PASSAGE CALENDAR

## BILL ON FINAL PASSAGE

**SB 213**—On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. PROPERT. Mr. President, having noted under a misapprehension, I wish to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—31

Berger,  
Camiel,  
Chapman,  
Devlin,  
DiSilvestro,  
Ehrgood,  
Fleming,  
Kalman,

Keller,  
Kromer,  
Lane,  
McCreesh,  
McGinnis,  
Murray,  
Pechan,  
Propert,

Ripp,  
Rooney,  
Scott,  
Sesler,  
Silvert,  
Staisey,  
Stiefel,  
Stroup,

Taylor,  
Van Sant,  
Wade,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—9

Bell,  
Confair,  
Kessler,

Madigan,  
Mallery,

Seyler,  
Stevenson,

Wagner,  
Hays,  
Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## THIRD READING CALENDAR

## BILLS ON THIRD READING AMENDED

**HB 55**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, having noted there are editorial changes needed in this bill, I would like to ask unanimous consent at this time to offer an amendment to House Bill No. 55, Printer's No. 1686.

The PRESIDING OFFICER. Hearing no objection, the Senator may offer his amendments.

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 302), page 2, line 11 by inserting after "DAYS" where it appears the second time: prior to each primary, municipal and general election.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

**SB 88**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KELLER, by unanimous consent, offered the following amendment:

Amend Bill, page 24, by inserting after line 18:

Section 9. This act shall take effect January 1, 1962.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. KELLER.

## BILLS OVER IN ORDER

**HB 95 and 132**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 140**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Mullin,  
Staisey,

Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Staisey,

Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Hays,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 294**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Mullin,  
Staisey,

Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Staisey,

Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Hays,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 332**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?



Mr. SILVERT. Mr. President, I am going to vote "no" on this bill because it will interfere, to a great extent, with the collection of the income tax in Philadelphia.

There are a great many people who avoid the payment of taxes for no good reason, and the only way the money can be collected from them is by a notice in the form of a warrant to appear before a magistrate, where they can be fined \$100. Then they come through and pay their tax.

It will serve no good purpose to pass this bill, and I am asking my colleagues to vote against it.

Mr. BELL. Mr. President, I am amazed at the statement of the gentleman from Philadelphia, Senator Silvert. This is not wiping out a remedy to arrest a person by warrant.

Under the wage tax ordinance in Philadelphia, if they would proceed by warrant, we would not have this bill. Under the collection of the Philadelphia wage tax, they have a very ancient remedy that is being used. This is known as arrest on a *capias*. This is known as civil arrest. It goes back to the ancient days when if a man did not pay a debt, he would be arrested on civil arrest and thrown into debtors' prison.

Philadelphia today is a progressive city. In Philadelphia, if they seek to put a man in prison, in cases like this they should proceed with a warrant. This is only a bill to wipe out an outmoded method of civil arrest under a *capias*.

We are living in 1961, not 1761, and it is entirely unjust to seize a man, throw him into prison under a *capias*, and perhaps give him a hearing or sometimes he does not get a hearing and he perhaps stays in prison.

I am not going to delay the Senate on this matter. However, I want to emphasize that this bill is to erase the right to arrest a man on a *capias*—a civil arrest—for non-payment of taxes.

Mr. WEINER. Mr. President, I would say that the gentleman's point is well-taken, especially when he says that Philadelphia is a progressive city. I heartily agree with that.

I would also join him if he took the same view in matters arising out of tort cases, which can be started by the same method in this Commonwealth. If we had a bill doing away with all types of *capiases*, in any kind of action, I would say that is the way to go about it and I would agree with that.

The only problem we have here—and one of the reasons that I object to this—is based on the fact that you have to spend the money of other taxpayers in pursuing some of these people by numerous letters and by leaving notices at the homes of these people. The net result is that you cannot get them unless you actually go and get them at which time they will sit down and discuss with the tax collector what is needed.

In order to help not only the city of Philadelphia, but the surrounding counties which benefit from the largess that results from Philadelphia's progressivism, we have to provide the tax funds to do so. I am sure the Senator, who comes from a surrounding county, would want this to continue because there are many areas that surround the city of Philadelphia, such as Abington, which dump their garbage and their sewage into the Philadelphia setup and we take care of this problem for them. For that to continue we need money and, unfortunately, this is one of

the ways we have to get it. It may not be the most equitable tax and it may not even be the best tax. However, it is one that has persisted over the years and must continue unless we find some other way of doing it.

It might be that this measure is a little bit harsh. However, I know of no easier way to bring these people in and collect the money from them, or at least get them to do correctly what they should be doing.

We are hoping to remedy this situation. There is a bill presently in committee which we hope to report to the floor very shortly which will allow the employers, who do not now do it, to deduct from the employees' paychecks. Perhaps this will do away with the entire proceeding and perhaps we will not need this form at all.

Mr. BELL. Mr. President, in reply to the Majority Leader, I want to say that a *capias* writ can be obtained merely because a man has not paid his wage tax or for owing the tax. In other words, under the *capias* proceedings, you can put a man in jail for not having paid taxes. That may appear to be just to the gentleman from Philadelphia, but I do not think it is. I think if we put everyone who has not paid taxes in jail, we are going to need an awful lot of additional jails.

If there is an element of fraud involved, such as not filing a return or falsifying a return, there is adequate remedy under the criminal proceedings. However, this business of putting a man in jail for not having paid his taxes is something that stinks to the high heavens.

I can give you an example of a man from New Jersey, who was an employee of the Philadelphia Navy Yard and who had not paid his taxes. This man was an engineer and a Sunday School teacher. The only thing was that he had not paid his taxes. There was nothing about not filing a return or falsifying it. He had not paid his taxes. The sheriff of Philadelphia County went to the Philadelphia Navy Yard and had this man brought to the front gate. He was put into the paddy wagon, taken to Moyamensing Prison, thrown into a cell on a civil arrest, and it was not until three days later that his family found out where he was.

Mr. President, that is what I am striking at. I am not striking at the orderly collection of taxes. As I look around this Chamber and elsewhere in the Commonwealth, I know there is many a person who has not paid taxes, and God forgive us if we ever see the day when everybody can be put into jail because they do not pay their taxes.

Mr. WEINER. Mr. President, I have heard the gentleman's heart-rending tale, and I am sure there are some facts in it that are true, except for one thing. They never use this proceeding unless there has been a long history where they have tried to reach this man, where letters have been written, and where numerous people have called upon him and asked him to do this thing.

If you are not going to have an orderly procedure and people are not going to be concerned that there is a way of getting to them if they do not do what is right, we might as well do away with our police force, our jails, our courts and the whole system that we have. People are not going to obey authority unless there is some way to exert that authority.

In the case that the gentleman mentioned here, I am sure that they just did not go and get him and throw him in jail. I am sure there must have been a number

of attempts made to reach this gentleman. I am certain there must have been a number of letters written to him which he chose to ignore.

There were pictures in the Philadelphia newspapers of these people who refused to pay taxes and refused to come to terms with the tax collector, and there was nothing else they could do except go out and get these people bodily.

Mr. BELL. Mr. President, I will come back at the Majority Leader and say there might be a little bit of truth in what he said. However, there is a little bit more in what I said. This civil arrest, or this business of locking a man in prison under an ancient *capias* proceeding for not having paid his taxes, has happened in many cases.

Frankly, Mr. Majority Leader, if I questioned whether or not I owed taxes to the city of Philadelphia and I had complied with the various formalities so there was no question of fraud, the city of Philadelphia could write me an awful lot of letters and I would not come in and pay. If I did not owe the taxes or if I did not have the money to pay the taxes, you would send an awful lot of letters to me.

The point of this whole thing—and it is probably taking too much of the time of the Senate today—is that this Senate today must put the stamp of approval on the right to throw a man in jail for not paying taxes on a civil arrest remedy, such as a *capias*.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—27

Bell,	Hawbaker,	Mallery,	Taylor,
Berger,	Keller,	Pechan,	Van Sant,
Chapman,	Kessler,	Propert,	Wade,
Confair,	Kromer,	Scott,	Wagner,
Ehrgood,	Lane,	Sesler,	Ware, III,
Flack,	Madigan,	Stevenson,	Wolfe,
Fleming,	Mahady,	Stroup,	

## NAYS—16

Camiel,	McCreesh,	Rooney,	Stiefel,
Devlin,	McGinnis,	Seyler,	Weiner,
DiSilvestro,	Murray,	Silvert,	Yatron,
Kalman,	Ripp,	Stalsey,	Hays,
			Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 474**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraff,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,

Fleming,  
Haluska,  
Hawbaker,

McMenamin,  
Mullin,

Silvert,  
Stalsey,

Yatron,  
Hays,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING AMENDED

**SB 479**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Section 623) page 2, line 9, by inserting after "\$5,000)":  
more than any preceding year

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 482**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bell,	Hawbaker,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraff,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Stalsey,	Hays,
			Presiding Officer

## NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 483**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
	Madigan,	Sarraff,	Wade,



DiSilvestro,	<b>Mahady,</b>	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Staisey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—O

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 484**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	<b>Mahady,</b>	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Staisey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—O

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 505**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	<b>Mahady,</b>	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Staisey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—O

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 506**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	<b>Mahady,</b>	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Staisey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—O

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 507**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	<b>Mahady,</b>	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Staisey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—O

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 518**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 533**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	<b>Mahady,</b>	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,

Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Stalsey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 534**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraff,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Stalsey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 635 and 636**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 715 and 716**—Without objection, the bills were passed over in their order at the request of Mr. SILVERT.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 1060**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraff,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Stalsey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1119**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraff,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Stalsey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1120**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraff,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Mullin,	Stalsey,	Hays,
Hawbaker,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

GUESTS OF SENATOR MARTIN SILVERT  
PRESENTED TO SENATE

Mr. SILVERT. Mr. President, may we delay consideration of the Calendar for a minute in order for me to present to the Chair and to the Members of the Senate a group of ladies from the 22nd Ward of the city of Philadelphia? They came here yesterday and are here today in order to witness the induction of the new Auditor General, Mr. Minehart. The ladies are seated to my left. They are here under the leadership of Mrs. Dorothy Taylor.

The PRESIDING OFFICER. Thank you, Senator Silvert.

The Chair, on behalf of the Members of the Senate, is happy to greet you and welcome you to the Senate. We trust that you will find this to be an interesting afternoon.

Will you please rise?



### PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, on July 19, 1951, an Act was signed by the then Governor of the Commonwealth, increasing the penalties on sports bribery charges, affecting not only the participants in the sports, but also the bribers. It is quite obvious in the last ten years that the penalties are not severe enough to serve as a warning to rattlesnake fixers and young college men who are lured by fancy figures.

For that reason, Mr. President, I am about to introduce a bill to establish a minimum penalty. Evidently, the present penalty of up to a \$10,000 fine and up to ten years in prison throws no fear into the athlete nor the briber.

For that reason, I am introducing this bill which will establish minimum penalties in these cases, with the sincere hope that we can wipe out the dastardly events such as occurred recently in the City of Brotherly Love, Philadelphia.

### BILLS INTRODUCED AND REFERRED

Mr. VAN SANT, by unanimous consent, presented to the Chair **SB 600**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," providing a minimum penalty provision for bribery in athletic contests and soliciting or accepting bribes in athletic contests.

Which was committed to the Committee on Law and Order.

Messrs. DEVLIN, WEINER, STAISEY and RIPP, by unanimous consent, presented to the Chair **SB 601**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," permitting motor vehicles used by certain photographers and cameramen to be equipped with a warning light.

Which was committed to the Committee on Highways.

### SECOND READING CALENDAR

#### BILL OVER IN ORDER

**SB 30**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**HB 60**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

**SB 197**—The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 3 (Sec. 2509.2) page 5, line 20, by inserting after "transportation": in conformity with existing law.

Amend Sec. 3 (Sec. 2509.2) page 6, lines 8, 9 and 10, by striking out "or the needs of children" in line 8, all of line 9 and "served" in line 10.

They were agreed to.

The section was agreed to as amended.

The fourth section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING

**HB 326**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**SB 401, 431 and 442**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

**HB 454 and SB 466**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 481**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

**SB 493**—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

**SB 528**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

### BILL ON SECOND READING

**HB 678**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

### BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 76, 87, 106, 295, 306, 407, 427, 439, 441, 459, 497, 520, 523, 530, 539, 540, 542, 552, 553, HB 31, 147, 171, 323, 328, 331, 359, 430, 453, 480, 507, 508, 637, 662, 721, 734, 744, 745, 746, 747, 984, 992, 1005, 1038, 1045, 1102, 1130, 1135, 1137, 1139, 1149, 1166, 1167, 1179, 1184 and 1290.**

### REPORT FROM COMMITTEE

Mr. MAHADY, by unanimous consent, from the Committee on Highways, reported, as committed, **SB 520**.

### BILLS INTRODUCED AND REFERRED

Messrs. HAWBAKER, STROUP and BELL, by unanimous consent, presented to the Chair **SB 602**, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," changing the time for the application of refunds of certain paid inheritance taxes.

Which was committed to the Committee on Finance.

Messrs. MURRAY, WAGNER, SEYLER and KALMAN, by unanimous consent, presented to the Chair **SB 603**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for payment of contributions to the school employes retirement fund on account of school employes on leave of absence for professional study.

Which was committed to the Committee on Education.

### PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President and Members of the Senate, if I may, I would like to make an observation. We are now under the dateline of May 2, 1961, and we have planned on adjourning sine die about June 15, 1961.

It appears to me that we are being confronted with a stalemate, as far as the problem of public education is concerned. Last week, we had the experience of losing a resolution which would have created a bipartisan committee to work on this major problem which surely is not political.

I would like the Republican Members to know—this is not going to come as a surprise—that sometime next week, we are going to offer, from this side, another resolution for their consideration. In my opinion, this resolution should not be rejected by the Republican Members. We are trying to do a job for public education at this Session of the General Assembly. I feel that delay is fatal. We must do the job and we must have your support. We must have your help because we may have the name, but we do not have the game in so far as the Majority is concerned.

Therefore, Mr. President, I feel that should the Republican Members take an arbitrary viewpoint again next week, any failure on our educational program will be the responsibility of the Republican Party in Pennsylvania.

Mr. BERGER. Mr. President, I wish to point out to the gentleman that there is a great deal of difference between saying it and doing it. There is no question in the minds of anyone, either in this Chamber or outside of it, that as far as responsibility is concerned, the gentleman who has talked upon the resolution and his colleagues who voted for it are offering it—or, as they say, will offer it—only for the purpose of ducking responsibility. In so far as we are concerned, Mr. President, there is no question that there will be plenty of assistance. It is always available by way of advice and by way of votes for any good educational program which may be offered. We will be very happy to assist in the preparation and promulgation of such a program.

In so far as the bipartisan committee, which resolution was defeated in this Body and which the gentleman said he will again offer, I believe that they do have a sufficient number of votes on that side to pass such a resolution. However, be that as it may, I will now say that if they will consider a possibility of offering a resolution for a

bipartisan study committee, with the proviso that the bills, upon completion of the study, will be delivered to the Presiding Officer and sent to the proper Committee of the Senate, then we may give it some further consideration.

Mr. LANE. Mr. President, in listening to the Minority Leader's speech, I was wondering whether he was not working both sides of the street. He takes one position with reference to the resolution and he indicates that it is a foregone conclusion that the Republican Members are not going to support our resolution. He then states that we have sufficient votes on this side to pass such a resolution. I am wondering whether the Minority Leader would elaborate just a little bit and inform us whether he will give us sufficient votes in order to pass the resolution. If so, we will be very happy to cooperate.

Mr. BERGER. Mr. President, my only answer to that is what I said before. Last week, on this some subject, I said that if the gentleman is ready for a coalition government, we stand ready to cooperate 100 per cent.

Mr. LANE. Mr. President, I am not going to say very much more. However, the proof of the pudding is in the eating. It seems to be a foregone conclusion that they are going to oppose the resolution and we are going to give them the opportunity again to vote it down.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

#### COMMITTEE MEETINGS WEDNESDAY, MAY 3, 1961

Eastern Daylight Saving Time	COMMITTEE	ROOM
9:00 A.M.	MINES AND MINERAL INDUSTRIES	542
10:30 A.M.	FORESTS AND WATERS, GAME AND FISH	Senate Dem. Caucus Room
REPUBLICAN CAUCUS	9:30 A.M.	D.S.T.

### ADJOURNMENT

Mr. LANE. Mr. President, I move that the Senate do now adjourn until Wednesday, May 3, 1961, at 9:30 a.m.

Mr. SESLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:43 p.m.



## HOUSE OF REPRESENTATIVES

TUESDAY, May 2, 1961

The House met at 1 p.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, our Father, we bless and praise Thee for the high calling of each one of us. We humbly pray that Thou wilt make us conscious of the magnitude of the responsibility which Thou dost place upon us, guide us in preparing fully and properly for the discharge of the obligations which face us, and motivate us with the challenge and opportunity of witnessing for Thee and Thy way in our associations with others, so that we may always show ourselves by thought, by word, and by deed the example of good stewards in Thy kingdom: through Jesus Christ, our Lord. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, May 1, 1961, will be postponed until printed.

The Chair hears none.

## SAFETY PATROL GROUP WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the members of the Gay Street Safety Patrol of Phoenixville, Pennsylvania. They are sponsored by the Phoenixville Parent-Teachers Association. They are here under the direction of Mrs. Simon, teacher, Mrs. March, school nurse, Mrs. Gausch, and Mrs. FitzCharles, chaperones. They are the guests of the gentlemen from Chester, Messrs. Ashton, Slack and Ujobai.

## BILLS INTRODUCED AND REFERRED

By Messrs. McCANN, A. D. WILLIAMS, Jr., A. W. JOHNSON and CIOFFI. HOUSE BILL No. 1442.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing counties to create or join with other counties in the creation of tourist promotion agencies and to appropriate funds for that purpose.

Referred to the Committee on State Government.

By Messrs. POLEN and McCANN.

HOUSE BILL No. 1443.

An Act repealing section 1210 of "The Administrative Code of 1929," relating to the powers and duties of the Department of Internal Affairs in respect to the Pennsylvania System of Coordinates.

Referred to the Committee on Judiciary.

By Messrs. LIPPINCOTT, ISAACS, ODORISIO and GIBBONS. HOUSE BILL No. 1444.

An Act making an appropriation to the Sleighton Farm School for Girls for the purpose of making capital improvements and repairs to the electrical system.

Referred to the Committee on Appropriations.

By Mr. IRVIS and Mrs. HENZEL.

HOUSE BILL No. 1445.

An Act amending "The Penal Code," approved June 24,

1939 (P. L. 872), prohibiting the installation or operation of motor vehicles of equipment adjusted or tuned to receive police radio messages and providing for certain exemptions.

Referred to the Committee on Judiciary.

By Messrs. SNARE, OGILVIE, SHUPNICK and CROSSIN. HOUSE BILL No. 1446.

An Act amending the "Barbers' License Law," approved June 19, 1931 (P. L. 589), providing credit toward student or apprentice registration periods in certain cases.

Referred to the Committee on Professional Licensure.

By Messrs. HORST, GEORGE, FOX and FARABAUGH. HOUSE BILL No. 1447.

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589), further providing for the tuberculosis and brucellosis tests to be given to cows from which raw milk is sold directly to the consumer.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. HORST, GEORGE, FOX and FARABAUGH. HOUSE BILL No. 1448.

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), further regulating the sale of milk on farms directly to consumers.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. HAMILTON, MILLS, HEAVEY and STIMMEL. HOUSE BILL No. 1449.

An Act prohibiting insurers from entering into contracts which surrender the control and management of the insurer and requiring the approval of the Insurance Commissioner before pre-emptive rights contracts may be entered into.

Referred to the Committee on Insurance.

By Mr. GRAY, Mrs. S. A. ANDERSON, Messrs. RUBIN and EILBERG. HOUSE BILL No. 1450.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing licenses for the retail sale of liquor and malt or brewed beverages on city premises in cities of the first class under certain terms and conditions and to be known as public event licenses.

Referred to the Committee on Liquor Control.

By Mr. GRAY, Mrs. S. A. ANDERSON, Messrs. RUBIN and EILBERG. HOUSE BILL No. 1451.

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; \*\*\*" requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries, \*\*\* paid to officers and employees of the Commonwealth domiciled or performing services within that city\*\*\*.

Referred to the Committee on Rules.

By Messrs. BOWMAN and RUDISILL. HOUSE BILL No. 1452.

An Act amending the "Business Corporation Law," approved May 5, 1933 (P. L. 364), clarifying the provisions of the act relating to the setting aside of funds by ceme-

tery and burial corporations and bringing additional corporations within the provisions of the act.

Referred to the Committee on Judiciary.

By Messrs. BOWMAN and RUDISILL.

HOUSE BILL No. 1453.

An Act reenacting and amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises, bequests or gifts in trust for the care and maintenance of cemeteries, burial grounds or cemetery lots, trustees and substituted trustees thereof," extending the provisions thereof to include business corporations.

Referred to the Committee on Judiciary.

By Messrs. BOWMAN and RUDISILL.

HOUSE BILL No. 1454.

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364), changing the law with respect to devises, bequests and gifts in trust for the perpetual care and maintenance of cemeteries, burial grounds or the cemetery lots therein and imposing powers on the trustees.

Referred to the Committee on Judiciary.

By Messrs. BOWMAN and RUDISILL.

HOUSE BILL No. 1455.

An Act amending the "Nonprofit Corporation Law" approved May 5, 1933 (P. L. 289), making additional corporations subject to certain provisions of the act.

Referred to the Committee on Judiciary.

By Messrs. BOWMAN and RUDISILL.

HOUSE BILL No. 1456.

An Act amending the "Nonprofit Corporation Law," approved May 5, 1933 (P. L. 289), requiring additional provisions to be included in the articles of incorporation of cemetery and burial companies and further providing for the establishment and operation of funds created by such companies.

Referred to the Committee on Judiciary.

By Messrs. HAMILTON, KLEIN, STONE  
and WILT.

HOUSE BILL No. 1457.

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), extending the act to property, the owner of which is unknown and has been unknown for a period of not less than ten years.

Referred to the Committee on Judiciary.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 201.

An Act amending the act of June 24, 1937 (P. L. 1017), entitled "County Institution District Law" further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care.

Referred to the Committee on Welfare.

SENATE BILL No. 231.

An Act amending the act of November 19, 1959 (P. L. 1548), entitled "An act to provide temporary supplemental

retirement benefits for certain annuitants of the Public School Employees' Retirement System . . ." extending the time for receipt of benefits and including disability annuitants.

Referred to the Committee on Appropriations.

SENATE BILL No. 386.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the membership of county boards of school directors in counties where the population exceeds a certain number.

Referred to the Committee on Education.

SENATE BILL No. 526.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" defining the crimes of fraudulent use of credit cards and fraudulent obtaining of telecommunications service and prescribing penalties.

Referred to the Committee on Judiciary.

## SENATE MESSAGE

SENATE CONCURRENT RESOLUTION Serial No. 116

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1961.

Whereas, The United States has amended an obligation with its good neighbor, the Government of Canada, to contribute its full share toward the successful operation of the St. Lawrence Seaway-Great Lakes Shipping Route; and

Whereas, The only existing navigable facility connecting lakes Erie and Ontario is the Welland Canal which has been sorely pressed to meet the increasing demands of shipping; and

Whereas, The construction of an alternate ship canal would make a major contribution to the security of the United States as well as Canada, because:

(1) In the event of breakdown or destruction of the existing Welland Canal, the commerce of the entire Great Lakes area of the United States and Canada west of Lake Ontario would be denied access by water transportation to the St. Lawrence Seaway and international shipping lanes;

(2) It would provide a more secure inland route for the movement of iron ore in the event of war;

(3) It would ease the strain on congested rail facilities and east coast ports in the time of emergency; and

(4) It would allow the construction and repair of ocean-going vessels in the more secure areas of the Great Lakes; and

Whereas, The construction of the canal would contribute greatly to the prosperity of commerce, industry and agriculture, not only in those states bordering the Great Lakes, but throughout the entire nation; and

Whereas, The commerce of the lake ports of the Commonwealth of Pennsylvania would be increased by the benefits accruing to the St. Lawrence Seaway-Great Lakes Shipping Route; and

Whereas, The construction of the canal would stabilize employment, provide job security and expand job opportunities; now, therefore, be it

Resolved (The House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby respectfully memorializes the President and Congress of the United States immediately to provide adequate funds to the U. S. Army Corps of Engineers for the necessary surveys and plans for, and to initiate the construction of, the canal, as aforesaid; and, be it further

Resolved, That copies of this resolution be transmitted as follows:

To the President of the United States;

To the President of the Senate and the Speaker of the



House of Representatives of the United States Congress, and to each member thereof from the Commonwealth of Pennsylvania;

To the Governor of the Commonwealth of Pennsylvania;  
To the Secretary of Commerce of Pennsylvania;  
To the Chairman of the Port Authority of Erie;  
To the Governors and State Legislative Leaders of the States of New York, Ohio, Michigan, Indiana, Illinois, Wisconsin and Minnesota.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

## REPORTS FROM COMMITTEES

Mr. PERRY from the Committee on State Government, reported as committed, House bill No. 281, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing second class school districts to make additions and revisions to tax duplicates.

Mr. COOLEY from the Committee on Townships, reported as committed, House bill No. 408, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), permitting expenditures for fire protection from the general township fund.

Mr. AUKER from the Committee on Judiciary, reported as committed, House bill No. 650, entitled:

An Act amending the act of April 17, 1893 (P. L. 21), entitled, as amended, "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth, by providing suitable clerical assistance," further providing for the salaries of stenographers and clerks.

Mr. IRVIS from the Committee on Education, reported as committed, House bill No. 1116, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing indebtedness of school districts and insured deposits to be used in lieu of bonds or securities which are required to be deposited by school depositories.

Mr. ODORISIO from the Committee on Townships, reported as committed, House bill No. 1150, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating the exercise of eminent domain.

Mr. IRVIS from the Committee on Education, reported as committed, House bill No. 1212, entitled:

An Act amending the act of July 5, 1917 (P. L. 693), entitled, "An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children\*\*\*," providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

Mr. IRVIS from the Committee on Judiciary, reported as committed, House bill No. 1217, entitled:

An Act amending the act of May 1, 1907 (P. L. 137), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace, of this Commonwealth\*\*\*," increasing the compensation of official stenographers for copies of stenographic notes.

Mr. ISAACS from the Committee on Judiciary, reported as committed, House bill No. 1399, entitled:

An Act amending the "Incompetents' Estates Act of 1955," approved February 28, 1956 (P. L. 1154), authorizing the creation of a trust fund to pay the funeral expenses of incompetents.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 1402, entitled:

An Act to provide for the creation and administration of an Anthracite Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers thereto;\*\*\*.

Mrs. S. A. ANDERSON from the Committee on State Government, reported as committed, House bill No. 1408, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), eliminating the requirement that cotton fabrics used in State institutions be flameproofed.

Mr. POLASKI from the Committee on State Government, reported as committed, House bill No. 1414, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), empowering the Governor to abolish special funds; transfer balances in bond fund to the General Fund; utilize balances in the sinking funds to extinguish the public debt; and providing powers and duties of the Auditor General and the State Treasurer.

Mr. GIBBONS from the Committee on Counties, reported as committed, Senate bill No. 239, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

Mr. HOLLIDAY from the Committee on Counties, reported as committed, Senate bill No. 297, entitled:

An Act amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes" increasing certain fees and making editorial corrections.

Mr. ODORISIO from the Committee on Townships, reported as committed, Senate bill No. 485, entitled:

An Act repealing subdivisions (q) and (r) of Article XI act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" abolishing the right of taxpayers to acquire the right to furnish all materials and labor necessary for opening, making and repairing township highways and bridges.

Mr. RENWICK from the Committee on Townships, reported as amended, House bill No. 732, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing county associations of township supervisors, auditors, assessors and tax collectors to hold quarterly conventions; making the holding of conventions permissive instead of mandatory, and increasing the amount payable by counties for expenses of the conventions of such associations.

Mr. ESHLEMAN from the Committee on Education, reported as amended, House bill No. 932, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for voting

for mergers where some of the districts are already merged.

Mr. MAXWELL from the Committee on Professional Licensure, reported as amended, House bill No. 1162, entitled:

An Act amending "The C. P. A. Law," approved May 26, 1947 (P. L. 318), further regulating the certification and public practice of certified public accountants.

Mr. LUTTY from the Committee on State Government, reported as amended, Senate bill No. 172, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries providing for the appointment of Boards of Historical Architectural Review empowering governing bodies of political subdivision to protect the distinctive historical character of these districts and to regulate the erection, reconstruction, alteration, restoration, demolition or razing of buildings within the historic districts.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 281, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing second class school districts to make additions and revisions to tax duplicates.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 408, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), permitting expenditures for fire protection from the general township fund.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 650, entitled:

An Act amending the act of April 17, 1893 (P. L. 21), entitled, as amended, "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth, by providing suitable clerical assistance," further providing for the salaries of stenographers and clerks.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1116, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing indebtedness of school districts and insured deposits to be used in lieu of bonds or securities which are required to be deposited by school depositories.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1150, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating the exercise of eminent domain.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1212, entitled:

An Act amending the act of July 5, 1917 (P. L. 693), entitled, "An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children\*\*\*," providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1217, entitled:

An Act amending the act of May 1, 1907 (P. L. 137), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace, of this Commonwealth\*\*\*," increasing the compensation of official stenographers for copies of stenographic notes.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1399, entitled:

An Act amending the "Incompetents' Estates Act of 1955," approved February 28, 1956 (P. L. 1154), authorizing the creation of a trust fund to pay the funeral expenses of incompetents.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1402, entitled:

An Act to provide for the creation and administration of an Anthracite Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers thereto;\*\*\*.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1408, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), eliminating the requirement that cotton fabrics used in State institutions be flameproofed.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.



Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1414, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), empowering the Governor to abolish special funds; transfer balances in bond fund to the General Fund; utilize balances in the sinking funds to extinguish the public debt; and providing powers and duties of the Auditor General and the State Treasurer.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 239, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 297, entitled:

An Act amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes" increasing certain fees and making certain editorial corrections.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 485, entitled:

An Act repealing subdivisions (q) and (r) of Article XI act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" abolishing the right of taxpayers to acquire the right to furnish all materials and labor necessary for opening, making and repairing township highways and bridges.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 191.

An Act amending the act of November 19, 1959 (P. L. 1535), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville, Lancaster County, for the use of the Millersville State Teachers College \*\*\*" abolishing the right to acquire a certain tract of land and authorizing the acquisition of certain additional tracts of land.

#### HOUSE BILL No. 307.

An Act amending the "Meat and Meat Food Products Law" approved May 28, 1915 (P. L. 587), changing certain penalties and providing for license suspensions.

#### HOUSE BILL No. 390.

An Act repealing the act of July 29, 1953 (P. L. 996), entitled as amended "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines \*\*\*".

#### HOUSE BILL No. 638.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for annual estimates of expenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### BIRTHDAYS

The SPEAKER. The Chair is advised that today is the birthday of the gentleman from York, Mr. Anderson. It also happens to be the birthday of the secretary of the House, Philip Lopresti. Dr. Dengler will proceed to his usual post of duty.

They tell me that Dr. Whittaker is also in this group, so that makes three of them.

(Members joined in singing "Happy Birthday," led by Mr. Dengler)

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 719, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), eliminating duplicate suspensions arising out of same event or occurrence.

The first section was read.

On the question,

Will the House agree to the section?

Mr. FINEMAN offered the following amendment:

Amend Sec. 1 (Sec. 616.1), page 2, lines 4 to 14, by striking out all of said lines and inserting

Section 616.1 Reduction in Length of Revocation in Certain Cases The secretary shall reduce any revocation period he imposes on any operator by the length of time such operator's license had previously been revoked by any court or commission prior to the starting date of the revocation imposed by the secretary if the duplicate revocations arise out of the same events or occurrences. In the event any operator's license is revoked by a court or commission after or during a period of revocation imposed by the secretary, the revocation period imposed by the court or commission shall be reduced by the length of time the operator had previously had his license revoked by the secretary if the duplicate revocations arise out of the same events or occurrences.

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. FINEMAN offered the following amendment:

Amend Title, page 1, next to last line of Title, by striking out "suspensions" and inserting: revocations.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1397, entitled:

An Act making an appropriation to the Department of Public Instruction for payment into The State School Fund of Pennsylvania for assisting public school districts and state teachers' colleges to comply with required safety standards in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

#### BILL PASSED OVER

There being no objection

Senate bill No. 103, printer's No. 643 was passed over at the request of the SPEAKER.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. EILBERG asked and obtained permission for the Committee on Elections to meet during the session of the House.

#### STATEMENT BY SPEAKER

The SPEAKER. The inability of chairmen to secure quorums is a matter that deserves the attention of the leadership in the House and the attention of the members of the House as a whole, if the leadership is not able, operating through the chairmen, to provide quorums when committees meet. It should be as important that members attend committee meetings as that they attend these sessions. Committeemen who do not want to serve on committees should not be permitted to comprise the complement of the committee.

Mr. McCANN. Mr. Speaker, the reason some committees did not have quorums was because there were too many committee meetings in which the same members were involved. The attendance was good at some meetings but they could not be at two at the same time.

The SPEAKER. This is not the only time that committees have failed to meet because of the lack of a quorum.

#### BILLS RE-REFERRED

Mr. FULMER from the Committee on Education, returned with the recommendation that it be re-referred to the Committee on Appropriations, House bill No. 611, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for payments on account of agricultural education.

The SPEAKER. The bill is re-referred to the Committee on Appropriations.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Committee on Elections, House bill No. 1334, entitled:

An Act amending the "Public School Code of 1949," ap-

proved March 10, 1949 (P. L. 30), providing for the election of school directors in school districts of the third and fourth classes by nonpartisan ballots.

The SPEAKER. The bill is re-referred to the Committee on Elections.

#### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. WARGO asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

#### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 104, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" changing provisions relating to speed limits.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, we will consent to the motion to bring the bill back for third reading for the purpose of the gentleman from Somerset offering his amendments. We are opposing them. I understood he was not going to offer them.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON. Could we be at ease for a minute, while Representative Merry, who is the drafter of the original amendments, confers with the majority leader as to the effect of these amendments?

The SPEAKER. The House will be at ease.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, last two lines of Title, by striking out both of said lines and inserting: "granting the power to the Secretary of Highways to establish speed limits."

Amend Sec. 1, page 2, line 1 by striking out "CLAUSES (6) AND" and inserting: "Clause."

Amend Sec. 1, page 2, line 3 by striking out "ARE" and inserting "is."

Amend Sec. 1 (Sec. 1002), page 2, lines 9 to 18; page 3, lines 1 to 19 by striking out all of said lines and inserting:

(8) The Secretary of Highways may, after due investigation, establish [further restricted speed zones] any speed limit on State highways [outside of business and residence districts] where traffic conditions or other conditions of the highway make it [unsafe] safe to operate motor vehicles at the [maximum] speeds other than as provided by this act.

Any such established [restricted] speed [zone] limit shall be

Amend Sec. 2, page 4, lines 5 and 6 by striking out both of said lines.

The SPEAKER. Will the House give unanimous consent



to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1191, entitled:

An Act relating to the conservation of water resources and the protection and regulation of surface and subsurface waters under certain circumstances prescribing the duties of the Water and Power Resources Board and providing penalties.

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FOERSTER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FOERSTER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Section 13, page 11, line 2, by inserting after "court" where it appears the second time "of common pleas"

Amend Section 13, page 11, line 3, by inserting after "county" in which the investigation or proceeding is pending

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 48, entitled:

An Act amending the act of April 27, 1927 (P. L. 414), entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and fugitives from justice and habitual criminals \* \* \* making it unlawful to take the fingerprints or photographs of persons in custody who are charged with a violation of "The Vehicle Code" with certain exceptions.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 3), page 3, line 3, by inserting after "drug" where it appears the second time or is charged with any crime punishable as a felony under the motor vehicle or tractor laws of this Commonwealth

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 58, entitled:

An Act amending the act of November 19, 1959 (P. L. 1548), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System \* \* \*" extending the time for receipt of benefits and including disability annuitants.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 12, by striking out "JUNE 30 [1961]" and inserting [May 31 1961]

Amend Sec. 1 (Sec. 1), page 2, lines 14 and 15, by striking out "JUNE 30 [1961]" and inserting [May 31 1961]

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 59, entitled:

An Act amending the act of November 21, 1959 (P. L. 1590) entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System \* \* \*" extending the time for receipt of benefits and including disability annuitants.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 11, by striking out "JUNE 30 [1961]" and inserting [May 31, 1961] June 30  
Amend Sec. 1 (Sec. 1), page 2, line 14, by striking out "JUNE 30 [1961]" and inserting [May 31, 1961] June 30

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 530, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards fire preventive equipment reports of fires and explosions authorizing permits to be required and fixing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. LUTTY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 3104.1), page 3, line 1, by striking out "to" and inserting: of losses in an amount of one hundred dollars (\$100) or more as now provided by law and regulation to be made to the Pennsylvania State Police, to the

Amend Sec. 1 (Sec. 3104.1), page 3, lines 1 and 2, by striking out "any and all"

Amend Sec. 1 (Sec. 3104.1), page 3, line 3, by inserting after "county" Such reports may be filed on behalf of such companies by an actuarial bureau or statistical organization.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 808, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for the fiscal period June 1, 1961 to June 30, 1962 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending May 31, 1961.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 2, page 41, line 4, by inserting after "camps" and for the maintenance of delinquent boys in such camps  
Amend Sec. 2, page 62, line 3, by striking out "90,200" and inserting 98,000

Amend Sec. 2, page 64, line 11, by striking out "42,888" and inserting 43,550

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1279, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting the removal of mobilehomes or house trailers to evade certain taxes and penalizing mobilehome or house trailer court operators for failure to make certain reports.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 699.14), page 2, line 16, by inserting after "located" after written notice to do so

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1381, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer an amendment at this time.



The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 11, page 9, lines 12 to 16 by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## REPORTS FROM COMMITTEE

Mrs. PASHLEY from the Committee on Elections, reported as committed House bill No. 837, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 1138, entitled:

An Act amending the "State Tax Equalization Board Law" approved June 27, 1947 (P. L. 1046), requiring that objections to certified findings or conclusions of board shall be filed by October first of year the same are certified.

Mr. LAMB from the Committee on Judiciary, reported as committed, House bill No. 1254, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "an act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," authorizing investment in certain obligations secured by a mortgage and by the assignment of moneys due under a lease.

Mrs. PASHLEY from the Committee on Elections, reported as committed, House bill No. 1407, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the affidavit of the circulator of a nomination petition.

Mr. HORST from the Committee on Townships, reported as committed, Senate bill No. 179, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" requiring publication of ordinances not more than sixty days nor less than seven days prior to passage in one newspaper circulating generally in the township.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 837, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1138, entitled:

An Act amending the "State Tax Equalization Board Law" approved June 27, 1947 (P. L. 1046), requiring that objections to certified findings or conclusions of board shall be filed by October first of year the same are certified.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1254, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "an act regulating the investment of funds by administrative departments, boards, commissions, and officers of State Government," authorizing investment in certain obligations secured by a mortgage and by the assignment of moneys due under a lease.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1407, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937, (P. L. 1333), further regulating the affidavit of the circulator of a nomination petition.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 179, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" requiring publication of ordinances not more than sixty days nor less than seven days prior to passage in one newspaper circulating generally in the township.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

## LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Dougherty for Mr. MURRAY for today because of illness.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 869, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) regulating voluntary admission of minors to institutions and further regulating emergency commitments.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams, Gelfand, Lee, A. M.,  
Anderson, J. H. George, Lee, K. B.,  
Anderson, S. A., Gibb, Leonard, Rudisill,

Rutherford,  
Sakulsky,

Arlene,	Gibbons,	Limper,	Scarcelli,
Bachman	Goldstein, J. H.,	Lippincott,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jas.,	Schuster,
Blair,	Goodrich,	Long, Wm. Jos.,	Seltzer,
Boles,	Gramlich,	Lutty,	Shelton,
Bonner,	Gross,	Manbeck,	Sherman,
Bossert,	Gray,	Markley,	Shupnik,
Bower,	Gremminger,	Marsh,	Simmons,
Bowman,	Guesman,	Maxwell,	Slack,
Branca,	Guthrie,	May,	Snare,
Breth,	Hamilton,	McCann,	Stank,
Buchanan,	Hankins,	McDevitt,	Steckel,
Bush,	Hartley,	McDonald,	Stimmel,
Capano,	Haudenshield,	McInroy,	Stone,
Capitolo,	Heavey,	McKeever,	Strausser,
Cauley,	Heffner,	McLaughlin,	Sullivan, J. A.,
Cianfrani,	Helm,	McNally,	Sullivan, T. F.,
Cioffi,	Henzel,	Meholchick,	Taylor,
Clarke,	Hocker,	Miller,	Thompson,
Comer,	Holliday,	Mills,	Tomasick,
Cooley,	Holman,	Morley,	Tompkins,
Crossin,	Horst,	Mullen,	Trusio,
Curwood,	Irviss,	Munley,	Ujobal,
Davis,	Isaacs,	Murphy,	Varnar,
Dengler,	Jenkins,	Musto,	Verona,
Dennison,	Jim,	Needham,	Wall,
Donaldson,	Johnson, A. W.,	O'Donnell, J. A.,	Walsh,
Dougherty,	Johnson, R. P.,	O'Donnell, J. P.,	Wargo,
Doughten,	Jones,	Odoriso,	Weldner,
Down,	Kamyk,	Ogilvie,	Welsh,
Edwards,	Kelser,	Parlante,	Wescott,
Elvey,	Kelly,	Pashley,	Whittaker,
Eshleman,	Kernaghan,	Perry,	Willard,
Ewing,	Kessler,	Petrosky,	Willaredt,
Farabaugh,	King,	Piper,	Williams, A. D.,
Ellberg,	Kistler,	Polaski,	Williams, E. S.,
Filo,	Klein,	Polen,	Wilt,
Fineman,	Knecht,	Pursley,	Yetter,
Flynn,	Krocker,	Reibman,	Zember,
Foerster,	Kornick,	Renwick,	Zimmerman,
Frascella,	Kramer,	Rovansek,	Andrews,
Fry,	Lamb,	Royer,	Speaker
Fulmer,	Lawson,	Rubin,	
Gallagher,			

## NAYS—12

Ashton,	Fox,	McCandless,	O'Dell,
Auker,	Korns,	McCormack,	Stiteler,
Foor,	Magee,	Merry,	Worley,

## NOT VOTING—10

Eshback,	Galley,	Monroe,	Price,
Fetterolf,	Mihm,	Murray,	Reidenbach,
		Prendergast,	Riley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 832, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing payments for liquor and malt or brewed beverages with checks and drafts on banks banking institutions trust companies and similar depositories penalizing the issuance of worthless checks by certain licensees and requiring reports of such checks to the board.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—177

Adams,	Fox,	Kramer,	Renwick,
Anderson, J. H.,	Fulmer,	Lamb,	Rovansek,
Anderson, S. A.,	Gallagher,	Lawson,	Royer,
Arlene,	Gelfand,	Lee, A. M.,	Rubin,

Ashton,	George,	Lee, K. B.,	Rudisill,
Auker,	Gibb,	Leonard,	Rutherford,
Bachman,	Gibbons,	Lippincott,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jas.,	Schaaf,
Blair,	Goodrich,	Long, Wm. Jos.,	Schuster,
Boles,	Gramlich,	Lutty,	Seltzer,
Bonner,	Gray,	Magee,	Shelton,
Bossert,	Gremminger,	Manbeck,	Sherman,
Bower,	Gross,	Markley,	Simmons,
Bowman,	Guesman,	Marsh,	Slack,
Branca,	Guthrie,	Maxwell,	Snare,
Breth,	Hamilton,	May,	Stank,
Buchanan,	Hankins,	McCandless,	Steckel,
Bush,	Hartley,	McCann,	Stimmel,
Capano,	Haudenshield,	McCormack,	Stone,
Cauley,	Heavey,	McDevitt,	Strausser,
Cianfrani,	Heffner,	McDonald,	Sullivan, J. A.,
Cioffi,	Helm,	McInroy,	Sullivan, T. F.,
Clarke,	Henzel,	McKeever,	Taylor,
Comer,	Hocker,	McLaughlin,	Thompson,
Cooley,	Holliday,	McNally,	Tomasick,
Crossin,	Holman,	Merry,	Trusio,
Curwood,	Horst,	Miller,	Ujobal,
Davis,	Irviss,	Mills,	Varnar,
Dengler,	Isaacs,	Morley,	Verona,
Dennison,	Jenkins,	Mullen,	Walsh,
Donaldson,	Jim,	Munley,	Wargo,
Dougherty,	Johnson, A. W.,	Murphy,	Weldner,
Doughten,	Johnson, R. P.,	Needham,	Welsh,
Down,	Jones,	O'Dell,	Wescott,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Whittaker,
Elvey,	Kelser,	O'Donnell, J. P.,	Willard,
Eshleman,	Kelly,	Odoriso,	Willaredt,
Ewing,	Kernaghan,	Parlante,	Williams, A. D.,
Farabaugh,	Kessler,	Pashley,	Williams, E. S.,
Filo,	King,	Perry,	Wilt,
Fineman,	Kistler,	Petrosky,	Yetter,
Flynn,	Klein,	Piper,	Zember,
Foerster,	Knecht,	Polaski,	Zimmerman,
Foor,	Kornick,	Polen,	Andrews,
		Pursley,	Speaker

## NAYS—10

Edwards,	Kooker,	Ogilvie,	Wall,
Goldstein, M. H.,	Korns,	Stiteler,	Wood,
		Tompkins,	Worley,

## NOT VOTING—19

Capitolo,	Fry,	Monroe,	Reibman,
Eshback,	Galley,	Murray,	Reidenbach,
Fetterolf,	Limper,	Musto,	Riley,
Frascella,	Meholchick,	Prendergast,	Sakulsky,
	Mihm,	Price,	Shupnik,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1048, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the procedure for the revocation and suspension of licenses.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Adams,	George,	Lee, K. B.,	Rudisill,
Anderson, J. H.,	Gibb,	Leonard,	Rutherford,
Anderson, S. A.,	Gibbons,	Lippincott,	Sakulsky,
Arlene,	Goldstein, M. H.,	Long, Wm. Jas.,	Scarcelli,
Ashton,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Auker,	Goodrich,	Lutty,	Schuster,
Bachman,	Gramlich,	Magee,	Seltzer,
Backenstoe,	Gray,	Manbeck,	Shelton,
Blair,	Gremminger,	Marsh,	Sherman,
Boles,	Gross,	Maxwell,	Shupnik,



Bonner,	Guesman,	May,	Simmons,
Bossert,	Guthrie,	McCandless,	Slack,
Bower,	Hamilton,	McCann,	Snare,
Bowman,	Hankins,	McCormack,	Stank,
Branca,	Hartley,	McDevitt,	Steckel,
Breth,	Haudenshield,	McDonald,	Stimmel,
Buchanan,	Heavey,	McInroy,	Stiteler,
Bush,	Heffner,	McKeever,	Stone,
Capano,	Helm,	McLaughlin,	Strausser,
Cauley,	Henzel,	McNally,	Sullivan, J. A.,
Cianfrani,	Hocker,	Meholchick,	Sullivan, T. F.,
Cioffi,	Holliday,	Merry,	Taylor,
Clarke,	Holman,	Miller,	Thompson,
Comer,	Horst,	Mills,	Tomasck,
Cooley,	Irvis,	Morley,	Tompkins,
Crossin,	Isaacs,	Mullen,	Trusto,
Curwood,	Jenkins,	Munley,	Ujobal,
Davis,	Jim,	Murphy,	Varner,
Dengler,	Johnson, A. W.,	Musto,	Verona,
Dennison,	Johnson, R. P.,	Needham,	Walsh,
Donaldson,	Jones,	O'Dell,	Wargo,
Dougherty,	Kamyk,	O'Donnell, J. A.,	Weldner,
Doughten,	Kelser,	O'Donnell, J. P.,	Welsh,
Down,	Kelly,	Odorisio,	Wescott,
Ellberg,	Kernaghan,	Ogilvie,	Whittaker,
Elvey,	Kessler,	Parlante,	Williams, A. D.,
Eshleman,	King,	Pashley,	Williams, E. S.,
Ewing,	Kistler,	Perry,	Wilt,
Farabaugh,	Klein,	Petrosky,	Wood,
Filo,	Knecht,	Piper,	Worley,
Fineman,	Kooker,	Polaski,	Yetter,
Flynn,	Kornick,	Polen,	Zember,
Foerster,	Korns,	Pursley,	Zimmerman,
Fox,	Kramer,	Reibman,	Andrews,
Fulmer,	Lamb,	Renwick,	Speaker
Gallagher,	Lawson,	Rovanssek,	
Gelfand,	Lee, A. M.,	Royer,	

## NAYS—3

Edwards,	Poor,	Wall,
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## NOT VOTING—17

Capitolo,	Fry,	Mihm,	Price,
Eshback,	Galley,	Monroe,	Reidenbach,
Fetterolf,	Limper,	Murray,	Riley,
Frascella,	Markley,	Prendergast,	Rubin,
			Willaredt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1136, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3 acres more or less of land situate in Somerset Township Somerset County.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Adams,	Galley,	Lamb,	Royer,
Anderson, J. H.,	Gallagher,	Lawson,	Rubin,
Anderson, S. A.,	Gelfand,	Lee, A. M.,	Rudisill,
Arlene,	George,	Lee, K. B.,	Rutherford,
Ashton,	Gibb,	Leonard,	Sakulsky,
Auker,	Gibbons,	Lippincott,	Scarcelli,
Bachman,	Goldstein, M. H.,	Long, Wm. Jas.,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Schuster,
Blair,	Goodrich,	Lutty,	Seltzer,
Bonner,	Gramlich,	Manbeck,	Shelton,
Bossert,	Gray,	Markley,	Sherman,
Bower,	Gremminger,	Marsh,	Simmons,
Bowman,	Gross,	Maxwell,	Slack,
Branca,	Guesman,	May,	Snare,
Breth,	Guthrie,	McCandless,	Stank,

Buchanan,	Hamilton,	McCann,	Steckel,
Bush,	Hankins,	McCormack,	Stimmel,
Capano,	Hartley,	McDevitt,	Stiteler,
Capitolo,	Haudenshield,	McDonald,	Stone,
Cauley,	Heavey,	McInroy,	Strausser,
Cianfrani,	Heffner,	McKeever,	Sullivan, J. A.,
Cioffi,	Helm,	McLaughlin,	Sullivan, T. F.,
Clarke,	Henzel,	McNally,	Taylor,
Comer,	Hocker,	Meholchick,	Thompson,
Cooley,	Holliday,	Merry,	Tomasck,
Crossin,	Holman,	Miller,	Tompkins,
Curwood,	Horst,	Mills,	Trusto,
Davis,	Irvis,	Morley,	Ujobal,
Dengler,	Isaacs,	Mullen,	Varner,
Dennison,	Jenkins,	Munley,	Verona,
Donaldson,	Jim,	Murphy,	Wall,
Dougherty,	Johnson, A. W.,	Musto,	Walsh,
Doughten,	Johnson, R. P.,	Needham,	Wargo,
Down,	Jones,	O'Donnell, J. A.,	Weldner,
Edwards,	Kamyk,	O'Donnell, J. P.,	Welsh,
Ellberg,	Kelser,	Odorisio,	Wescott,
Elvey,	Kelly,	Ogilvie,	Whittaker,
Eshleman,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Pashley,	Williams, A. D.,
Farabaugh,	King,	Perry,	Williams, E. S.,
Filo,	Kistler,	Petrosky,	Wilt,
Fineman,	Klein,	Piper,	Wood,
Flynn,	Knecht,	Polaski,	Worley,
Foerster,	Kooker,	Polen,	Yetter,
Foor,	Kornick,	Pursley,	Zember,
Fox,	Korns,	Reibman,	Zimmerman,
Fulmer,	Kramer,	Renwick,	Andrews,
		Rovanssek,	Speaker

## NAYS—2

Magee,	O'Dell,
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## NOT VOTING—15

Boies,	Fry,	Murray,	Riley,
Eshback,	Limper,	Prendergast,	Shupnik,
Fetterolf,	Mihm,	Price,	Willaredt,
Frascella,	Monroe,	Reidenbach,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1146, entitled:

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third class" increasing license fees.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—169

Anderson, S. A.,	Gallagher,	Leonard,	Scarcelli,
Arlene,	Gelfand,	Lippincott,	Schaaf,
Ashton,	George,	Long, Wm. Jas.,	Schuster,
Auker,	Gibb,	Long, Wm. Jos.,	Seltzer,
Bachman,	Goldstein, J. H.,	Lutty,	Shelton,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Sherman,
Blair,	Goodrich,	Markley,	Shupnik,
Boies,	Gray,	Marsh,	Simmons,
Bonner,	Gremminger,	Maxwell,	Slack,
Bower,	Guesman,	May,	Snare,
Bowman,	Guthrie,	McCann,	Stank,
Branca,	Hamilton,	McCormack,	Steckel,
Breth,	Hankins,	McDevitt,	Stimmel,
Capano,	Hartley,	McDonald,	Stiteler,
Capitolo,	Haudenshield,	McInroy,	Stone,
Cauley,	Heavey,	McKeever,	Strausser,
Cianfrani,	Heffner,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Helm,	McNally,	Sullivan, T. F.,
Clarke,	Henzel,	Meholchick,	Taylor,

Comer,	Hocker,	Miller,	Thompson,
Cooley,	Holliday,	Mills,	Tomaschik,
Crossin,	Irvis,	Morley,	Tompkins,
Curwood,	Isaacs,	Mullen,	Trusio,
Davis,	Jim,	Munley,	Ujobai,
Dengler,	Johnson, R. P.,	Murphy,	Varner,
Dennison,	Johnson, A. W.,	Musto,	Verona,
Donaldson,	Jones,	O'Donnell, J. A.,	Wall,
Dougherty,	Kamyk,	Odoriso,	Walsh,
Doughten,	Kelly,	Ogilvie,	Wargo,
Down,	Kernaghan,	Parlante,	Weidner,
Ellberg,	Kessler,	Pashley,	Welsh,
Eshleman,	Kelser,	Perry,	Wescott,
Ewing,	Klein,	Petrosky,	Willard,
Farabaugh,	Knecht,	Piper,	Willaredt,
Filo,	Kooker,	Polaski,	Williams, A. D.,
Fineman,	Kornick,	Polen,	Williams, E. S.,
Flynn,	Korns,	Reibman,	Wilt,
Foerster,	Kramer,	Renwick,	Wood,
Foor,	Lamb,	Rovansek,	Yetter,
Fox,	Lawson,	Rubin,	Zember,
Fulmer,	Lee, A. M.,	Rudisill,	Zimmerman,
Galley,	Lee, K. B.,	Rutherford,	Andrews,
		Sakulsky,	<b>Speaker</b>

## NAYS—23

Adams,	Elvey,	Jenkins,	O'Dell,
Anderson, J. H.,	Gibbons,	King,	O'Donnell, J. P.,
Bossert,	Gramlich,	Kistler,	Pursley,
Buchanan,	Gross,	Magee,	Whittaker,
Bush,	Holman,	McCandless,	Worley,
Edwards,	Horst,	Merry,	

## NOT VOTING—14

Eshback,	Fry,	Monroe,	Price,
Fetterolf,	Limper,	Murray,	Reidenbach,
Frascella,	Mihm,	Needham,	Riley,
		Prendergast,	Royer,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1169, entitled:

An Act amending the act of May 29, 1956 (P. L. 1803), entitled "An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth \* \* \*" further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YAS—191

Adams,	Galley,	Lee, A. M.,	Rudisill,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Rutherford,
Anderson, S. A.,	Gelfand,	Leonard,	Sakulsky,
Arlene,	George,	Lippincott,	Scarcelli,
Ashton,	Gibb,	Long, Wm. Jas.,	Schaaf,
Auker,	Gibbons,	Long, Wm. Jos.,	Schuster,
Bachman,	Goldstein, J. H.,	Lutty,	Seltzer,
Backenstoe,	Goldstein, M. H.,	Magee,	Shelton,
Blair,	Gramlich,	Manbeck,	Sherman,
Boles,	Gray,	Markley,	Shupnik,
Bonner,	Gremminger,	Marsh,	Simmons,
Bossert,	Gross,	Maxwell,	Slack,
Bower,	Guesman,	May,	Snare,
Bowman,	Guthrie,	McCandless,	Stank,
Branca,	Hamilton,	McCann,	Steckel,
Breth,	Hankins,	McCormack,	Stimmel,
Buchanan,	Hartley,	McDevitt,	Stiteler,
Bush,	Haudenschild,	McDonald,	Stone,
Capano,	Heavey,	McInroy,	Strausser,
Capitolo,	Heffner,	McKeever,	Sullivan, J. A.,

Cauley,	Helm,	McLaughlin,	Sullivan, T. F.,
Cianfrani,	Henzel,	McNally,	Taylor,
Cioffi,	Hocker,	Meholchick,	Thompson,
Clarke,	Holliday,	Merry,	Tomaschik,
Comer,	Holman,	Miller,	Tompkins,
Cooley,	Horst,	Mills,	Trusio,
Crossin,	Irvis,	Morley,	Ujobai,
Curwood,	Isaacs,	Mullen,	Varner,
Davis,	Jenkins,	Munley,	Verona,
Dengler,	Jim,	Murphy,	Wall,
Dennison,	Johnson, A. W.,	Musto,	Walsh,
Donaldson,	Johnson, R. P.,	Needham,	Wargo,
Dougherty,	Jones,	O'Donnell, J. A.,	Weidner,
Doughten,	Kamyk,	O'Donnell, J. P.,	Welsh,
Down,	Kelser,	Odoriso,	Wescott,
Edwards,	Kelly,	Ogilvie,	Whittaker,
Ellberg,	Kernaghan,	Parlante,	Willard,
Elvey,	Kessler,	Pashley,	Willaredt,
Eshleman,	King,	Perry,	Williams, A. D.,
Ewing,	Kistler,	Petrosky,	Williams, E. S.,
Farabaugh,	Klein,	Piper,	Wilt,
Filo,	Knecht,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Worley,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Korns,	Reibman,	Zember,
Foor,	Kramer,	Renwick,	Zimmerman,
Fox,	Lamb,	Rovansek,	Andrews,
Fulmer,	Lawson,	Rubin,	<b>Speaker</b>

## NAYS—2

Goodrich, O'Dell,

## NOT VOTING—13

Eshback,	Limper,	Murray,	Reidenbach,
Fetterolf,	Mihm,	Prendergast,	Riley,
Frascella,	Monroe,	Price,	Royer,
Fry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1216, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the General Fund and certain funds and subsequent transfers of equal sums between such funds and making appropriations necessary to effect such transfers.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—93

Anderson, S. A.,	Galley,	Lutty,	Rubin,
Arlene,	Gallagher,	Maxwell,	Rudisill,
Bachman,	Gelfand,	McCormack,	Sakulsky,
Boles,	Gray,	McDevitt,	Scarcelli,
Bonner,	Gremminger,	McDonald,	Schaaf,
Branca,	Guesman,	McKeever,	Schuster,
Buchanan,	Hamilton,	McLaughlin,	Shelton,
Capano,	Hankins,	McNally,	Sherman,
Capitolo,	Hartley,	Meholchick,	Shupnik,
	Heavey,	Mills,	Stank,
	Irvis,	Morley,	Stone,
	Jenkins,	Mullen,	Sullivan, J. A.,
	Jim,	Munley,	Sullivan, T. F.,
	Jones,	Musto,	Taylor,
	Kamyk,	Needham,	Tomaschik,
	Kelly,	O'Donnell, J. A.,	Trusio,
	Klein,		Verona,
	Kornick,	Pashley,	Walsh,
	Kramer,	Perry,	Wargo,
	Lamb,	Polaski,	Welsh,
	Lawson,	Reibman,	Yetter,
	Leonard,	Renwick,	Andrews,
	Long, Wm. Jas.,	Rovansek,	<b>Speaker</b>
	Long, Wm. Jos.,		



## NAYS—97

Adams,	Gibb,	Kooker,	Rutherford,
Anderson, J. H.	Gibbons,	Korns,	Seltzer,
Ashton,	Goldstein, J. H.,	Lee, A. M.,	Simmons,
Auker,	Goldstein, M. H.,	Lee, K. B.,	Slack,
Backenstoe,	Gramlich,	Lippincott,	Snare,
Blair,	Gross,	Magee,	Steckel,
Bossert,	Guthrie,	Manbeck,	Stimmel,
Bower,	Haudenshield,	Markley,	Strausser,
Bowman,	Hefner,	Marsh,	Thompson,
Breth,	Helm,	May,	Ujosal,
Bush,	Henzel,	McCandless,	Varnar,
Davis,	Hocker,	McCann,	Wall,
Dengler,	Holliday,	McInroy,	Weidner,
Dennison,	Holman,	Merry,	Wescott,
Donaldson,	Horst,	Miller,	Whittaker,
Dougherty,	Isaacs,	Murphy,	Willard,
Down,	Johnson, A. W.,	O'Dell,	Willaredt,
Edwards,	Johnson, R. P.,	Odorisio,	Williams, A. D.,
Elvey,	Kelser,	Ogilvie,	Williams, E. S.,
Eshleman,	Kernaghan,	Petrosky,	Wilt,
Ewing,	Kessler,	Piper,	Wood,
Foor,	King,	Polen,	Worley,
Fox,	Kistler,	Pursley,	Zember,
Fulmer,	Knecht,	Royer,	Zimmerman,
George,			

## NOT VOTING—16

Eshback,	Goodrich,	Murray,	Reidenbach,
Fetterolf,	Limper,	O'Donnell, J. P.,	Riley,
Frascella,	Mihm,	Prendergast,	Stiteler,
Fry,	Monroe,	Price,	Tompkins,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

## BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN

The House resumed the consideration on final passage of House bill No. 1121, entitled:

An Act repealing the act of May 26, 1949 (P. L. 1846), entitled, "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office."

On the question recurring,  
Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. KORN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KORN. asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, first to fourth lines of title, by striking out all of said lines and inserting:

Amending the act of May 26, 1949 (P. L. 1846), entitled, "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," further regulating the salary of mine inspectors.

Amend Sec. 1, page 1, lines 1 and 2; page 2, lines 1 and 2, by striking out all of said lines and inserting:

Section 1. Section 1, act of May 26, 1949 (P. L. 1846), entitled, "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines

and the expenses incident to their office," amended October 24, 1955 (P. L. 743), is amended to read:

Section 1. The salary of mine inspectors under the jurisdiction of the Department of Mines and Mineral Industries of this Commonwealth shall be [eight thousand five hundred dollars (\$8,500)] nine thousand six hundred dollars (\$9,600) per annum, together with the necessary expenses incidental to the performance of their duties under the law, which money shall be paid in the manner now provided by law.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Somerset, Mr. Korn, to speak on these amendments.

Mr. KORN. Mr. Speaker, these amendments do two things: Number one, they retain the right of the legislature to set salaries of the mine inspectors; number two, they raise the salaries of mine inspectors by \$1,100.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I rise to oppose the amendments on two basic grounds.

In 1959 this legislature passed an act increasing the salaries of mine inspectors and the said act was vetoed. In 1960 and 1961 the Department of Mines and Mineral Industries called all of the bituminous mine inspectors of this Commonwealth together in a meeting here at Harrisburg. In that meeting the mine inspectors themselves voted to support the bill as it now is, in which the mine inspectors properly would be placed under the executive branch, or under the Secretary of Mines and Mineral Industries, for the purpose of salaries. This amendment, if it should carry, will automatically carry a direct veto and I will oppose the bill.

Since the bill was agreed to by those involved, all the bituminous mine inspectors in this Commonwealth, I urge the membership of this House to oppose the amendments offered by the gentleman from Somerset, Mr. Korn, so that we may vote on the bill as agreed to.

Mr. KORN. Mr. Speaker, I ask for a roll call.

The SPEAKER. For what purpose does the gentleman from Cambria, Mr. Rovanske, rise?

Mr. ROVANSEK. Mr. Speaker, I rise to speak against the amendments.

The SPEAKER. The gentleman is in order.

Mr. ROVANSEK. Mr. Speaker, had I known in the Committee of Mines and Mineral Industries that there were going to be amendments inserted in this bill, we would never have brought this bill out of committee. This is a direct insult to the committee. The majority were present and agreed with the bureau of mines that the bill be brought out the way it is now. I have to voice my objections to this amendment.

Mr. McCANN. Mr. Speaker, may I say, of course, that under parliamentary procedure any member of this House has the right to offer amendments to a bill. It was my understanding that the amendments would not be offered, but I am ready for a roll call and agree to a roll call on the amendments.

The SPEAKER. For what purpose does the gentleman from Schuylkill, Mr. Knecht, rise?

Mr. KNECHT. Mr. Speaker, I would like to interrogate the majority leader.

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. KNECHT. Mr. Speaker, the majority leader stated that a meeting of the bituminous mine inspectors was held, but he made no mention of the anthracite mine inspectors. I just wanted to ask him if the wishes of the anthracite mine inspectors were inquired into.

Mr. McCANN. Mr. Speaker, I will correct my statement, since I am from bituminous. A meeting was held of all the mine inspectors in the Department of Mines. I am from the bituminous region and, when we voted on 1121 originally and it fell in this House, I was informed by my own mine inspectors in my own county that they had participated in the meeting in which the Secretary of Mines presented to all the mine inspectors this proposition, and they, in turn, evidently voted for and chose this. I should not have said all mine inspectors. I was only in contact with the Department of Mines' Mr. Evans as to the meeting. I was in contact with the mine inspectors in the bituminous mining industry as to their direct participation in the meeting.

Mr. KNECHT. Your answer, then, is that both the bituminous and the anthracite mine inspectors have approved this bill?

Mr. McCANN. It is, sir. They were both in that meeting.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. KORNS and McCANN and were as follows:

#### YEAS—90

Adams,	Gibb,	Korns,	Snare,
Anderson, J. H.	Gibbons,	Lee, A. M.,	Steckel,
Ashton,	Goldstein, J. H.,	Lee, K. B.,	Stimmel,
Auker,	Goodrich,	Lippincott,	Stiteler,
Backenstoe,	Gramlich,	Magee,	Strausser,
Blair,	Gross,	Manbeck,	Thompson,
Bossert,	Guthrie,	Markley,	Tompkins,
Bower,	Haudenschild,	Marsh,	Ujobai,
Bowman,	Heffner,	May,	Varnier,
Buchanan,	Helm,	McCandless,	Wall,
Bush,	Henzel,	McInroy,	Weidner,
Davis,	Hocker,	Merry,	Wescott,
Dennison,	Holman,	O'Dell,	Whittaker,
Donaldson,	Isaacs,	Odorisio,	Willard,
Down,	Johnson, A. W.,	Ogilvie,	Willaredt,
Edwards,	Johnson, R. P.,	Piper,	Williams, A. D.,
Elvey,	Keiser,	Pursley,	Williams, E. S.,
Eshleman,	Kernaghan,	Royer,	Wilt,
Ewing,	Kessler,	Rutherford,	Wood,
Foor,	King,	Seltzer,	Worley,
Fox,	Kistler,	Simmons,	Zember,
Fulmer,	Knecht,	Slack,	Zimmerman,
George,	Kooker,		

#### NAYS—104

Anderson, S. A.,	Frascella,	Long, Wm. Jas.,	Polaski,
Arlene,	Galley,	Long, Wm. Jos.,	Polen,
Bachman	Gallagher,	Lutty,	Reibman,
Boles,	Gelfand,	Maxwell,	Renwick,
Bonner,	Goldstein, M. H.,	McCann,	Rowansek,
Branca,	Gray,	McCormack,	Rudisill,
Breth,	Gremminger,	McDevitt,	Sakulsky,
Capano,	Guesman,	McDonald,	Scarcelli,
Capitolo,	Hankins,	McKeever,	Schaaf,
Cauley,	Hartley,	McLaughlin,	Schuster,
Cianfrani,	Heavey,	McNally,	Shelton,
Cioffi,	Holliday,	Meholchick,	Sherman,
Clarke,	Horst,	Miller,	Shupnik,
Comer,	Irvis,	Mills,	Stank,
Cooley,	Jenkins,	Morley,	Stone,
Crossin,	Jim,	Mullen,	Sullivan, J. A.,
Curwood,	Jones,	Munley,	Sullivan, T. F.,
Dengler,	Kamyk,	Murphy,	Taylor,
Dougherty,	Kelly,	Musto,	Tomasick,

Doughten,  
Ellberg,  
Farabaugh,  
Fillo,  
Fineman,  
Flynn,  
Foerster,

Klein,  
Kornick,  
Kramer,  
Lamb,  
Lawson,  
Leonard,  
Limper,

Needham,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Parlante,  
Pashley,  
Perry,  
Petrosky,

Trusio,  
Verona,  
Walsh,  
Wargo,  
Welsh,  
Yetter,  
Andrews,  
Speaker

#### NOT VOTING—12

Eshback,  
Fetterolf,  
Fry,

Hamilton,  
Mihm,  
Monroe,

Murray,  
Prendergast,  
Price,

Reidenbach,  
Riley,  
Rubin,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HEFFNER. Mr. Speaker, I rise to oppose this bill. I oppose it on the principle that today, by passing it, we will be surrendering more of our legislative power to the executive branch of government. I think it is a poor excuse to pass a bill for the reason that a group of mine inspectors met in Harrisburg and told the Secretary of Mines and the mining industry in Pennsylvania that we would rather be under the executive branch of government. That is why I oppose this bill.

We have demonstrated in the past that we can set the salaries of the inspectors in our mining industry, and I believe from things that I see going on on Capitol Hill that it would be much better for members of the legislature to keep the control of these mine inspectors right where it has belonged for many years, here in the legislative branch of government.

That is why I oppose this bill, and I do not think any group of individuals should take it away from us.

Mr. KORNICK. Mr. Speaker, I rise to speak in favor of the bill. Not only the mine inspectors, but the coal industry, the people themselves, are in favor of this bill. You have the same law in bill 1222, which revised the entire coal mining code. Therefore, this is an agreement or understanding between industry, labor and departments. You just passed here about a week ago legislation giving the mine inspectors and first-aid instructors the same privilege. Therefore, I cannot see you pass two bills that try to kill another one. After all, this is an agreement or understanding reached by industry, labor and departments, so I would ask all the members on both sides of the House to vote for this bill.

Mr. ROVANSEK. Mr. Speaker, I have been working in the coal mines for nearly 32 years and I believe, for the information of the members, that since a certain segment of the industry has agreed that this bill should be passed in its original form so that we would have more efficient inspection of our mines and that people would be more competent under the supervision of the Secretary of Mines, who is the sole custodian of those laws, therefore, I am in support of this bill the way it is and I ask a favorable vote on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



YEAS—126

Anderson, S. A.,	Foerster,	Limper,	Reibman,
Arlene,	Frascella,	Long, Wm. Jas.,	Renwick,
Bachman	Galley,	Long, Wm. Jos.,	Rovansek,
Boles,	Gallagher,	Lutty,	Rubin,
Bonner,	Gelfand,	Marsh,	Rudisill,
Bower,	Gibb,	Maxwell,	Sakulsky,
Branca,	Goldstein, M. H.,	McCann,	Scarcell,
Breth,	Gray,	McCormack,	Schaaf,
Buchanan,	Gremminger,	McDevitt,	Schuster,
Capano,	Guesman,	McDonald,	Shelton,
Capitolo,	Hamilton,	McKeever,	Sherman,
Cauley,	Hankins,	McLaughlin,	Shupnik,
Cianfrani,	Hartley,	McNally,	Simmons,
Clofi,	Haudenshield,	Meholchick,	Snare,
Clarke,	Heavey,	Miller,	Stank,
Comer,	Holliday,	Mills,	Stiteler,
Cooley,	Irvls,	Morley,	Stone,
Crossin,	Jenkins,	Mullen,	Sullivan, J. A.,
Curwood,	Jim,	Munley,	Sullivan, T. F.,
Dengler,	Jones,	Murphy,	Taylor,
Dennison,	Kamyk,	Musto,	Thompson,
Donaldson,	Kelly,	Needham,	Tomascik,
Dougherty,	Kessler,	O'Donnell, J. A.,	Varner,
Doughten,	Klein,	O'Donnell, J. P.,	Verona,
Down,	Knecht,	Parlante,	Wall,
Edwards,	Kooker,	Perry,	Walsh,
Ellberg,	Kornick,	Petrosky,	Wargo,
Ewing,	Korns,	Piper,	Welsh,
Farabaugh,	Kramer,	Polaski,	Wilt,
Filo,	Lamb,	Polen,	Yetter,
Fineman,	Lawson,	Pursley,	Andrews,
Flynn,	Leonard,		Speaker

NAYS—69

Adams,	Gramlich,	Lee, K. B.,	Steckel,
Anderson, J. H.	Gross,	Lippincott,	Stimmel,
Ashton,	Guthrie,	Magee,	Strausser,
Auker,	Heffner,	Manbeck,	Tompkins,
Backenstoe,	Helm,	Markley,	Trusio,
Blair,	Henzel,	May,	Ujobal,
Bossert,	Hocker,	McCandless,	Weldner,
Bowman,	Holman,	McInroy,	Wescott,
Bush,	Horst,	Merry,	Whittaker,
Davis,	Isaacs,	O'Dell,	Willard,
Elvey,	Johnson, A. W.,	Odorisio,	Willaredt,
Eshleman,	Johnson, R. P.,	Ogilvie,	Williams, A. D.,
Foor,	Kelser,	Pashley,	Williams, E. S.,
Fox,	Kernaghan,	Royer,	Wood,
Fulmer,	King,	Rutherford,	Worley,
Gibbons,	Kistler,	Seltzer,	Zember,
Goldstein, J. H.,	Lee, A. M.,	Slack,	Zimmerman,
Goodrich,			

NOT VOTING—11

Eshback,	George,	Murray,	Reidenbach,
Fetterolf,	Mihm,	Prendergast,	Riley,
Fry,	Monroe,	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 985, printer's No. 1575, on page 8 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1172, printer's No. 1319, and House bill No. 1185, printer's No. 1332, on page 9 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 188, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050), requiring taxing bodies to pay commissions and expenses to tax collectors within a stated time.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—112

Anderson, S. A.,	Frascella,	Long, Wm. Jas.,	Polen,
Arlene,	Fry,	Long, Wm. Jos.,	Reibman,
Auker,	Gallagher,	Lutty,	Renwick,
Bachman	Gelfand,	Marsh,	Rovansek,
Boles,	Gray,	Maxwell,	Rubin,
Bonner,	Gremminger,	McCann,	Rudisill,
Branca,	Guesman,	McCormack,	Sakulsky,
Breth,	Hamilton,	McDevitt,	Scarcell,
Capano,	Hankins,	McDonald,	Schaaf,
Capitolo,	Hartley,	McKeever,	Schuster,
Cauley,	Heavey,	McLaughlin,	Shelton,
Cianfrani,	Irvls,	McNally,	Sherman,
Clofi,	Isaacs,	Meholchick,	Shupnik,
Clarke,	Jenkins,	Mills,	Snare,
Comer,	Jones,	Morley,	Stank,
Cooley,	Kamyk,	Mullen,	Stone,
Crossin,	Kelly,	Munley,	Sullivan, J. A.,
Curwood,	Kernaghan,	Murphy,	Sullivan, T. F.,
Dengler,	King,	Musto,	Taylor,
Dougherty,	Klein,	Needham,	Tomascik,
Doughten,	Knecht,	O'Donnell, J. A.,	Trusio,
Down,	Kornick,	O'Donnell, J. P.,	Verona,
Ellberg,	Kramer,	Odorisio,	Walsh,
Farabaugh,	Lamb,	Parlante,	Wargo,
Filo,	Lawson,	Pashley,	Welsh,
Fineman,	Leonard,	Perry,	Yetter,
Flynn,	Limper,	Petrosky,	Zimmerman,
Foerster,	Lippincott,	Polaski,	Andrews,
			Speaker

NAYS—83

Adams,	George,	Kistler,	Steckel,
Anderson, J. H.	Gibb,	Kooker,	Stimmel,
Ashton,	Gibbons,	Korns,	Stiteler,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Strausser,
Blair,	Goldstein, M. H.,	Lee, K. B.,	Thompson,
Bossert,	Goodrich,	Magee,	Tompkins,
Bower,	Gramlich,	Manbeck,	Ujobal,
Bowman,	Gross,	Markley,	Varner,
Buchanan,	Guthrie,	May,	Wall,
Bush,	Haudenshield,	McCandless,	Weldner,
Davis,	Heffner,	McInroy,	Wescott,
Dennison,	Helm,	Merry,	Whittaker,
Donaldson,	Henzel,	Miller,	Willard,
Edwards,	Hocker,	O'Dell,	Willaredt,
Elvey,	Holliday,	Ogilvie,	Williams, A. D.,
Eshleman,	Holman,	Piper,	Williams, E. S.,
Ewing,	Horst,	Pursley,	Wilt,
Foor,	Johnson, A. W.,	Rutherford,	Wood,
Fox,	Johnson, R. P.,	Seltzer,	Worley,
Fulmer,	Kelser,	Simmons,	Zember,
Galley,	Kessler,	Slack,	

NOT VOTING—11

Eshback,	Mihm,	Prendergast,	Riley,
Fetterolf,	Monroe,	Price,	Royer,
Jim,	Murray,	Reidenbach,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 216, entitled:

An Act to define, license and regulate resident and non-

resident auctioneers and apprentice auctioneers in this Commonwealth and revising, consolidating and making the law uniform thereto creating the State Auctioneers Commission \*\*\* and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Messrs. McCANDLESS and ZIMMERMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 6, page 6, line 16, by inserting after "Instruction": except that such license need not be obtained by any person conducting an auction or sale at auction of the equipment, livestock, household goods and real property of an individual farm or the household goods and real property of an individual home or household.

On the question,

Will the House agree to the amendment?

Mr. VERONA. Mr. Speaker, I rise to oppose these amendments and I ask for a roll call.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. McCandless.

Mr. McCANDLESS. Mr. Speaker, I ask that the members of this House support these amendments for this reason: This bill, in its original form, I think, is a violation of the rights of an individual. If these amendments are not put in, it is not a good bill. I ask the support of these amendments because we have been passing a lot of bills that take away the individual rights and freedoms of our people, and I think that these amendments are reasonable and right. We need this amendment.

Mr. BOIES. Mr. Speaker, I oppose the amendments to this bill, because it is the same old argument we have every time we try to license anybody, or control anybody, by legislation, we are imposing on individual rights, we are doing this and that and the other thing. The bill as it is presented is a good bill, and on its merits I ask the members of the House to support it, because this amendment is strictly introduced to destroy the bill, and for no other reason.

Mr. O'DELL. I should like to interrogate Mr. Verona.

The SPEAKER. Will the gentleman from Northampton, Mr. Verona, permit himself to be interrogated?

Mr. VERONA. I shall, Mr. Speaker.

Mr. O'DELL. Mr. Speaker, this is really a lengthy bill and I admit that I have not read the bill. I should like to ask a question. As I announced last week, I happen to be a retail jeweler. If I wished to close out my business and conduct my own auction sale in my own store, could I do so under this bill?

Mr. VERONA. No, sir.

Mr. O'DELL. I would be prohibited from conducting my own auction?

Mr. VERONA. Yes, sir.

The SPEAKER. For what purpose does the gentleman from Westmoreland, Dr. Maxwell, rise?

Mr. MAXWELL. Mr. Speaker, we are not debating the bill.

The SPEAKER. The question we have before the House is on these particular amendments.

Mr. O'DELL. I believe the amendments, as I understand them, would give that right to the particular individual, to the farmer, or to the merchant to conduct his own auction.

The SPEAKER. The Chair is inclined to believe that

the question asked is basic and fundamental in determining an attitude on the amendments.

Mr. O'DELL. Mr. Speaker, I understand that these amendments would put into the bill the fundamental right of every American to conduct his own auction.

The SPEAKER. The gentleman asked a simple question which, in the opinion of the Chair, should be answered yes or no. It is vital to the point at issue.

Mr. O'DELL. Well, then, the answer is yes; these amendments would give that right to the individual?

The SPEAKER. The Chair is not answering. I say the question can be answered yes or no. I mean not to lead to any debate.

Mr. O'DELL. Well, Mr. Speaker, I do not wish to pursue the matter, but I would like an answer to the question, do these amendments give the right to the individual to conduct his own auction? Perhaps Mr. McCandless would answer that.

Mr. VERONA. I answered the question, Mr. Speaker, the amendments would give him the right to conduct —

Mr. O'DELL. Let me get this right, the amendments as offered by Mr. McCandless would give me or any merchant or individual the right to conduct his own auction sale?

Mr. VERONA. That is right, sir.

Mr. O'DELL. Well, then, I will ask members on both sides of the House to vote for these amendments.

Mr. BOIES. All I want to do, Mr. Speaker, is reiterate the statement, that if you are going to license people to do something under the State law, what is the sense of passing a license bill if you are going to allow anybody to do it? Now this amendment is simply introduced to wreck the bill, and I ask the members to vote against it.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, I think that the membership of this House should not be confused by the proposition which my good friend and colleague, Mr. O'Dell, presents. I think that, specifically, when you are auctioning off goods, you are not dealing in the ordinary course of business. I question whether Mr. O'Dell would, in his judgment, participate in the auctioning of his own goods. I am sure that he would not. I think the danger inherent in any auction is that you have almost a promiscuous sale of goods, the origin of which is uncertain. And, therefore, I think that this bill is a good piece of legislation and these amendments will strip it of its really good purpose.

Mr. McCANDLESS. Mr. Speaker, I just want to say that what I have heard from proponents of this bill as to what the intention of the bill is, it certainly is not in line with what these amendments would prevent. I would say that if I wanted to have a sale on my farm and I am capable of doing the auctioneering, I do not want a bill in here that is going to prevent me from doing it. I am capable of auctioneering my own stuff off, too.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. O'Dell.

Mr. O'DELL. Mr. Speaker, still speaking on the amendments, Mr. Verona, would you tell me—the gentleman from Erie, Mr. Schaaf, said I might not be competent to auction off my own business—would you have to hire a professional auctioneer to auction off church boxes at a church social?

How far does this go—taking away our rights?



Mr. VERONA. No, providing he does not get paid for the auctioning.

Mr. O'DELL. How about a volunteer fireman auctioning off articles at the fire hall?

Mr. VERONA. If the auctioneer does not receive pay, no.

Mr. O'DELL. I am not talking about an auctioneer; I am talking about an individual.

Mr. VERONA. No, an auctioneer should conduct the auction.

Mr. O'DELL. An auctioneer does the auctioning?

Suppose a fire company that I belong to has a few items to sell to raise money and we do not want to pay an auctioneer?

Mr. VERONA. The auctioneer would naturally do that free of charge for all charitable organizations.

Mr. O'DELL. That would be quite a departure from regular procedure.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. VERONA and TRUSIO and were as follows:

## YEAS—103

Adams,	Fox,	Kistler,	Rudisill,
Anderson, J. H.,	Fulmer,	Knecht,	Rutherford,
Ashton,	George,	Kooker,	Seltzer,
Auker,	Gibb,	Korns,	Slack,
Backenstoe,	Gibbons,	Lee, A. M.,	Snare,
Blair,	Goldstein, J. H.,	Lee, K. B.,	Steckel,
Bonner,	Goodrich,	Lippincott,	Stimmel,
Bossert,	Gramlich,	Long, Wm. Jos.,	Stiteler,
Bower,	Gross,	Magee,	Strausser,
Bowman,	Guthrie,	Manbeck,	Thompson,
Breth,	Heffner,	Markley,	Tompkins,
Buchanan,	Helm,	Marsh,	Ujobal,
Bush,	Henzel,	May,	Varnier,
Capano,	Hocker,	McCandless,	Wall,
Davis,	Holliday,	McInroy,	Weldner,
Dengler,	Holman,	McNally,	Wescott,
Dennison,	Horst,	Merry,	Whittaker,
Donaldson,	Isaacs,	Miller,	Willard,
Down,	Jenkins,	O'Dell,	Willaredt,
Edwards,	Jim,	Odorisio,	Williams, A. D.,
Elvey,	Johnson, A. W.,	Ogilvie,	Williams, E. S.,
Eshleman,	Johnson, R. P.,	Piper,	Wood,
Ewing,	Kaiser,	Pursley,	Worley,
Farabaugh,	Kernaghan,	Renwick,	Zember,
Flynn,	Kessler,	Rovansek,	Zimmerman,
Foor,	King,	Royer,	

## NAYS—92

Anderson, S. A.,	Gelfand,	Maxwell,	Reibman,
Arlene,	Goldstein, M. H.,	McCann,	Rubin,
Bachman,	Gray,	McCormack,	Sakulsky,
Boles,	Gremminger,	McDevitt,	Scarcelli,
Branca,	Guesman,	McDonald,	Schaaf,
Capitolo,	Hamilton,	McKeever,	Schuster,
Cauley,	Hankins,	McLaughlin,	Shelton,
Cianfrani,	Hartley,	Meholchick,	Sherman,
Clarke,	Haudenshield,	Mills,	Shupnik,
Comer,	Heavey,	Morley,	Simmons,
Cooley,	Irvins,	Mullen,	Stank,
Crossin,	Jones,	Munley,	Stone,
Curwood,	Kamyk,	Murphy,	Sullivan, J. A.,
Dougherty,	Kelly,	Musto,	Sullivan, T. F.,
Doughten,	Klein,	Needham,	Taylor,
Ellberg,	Kornick,	O'Donnell, J. A.,	Tomasck,
Filo,	Kramer,	O'Donnell, J. P.,	Trusio,
Fineman,	Lamb,	Parlante,	Verona,
Foerster,	Lawson,	Pashley,	Wargo,
Fracella,	Leonard,	Perry,	Welsh,
Fry,	Limpier,	Petrosky,	Wilt,
Galley,	Long, Wm. Jas.,	Polaski,	Yetter,
Gallagher,	Lutty,	Polen,	Zember,
			Zimmerman,
			Andrews,
			Speaker

## NOT VOTING—11

Cloff,	Mihm,	Prendergast,	Riley,
Eshback,	Monroe,	Price,	Walsh,
Fetterolf,	Murray,	Reidenbach,	

So the question was determined in the affirmative and the amendments were agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 246, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death imposing additional taxes to equal Federal Estate Tax Credits \* \* \*.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—184

Adams,	Fry,	Lamb,	Rovansek,
Anderson, J. H.,	Fulmer,	Lawson,	Royer,
Anderson, S. A.,	Galley,	Lee, A. M.,	Rubin,
Arlene,	Gallagher,	Leonard,	Rudisill,
Ashton,	Gelfand,	Limpier,	Sakulsky,
Auker,	George,	Lippincott,	Scarcelli,
Bachman,	Gibbons,	Long, Wm. Jas.,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Schuster,
Boles,	Goldstein, M. H.,	Magee,	Seltzer,
Bonner,	Goodrich,	Markley,	Shelton,
Bossert,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Guthrie,	McCormack,	Stank,
Capano,	Hamilton,	McDevitt,	Steckel,
Capitolo,	Hankins,	McDonald,	Stimmel,
Cauley,	Hartley,	McInroy,	Stiteler,
Cianfrani,	Haudenshield,	McKeever,	Stone,
Cloff,	Heavey,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heffner,	McNally,	Sullivan, T. F.,
Comer,	Helm,	Meholchick,	Taylor,
Cooley,	Henzel,	Merry,	Thompson,
Crossin,	Holliday,	Miller,	Tomasck,
Curwood,	Holman,	Mills,	Tompkins,
Davis,	Horst,	Morley,	Trusio,
Dengler,	Irvins,	Mullen,	Ujobal,
Dennison,	Jenkins,	Munley,	Varnier,
Donaldson,	Jim,	Murphy,	Verona,
Dougherty,	Johnson, A. W.,	Musto,	Wall,
Doughten,	Johnson, R. P.,	Needham,	Walsh,
Down,	Jones,	O'Donnell, J. A.,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. P.,	Weldner,
Ellberg,	Kaiser,	Odorisio,	Welsh,
Elvey,	Kelly,	Ogilvie,	Wescott,
Eshleman,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Pashley,	Willaredt,
Farabaugh,	King,	Perry,	Williams, A. D.,
Filo,	Kistler,	Petrosky,	Williams, E. S.,
Fineman,	Klein,	Piper,	Wood,
Flynn,	Knecht,	Polaski,	Worley,
Foerster,	Kooker,	Polen,	Yetter,
Foor,	Kornick,	Pursley,	Zember,
Fox,	Korns,	Reibman,	Zimmerman,
Fracella,	Kramer,	Renwick,	Andrews,
			Speaker

## NAYS—11

Blair,	Isaacs,	O'Dell,	Whittaker,
Gibb,	Lee, K. B.,	Rutherford,	Wilt,
Hocker,	Manbeck,	Strausser,	

## NOT VOTING—11

Bower,	Lutty,	Murray,	Reidenbach,
Eshback,	Mihm,	Prendergast,	Riley,
Fetterolf,	Monroe,	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 351, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further regulating leaves of absence for presidents and faculty members of State Colleges.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—175

Adams,	Gelfand,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	George,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gibbons,	Leonard,	Rubin,
Arlene,	Goldstein, J. H.,	Limper,	Rudisill,
Ashton,	Goldstein, M. H.,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goodrich,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gramlich,	Lutty,	Scarcelli,
Bossert,	Gray,	Magee,	Schuster,
Bower,	Gremminger,	Manbeck,	Seltzer,
Bowman,	Guesman,	Markley,	Shelton,
Branca,	Guthrie,	Marsh,	Sherman,
Breth,	Hamilton,	Maxwell,	Shupnik,
Buchanan,	Hankins,	May,	Simmons,
Bush,	Hartley,	McCandless,	Slack,
Capano,	Haudenshield,	McCann,	Snare,
Capitolo,	Heavey,	McCormack,	Stank,
Cauley,	Heffner,	McDevitt,	Steckel,
Cianfrani,	Helm,	McDonald,	Stimmel,
Cioffi,	Henzel,	McInroy,	Stiteler,
Clarke,	Holliday,	McKeever,	Stone,
Comer,	Holman,	McLaughlin,	Sullivan, T. F.,
Cooley,	Horst,	McNally,	Taylor,
Crossin,	Iris,	Meholchick,	Thompson,
Curwood,	Isaacs,	Merry,	Trusto,
Davis,	Jenkins,	Mills,	Ujbal,
Dengler,	Jim,	Morley,	Varner,
Dennison,	Johnson, A. W.,	Mullen,	Verona,
Donaldson,	Johnson, R. P.,	Munley,	Wall,
Doughten,	Jones,	Murphy,	Walsh,
Down,	Kamyk,	Musto,	Wargo,
Elvey,	Kelly,	Needham,	Weldner,
Eshleman,	Kernaghan,	O'Dell,	Welsh,
Ewing,	Kessler,	O'Donnell, J. A.,	Wescott,
Farabaugh,	Kelser,	Odorisio,	Willard,
Filo,	King,	Ogilvie,	Willaredt,
Fineman,	Kistler,	Parlante,	Williams, A. D.,
Flynn,	Klein,	Pashley,	Williams, E. S.,
Foerster,	Knecht,	Petrosky,	Wood,
Foor,	Kooker,	Piper,	Worley,
Fox,	Kornick,	Polaski,	Yetter,
Fry,	Korns,	Polen,	Zemmer,
Fulmer,	Kramer,	Pursley,	Zimmerman,
Galley,	Lamb,	Reibman,	Andrews,
Gallagher,	Lawson,	Renwick,	Speaker

#### NAYS—13

Auker,	Hocker,	Schaaf,	Tompkins,
Edwards,	Lippincott,	Strausser,	Whittaker,
Gibb,	O'Donnell, J. P.,	Sullivan, J. A.,	Wilt,
Gross,			

#### NOT VOTING—18

Bachman,	Eshback,	Monroe,	Price,
Boles,	Fetterolf,	Murray,	Reidenbach,
Bonner,	Frascella,	Perry,	Riley,
Dougherty,	Mihm,	Prendergast,	Tomasclik,
Elberg,	Miller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 524, entitled:

An Act authorizing the taking and use of notes by jurors during any trial.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. FINEMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

#### BILL PASSED OVER

There being no objection

House bill No. 577, printer's No. 622

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 667, entitled:

An Act requiring the Department of Forests and Waters to issue camping permits for camping in State parks and providing for the term thereof.

On the question,

Will the House agree to the bill on third reading?

Mr. MURPHY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, second line of Title, by inserting after "term" and renewal

Amend Sec. 1, page 2, line 1 by striking out "shall" and inserting: may

Amend Sec. 1, page 2, line 2 by inserting after "thereof" but not more than twenty per centum of available camping area and facilities in each park shall be made available for renewal applicants.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

Mr. AUKER. Mr. Speaker, I would like to have a word on these amendments. I had been pressing my button to be recognized before they were passed.

The SPEAKER. The chair will always retreat when the gentleman from Blair attacks. We will recognize the gentleman from Blair, Mr. Auker.

Mr. AUKER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask the gentleman what these amendments do? Many of us are very vitally interested in this bill one way or the other.

The SPEAKER. Will the sponsor of the amendments consent to be interrogated by the gentleman from Blair?

Mr. MURPHY. Yes, Mr. Speaker, I shall.

Mr. AUKER. I would just like to ask the gentleman



what these amendments purport to do, how they change the bill?

Mr. MURPHY. Mr. Speaker, I would like to inform the gentleman from Blair that I am glad he is interested in this bill.

Mr. Speaker, by these amendments I am attempting to remove an objectionable portion of the bill. Right now it would permit the entire camping area to be used by renewable applicants. This is objected to by the Secretary of Forests and Waters. I am, therefore, limiting the amount of space that may be used by renewable applicants to, (1) residents of Pennsylvania, and, (2) to 20 percent of the available camping space available in each State park.

Mr. AUKER. May I ask the gentleman, Mr. Speaker, if these amendments have been cleared with the department? I am in favor of these amendments, but I would just like to know if they have been cleared with the department?

Mr. MURPHY. Mr. Speaker, I have not cleared any of my legislation or amendments with any departments, administrative or otherwise, at this session.

Mr. AUKER. Mr. Speaker, then, so that we can clear the record, as I understand the gentleman's amendments, they will limit the camping permits, and that means permits to camp in these State parks, for the entire season that the parks are open to, first, residents of Pennsylvania, and, second, that only such seasonable camping permits will be available to 20 percent of the entire park area. Is that correct?

Mr. MURPHY. That is correct, Mr. Speaker.

Mr. AUKER. That is all, Mr. Speaker. I thank the gentleman.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to call to the attention of the members that they are not sending sufficient copies of the amendments to the desk. Eight copies are required, and, when they send less, it ties up the mechanism here on the desk. I have instructed the reading clerk to be very careful when the amendments are sent up to see that there are eight copies. We cannot consider the amendments at all unless there are eight copies with which to deal.

Mr. A. W. JOHNSON. Mr. Speaker.

The SPEAKER. The chair recognizes the minority leader.

Mr. A. W. JOHNSON. I believe the members have only been receiving eight copies and by the time they give a copy to Mr. McCann and myself that only leaves them six. I believe the reference bureau and the various agencies should be notified to make ten copies of all amendments so there will be eight copies left.

The SPEAKER. It also would be a good idea to get ten because maybe once in a while the newspaper gang wants a peep at what is going on. I would not know. They are never very curious about important things, but minor matters they might want to investigate.

Mr. A. W. JOHNSON. Mr. Speaker, they have been peeping a little bit too much lately.

The SPEAKER. No, they just fish in mud puddles; they do not fish in the lake.

The Chair requests the gentleman from Armstrong, Mr. Helm, to preside.

Mr. HELM IN THE CHAIR

#### BILLS ON THIRD READING

##### BILL PASSED OVER

There being no objection,

House bill No. 680, printer's No. 745, was passed over at the request of the SPEAKER pro tempore.

Mr. HAMILTON IN THE CHAIR

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 942, entitled:

An Act amending the act of March 20, 1810 (P. L. 208), entitled, "An act to amend and consolidate with its Supplements the Act entitled 'An act for the recovery of debts and demands not exceeding one hundred dollars \* \* \*'", providing for service of writs issued for violations of municipal ordinances by any justice by registered or certified mail.

On the question,

Will the House agree to the bill on third reading?

Mr. SHERMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, sixth line of Title, by inserting after "justice": or in cities of the first class, by any magistrate

Amend Title, page 1, last line of Title, by inserting after "any": justice's or

Amend Sec. 1 (Sec. II), page 3, line 4, by striking out "justice" and inserting: magistrate in any city of the first class.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended? ..

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1220, entitled:

An Act amending the act of October 21, 1959 (P. L. 1345), entitled, "An act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey 153.91 acres more or less of land in Bensalem Township, Bucks County \*\*\*", authorizing the conveyance of four appur-

tenant easements; authorizing the sale of less than all of the said tracts \*\*\*.

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, will the gentleman from Bucks, Mr. Gallagher, permit himself to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Gallagher, permit himself to be interrogated?

Mr. GALLAGHER. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. Will the gentleman inform the Speaker whether or not we passed a bill similar to this in the 1959 session?

Mr. GALLAGHER. Yes, we did.

Mr. A. D. WILLIAMS, Jr. Was that bill signed by the Governor?

Mr. GALLAGHER. I believe it fell in the Senate.

Mr. A. D. WILLIAMS, Jr. Did the gentleman say the bill fell in the Senate?

Mr. GALLAGHER. That is my understanding.

Mr. A. D. WILLIAMS, Jr. I believe the gentleman is incorrect. He will find that this bill has been signed into law by the Governor.

However, does the gentleman know whether or not a deed or deeds have been executed between the Commonwealth and the Pennsylvania Turnpike Commission as a result of that act in 1959?

Mr. GALLAGHER. No, I do not know.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, before I interrogate the gentleman from Bucks any further, perhaps I have the wrong man. Does the gentleman know the purpose of House bill 1220?

Mr. GALLAGHER. Yes, I do.

Mr. A. D. WILLIAMS, Jr. Would the gentleman tell me the purpose of House bill 1220?

Mr. GALLAGHER. Mr. Speaker, it exchanges properties from one department to another in the Commonwealth and it is tied into a package with the bill, as I believe was passed today, allowing the sale of land in Somerset County.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I understood the gentleman to say this bill authorizes the transfer of land between two separate departments of this Commonwealth. I would appreciate it if the gentleman would tell me what those two departments are.

Mr. GALLAGHER. If the gentleman will allow me to get the bill, I will read it.

Mr. A. D. WILLIAMS, Jr. Please do.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, would the gentleman care to interrogate me about the bill?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would be very happy to, if Mr. Gallagher will relinquish his position at this point.

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Gallagher, yield to the majority leader?

Mr. GALLAGHER. I shall, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, do I understand that the majority leader has a different answer to the last question I put to the gentleman from Bucks?

Mr. McCANN. Mr. Speaker, I am going to be rather frank. The gentleman knows the answer to each one of those questions. He met with the Pennsylvania Turnpike Commission and the Deputy Attorney General of this Commonwealth. The gentleman knows why the act that was passed two years ago could not be signed. If the gentleman does not want this act passed concerning Bucks County and Somerset County, he can say so and we will vote "no" now.

Mr. A. D. WILLIAMS, Jr. I would like to say that I do not want this act passed. I have discussed the matter with the gentlemen from Somerset County. I realize that the purpose for Somerset County is a laudable purpose, that they intend to convey certain land presently owned not by the Commonwealth of Pennsylvania but owned by the Pennsylvania Turnpike Commission, a separate body which is not responsible to this House, not responsible to the citizens of Pennsylvania, but only to its bondholders. They desire to obtain certain land in Somerset County. They are going to use it for a good purpose and that makes sense to me. However, that land can be purchased from the turnpike commission and I think that is the proper way to approach this.

I will accept the majority leader's suggestion that this bill not be passed, and I would ask everyone to so vote, if there is a vote on this bill. If there is no vote, if it is just going back into committee, that is fine.

I would, however, like to have the opportunity to explain my reasons for this position.

Number one, this bill was passed and I think all of us, or most of us—well, I will say all of us—were derelict who were here in 1959 not to realize the great disparity in the value of the land that was being conveyed in my county of Bucks to the turnpike commission in exchange for State land. This is not an exchange between departments. All too often we have what I term "swaps" between departments. This was not such, and this bill is not such. This is an exchange between the Commonwealth, let us call that the taxpayers, and the turnpike commission, and let us call that the bondholders, because there is a difference. We were exchanging far more value of State-owned land in Bucks County for far less value of land in Somerset County. This was a disservice to the taxpayers of Pennsylvania.

I wish to compliment and commend the Attorney General of the Commonwealth of Pennsylvania for realizing this great disparity. I wish to point out that, although the Attorney General realized the disparity, her memorandum either arrived at the Governor's office too late or it was disregarded by the Governor because, despite that memorandum, the bill was signed in 1959.

Now, I would like to point out several other things. This land in Bucks County is worth thousands and thousands of dollars. It is at the intersection of U. S. 1, the major north-south highway in the eastern part of Pennsylvania, and its intersection with the Pennsylvania turnpike. Recent sales of land in that area have indicated values as high as \$25,000 per acre. There is a four-acre tract included within this bill, which I believe and am informed by members—let up put it this way, employees



of the turnpike commission—is valued at \$100,000 for these four acres. I am reliably informed by a member of this House from Somerset County that the entire 109 acres in Somerset County has probably a maximum value of \$40,000. I would like to point out that for the Commonwealth of Pennsylvania to sell or dispose of excess land to the public, or to anyone who is interested in purchasing it, it requires, as I understand, an act of this House. So there is scrutiny of any land transaction between the State of Pennsylvania and any private citizen.

However, this does not hold true for transactions between the Pennsylvania Turnpike Commission and a private citizen. The turnpike commission is *sui generis*; it is a thing unto itself; it is unlike any other thing, as a matter of fact, in Pennsylvania. It is much like an authority, but it is not exactly like an authority. It can sell at public sale, it can sell at private sale, it can sell on negotiated bid, it can sell any way it likes.

I would like to point out that this land in Bensalem Township adjoins—I do not say it is the same land, but it adjoins and abuts upon one of the proposed sites for a harness racing track. I would like to point out that the Pennsylvania Turnpike Commission at this time has 5,000 acres of excess land which could, and I think should, be sold to interested people so that it can be put back on the tax rolls of Pennsylvania.

I think we are fortunate in that we have discovered that an act of this House was, in my opinion, an erroneous act in 1959. I think we can remedy that by not passing House bill 1220. I assume in the absence of the passage of this bill that this transaction, which is an unfair transaction, between the Commonwealth of Pennsylvania and the Pennsylvania Turnpike Commission will not go through. I thank the majority leader for stating that we will not pass this bill.

Mr. McCANN. Mr. Speaker, could I interrogate the gentleman from Somerset County, Mr. Stiteler?

The SPEAKER pro tempore. Will the gentleman from Somerset, Mr. Stiteler, permit himself to be interrogated?

Mr. STITELER. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Somerset, Mr. Stiteler, tell me if he is in favor of this transaction as far as Somerset County is concerned?

Mr. STITELER. I am.

Mr. McCANN. Is the gentleman in favor of the intention for which the land is to be used in Somerset County?

Mr. STITELER. Yes, sir.

Mr. McCANN. Will the gentleman tell this House what the plans are for Somerset County regarding this ground?

Mr. STITELER. In that connection, I would defer to Mr. Korns who is more familiar with it than I am.

Mr. McCANN. I am sorry, I did not know which legislative district or area.

May I ask Mr. Korns of Somerset, Mr. Speaker?

The SPEAKER pro tempore. Will the gentleman from Somerset, Mr. Stiteler, yield to the gentleman from Somerset, Mr. Korns?

Mr. STITELER. I will, sir.

The SPEAKER pro tempore. Will the gentleman from Somerset, Mr. Korns, permit himself to be interrogated?

Mr. KORN. I shall, Mr. Speaker.

Mr. McCANN. Mr. Korns, will you inform the House of the intended use of this ground in Somerset County and if you are in favor of this program.

Mr. KORN. I am very much in favor of this program.

No. 1, this bill passed the House and Senate in the last session and was signed by the Governor. The Secretary of Commerce formally met with the industrial development council of Somerset County and presented them with the land. However, when we inquired about a deed to this land, the justice department ruled that there shall be certain amendments to the existing law.

Mr. McCANN. Mr. Speaker, will the gentleman inform the House if this is not an industrial development in Somerset County by which they hope to bring additional industry into Somerset County?

Mr. KORN. It is.

Mr. McCANN. In the opinion of the gentleman would this land be valued far greater in its potential use in the end than possibly could be realized for acreage at this point?

Mr. KORN. Mr. Speaker, the bulk of this land as it is now is dormant. It is used for no purpose at all. Some of it is now being used for pasture by the Department of Welfare for the Somerset State mental institution, but it is not necessary.

Mr. McCANN. I would like to ask the gentleman one final question. The Bucks County delegation, or Mr. Williams, opposes the passage of this bill. The gentleman from the Democratic side, Mr. Gallagher, believes it should be done for the purpose of completing this transaction. I am going to ask you people to vote on the bill and if you desire to vote "aye," you will vote "aye" in support of the measure. The reason I would like to get it completed is because it is my understanding that through the conferences held by the Secretary of Commerce, Mr. Davlin, the Attorney General, the industrial development group from Somerset County, in addition to the Pennsylvania Turnpike Commission's legal counsel and other parties involved, this had been agreed to for this purpose even though the land is valuable, as the gentleman from Bucks indicates. Does the gentleman contend that is correct?

Mr. KORN. I contend that is correct, Mr. Speaker, and I would add this: As I understand it, portions of this land in Bucks County are now being occupied by the Pennsylvania turnpike; I think it is the cloverleaf down there in Bucks County.

Mr. McCANN. A portion of it?

Mr. KORN. Yes, sir.

Mr. McCANN. I thank the gentleman, Mr. Speaker.

Mr. Speaker, may I interrogate the gentleman from Bucks, Mr. Williams?

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Williams, permit himself to be interrogated?

Mr. A. D. WILLIAMS, Jr. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, did the gentleman have any knowledge of this transaction on this particular House bill since 1959?

Mr. A. D. WILLIAMS, Jr. Not until one week ago when this bill first came out on the House calendar this year.

Mr. McCANN. Was the gentleman aware of the legislation that passed this House in 1959 which enacted similar provisions dealing with this land?

Mr. A. D. WILLIAMS, Jr. I was, as a freshman Representative, aware that there was a transfer between the Welfare Department of the Commonwealth of Pennsylvania of certain land in Bucks County, together with small acreage in Somerset County, in return for a relatively large acreage in Somerset County. This bill appeared on

the House calendar. I did not understand it. I did not, at that time, have the insight or the ability to figure the thing out, but I did have the presence of mind to vote against the bill.

Mr. McCANN. Mr. Speaker, I would like to ask the gentleman from Bucks County if he did vote against the bill?

Mr. A. D. WILLIAMS, Jr. I did, and I believe it will be found that the lady from Bucks also voted against the bill.

Mr. McCANN. I would like to ask the gentleman if he is aware of any meetings which were held with proper representatives of Bucks County, dealing with this problem?

Mr. A. D. WILLIAMS, Jr. I am unaware of those meetings, Mr. Speaker.

Mr. McCANN. Mr. Speaker, I thank the gentleman.

Mr. Speaker, on House bill 1220, printer's No. 1393, this piece of legislation does not have a deep interest either to us as a party or to you as a party, but the sole purpose, as I understand it, deals with Somerset County trying to accomplish this industrial development area, and for that reason I have stated that I would vote for this bill. I intend to fulfill that promise because I told the gentlemen from Somerset County and also, I believe, Mr. Johnson, that on this bill there were a series of conferences from 1959, or 1960, rather, to 1961, and even though the land is of value in Bucks County, there is no question about its value—it is good land, and very valuable—but I believe the gentleman voted against this measure in 1959 and is opposing it today, which is the same piece of land, and for that reason, I was wondering if he was going to change his vote. He indicates he is not. This House passed it before, and I am going to call for a roll call and let him have the privilege of voting "no."

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, perhaps my ears are getting bad, but how many other people heard the majority leader earlier say we were not going to pass House bill 1220? In any event, I would now like to speak further on this bill. I hate to take the time of the House. I spoke briefly before because I understood from the majority leader that we were not going to vote on this bill.

I would like to point out that I am in favor of industrial development in Pennsylvania. I discussed this matter with both Representatives from Somerset County. I have been advised by one of them that the entire 109 acres in Somerset County have an approximate value of \$40,000. If we want to promote industrial development in Somerset County, certainly the county authority, the industrial development corporations they have, or are, I assume, setting up, can purchase this land from the turnpike commission for a reasonable, fair market price. I think it is ridiculous to use that argument to say this is a good or necessary bill.

I would like to point out to the gentleman from Somerset County and to this House that the turnpike commission has 15 tracts of available land in Somerset County, five or six of those tracts exceeding 100 acres in size; the one here in question is 109 acres. If that land is truthfully worth \$40,000 as presently owned by the turnpike commission, how can we, as members of this House, in good conscience, exchange that land, take that land in exchange from the turnpike commission for 153 acres of land in Bucks County at the intersection of U. S. 1 and the turnpike, as I have described? I do not think you ever have to set foot

in Bucks County to know the potential value of that land. I have told you that four acres of that 153 acres is worth \$100,000, according to an employee of the Pennsylvania Turnpike Commission. It is true, as the gentleman from Somerset, Mr. Korn, has stated, that a large portion of these 153 acres is presently used and occupied by the turnpike. It is a cloverleaf interchange. It is the site of two restaurants or service areas on both sides of the turnpike. However, there is an excess area of from 30 to 50 acres which is not presently used by the turnpike, which is considered excess land by the turnpike, and which has a value, I would say, in the hundreds of thousands of dollars. I do not see how you can say that because the land in Somerset County is going to be used for a good purpose, industrial development, that that makes this a fair exchange between the taxpayers and the holders of turnpike commission bonds. That is the only issue. Is this a fair deal for the taxpayers of Pennsylvania?

I would just like to cite a few examples of values.

A tract of land across U. S. 1 from the four acres I said was worth \$100,000 was sold recently for \$67,000 and is on the market for \$125,000. Land just across the road on the other side of the turnpike within several hundred yards of this land was sold for the erection of a motel for \$123,000.

I think it perfectly obvious that if this bill passes this will clear the record to enable the deed between the Turnpike Commission and the Commonwealth to be recorded. If this bill fails of passage, this deal will be stopped. I think we are lucky to have a second shot at this transaction. The Attorney General has, in effect, called it to our attention by putting this bill into the House, and I think that now I have more knowledge than I had in '59, and certainly now that you have more knowledge than you had in '59, it behooves us to wake up and vote in the best interest of the taxpayer.

I would like to have you look at the bill. If you are interested enough to look at page 10 of the bill, you will see that, as a result of the Attorney General's objections to this bill, there is provision for the appointment of three appraisers to appraise the land in Bucks County and the land in Somerset County. This must be a fairly big job because they are authorized to be paid \$350 each. Now I ask you, are these three appraisers going to be three realtors from Bucks County? If they are, they will be familiar with the value of Bucks County land, but will they be familiar with the value of land in Somerset County, in the western part of the State? Or, if they are appointed from Somerset County, how can they possibly know the value of land in Bucks County?

Second, if you will look at the very last line, line 20 on page 10, you will see that the appraisers are directed by this proposed bill to calculate the value of this land, not as of 1959 when this act became law, not as of 1961 when we are considering this bill, but as of the first day of June 1952, before the boom in lower Bucks County. There may be reasons for that as far as the land being actually used by the turnpike. That was the day, I think, when they condemned the land for the turnpike, and I think that argument has validity there. That argument has no validity in regard to this excess 30 or 40 acres of land.

This is a bad piece of legislation. It is taking tax-



payers' money and giving it to the bondholders of the Pennsylvania turnpike. It is not necessary. The land needed in Somerset County for industrial development can certainly be obtained by purchase from the turnpike commission, or from the exchange of an equal value of State land for the turnpike land. This is an exchange of unequal values. It is unfair to the Commonwealth. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Will the gentleman from Bucks, Mr. Williams, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Williams, permit himself to be interrogated?

Mr. A. D. WILLIAMS, Jr. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Who has title to the Bucks County land?

Mr. A. D. WILLIAMS, Jr. The Commonwealth of Pennsylvania. It is held for the use of the Department of Welfare. The land was originally conveyed to the Commonwealth by the Friends' Hospital.

Mr. M. H. GOLDSTEIN. Who has title to the Somerset County land?

Mr. A. D. WILLIAMS, Jr. The Pennsylvania Turnpike Commission, an authority not responsible to the taxpayers of Pennsylvania or the legislators of Pennsylvania.

Mr. M. H. GOLDSTEIN. If we desire to sell the Bucks County land directly, you must have an act of the legislature, is that correct?

Mr. A. D. WILLIAMS, Jr. That is right, Mr. Speaker. You would have the right to vote yes or no on such a bill and the taxpayers of Pennsylvania would be protected, I would assume, by the action of this House and the other body.

Mr. M. H. GOLDSTEIN. Then, if we have such an act, we would know the name of the purchaser, would we not?

Mr. A. D. WILLIAMS, Jr. We certainly would. We would know the name of the purchaser.

Mr. M. H. GOLDSTEIN. Now you raise a very intriguing and interesting question. This particular tract of land adjoins a proposed race track site in either Philadelphia or Bucks County, is that correct?

Mr. A. D. WILLIAMS, Jr. It adjoins a proposed race track site that I think is entirely in the county of Bucks. It adjoins a road known as Richelieu Road, and one of the proposed harness racing track sites is on the opposite side of this road.

Mr. M. H. GOLDSTEIN. This land could be used as a parking site, could it not?

Mr. A. W. WILLIAMS, Jr. I do not know what its potential use is, but I do know that its potential value is going up each day.

Mr. M. H. GOLDSTEIN. Under the turnpike law is it legal for the turnpike to either sell the land or lease the land by decision of the turnpike commissioners, if they see fit, without any public hearings or scrutiny?

Mr. A. D. WILLIAMS, Jr. I think the gentleman knows the answer better than I. I know that the turnpike commission can sell the land. I am not aware whether they have the authority to lease it.

Mr. M. H. GOLDSTEIN. That is all, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. I thank the gentleman for the interrogation.

Mr. M. H. GOLDSTEIN. Mr. Speaker, there seems to be more than meets the eye in this transaction. There

is an old saying, when you have an exchange of real estate, somebody is going to get "hooked." In this particular case it seems to me as though the taxpayers or the Commonwealth of Pennsylvania are going to be "hooked," because we are giving cheap land in Somerset County and turning it over to the bondholders of the turnpike commission. Of course, 50 years from now it will all come out the same in the wash. But I would like to know, since the majority leader is so firm and so keenly aware of what the use of the land in Somerset County is going to be, would he be able to make a commitment as to what the future use of the land in Bucks County is going to be?

I, therefore, ask him that question.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN, I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Do you have any idea as to the use or non-use of the land in Bucks County?

Mr. McCANN. Mr. Speaker, I do not have knowledge of the use of the land after it becomes turnpike commission property.

But I want to clear one point emphatically. Some place in here there continues to be the insinuation that this is a part of a race-track deal. There is nothing involved in this situation pertaining to that. Many years ago this House, or the General State Authority, purchased land in the county of Bucks, I believe, for a potential hospital site. This is that land, owned by the Commonwealth of Pennsylvania or the Department of Welfare, whichever would be proper.

The land in Somerset County is owned by the Pennsylvania Turnpike Commission. The exchange of land was worked out. Now, they keep bringing up that this is a potential site for a race track. I ask those people who bring that up to emphatically say that such is the site, and was the site, and who may originate such a site. Certainly, there are groups who want to develop race tracks in some areas. I do not deny that. But this has nothing to do in any way with any of those conferences, nor is it something behind-the-scenes. This was an effort to work the matter out so the Somerset County industrial group would be able to complete their industrial program and secure the necessary deed, because, unless they do, I believe they are stopped by other laws dealing with the finances.

Mr. M. H. GOLDSTEIN. Mr. Speaker, we have had a great many words from the majority leader but nothing that would give me any light.

I would say, if the majority leader is so uncertain as to the future use of this land, he would not object to having the bill laid upon the table and then an amendment placed in the bill to provide that this land can never be used, that is, the land in Bucks County, by lease or otherwise, by any race-track association.

Mr. Speaker, I, therefore, move that the bill be placed upon the table.

The SPEAKER pro tempore. Will the gentleman yield with his motion until we have completed the interrogation and the debate?

Mr. M. H. GOLDSTEIN. Mr. Speaker, I am insisting upon the motion at the proper time.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I want it clear that I am not implying that this land is for a race-track site and I do not think I have previously so implied. I have stated a fact: it adjoins a tract which is proposed as a harness-racing site—period.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, this act passed this House before there was ever the so-called harness-racing legislation enacted. There were no potential sites any place in this Commonwealth. There was no law concerning it, and it is the same land and the same agreement. The gentleman is quite well aware that the entire Turnpike is operated by the bondholders. He knows that. He knows that you can pass many laws here, or attempt to, and those laws are null and void and would not stand up in court, because until the bonds are paid . . . He is an attorney and he can advise me better than the others can on that very issue. You could not put in any stipulation as to lease—and I am not trying to duck the issue. If you do not want to help Somerset County as to the Commonwealth's land and the Department of Welfare, they are the ones that are in the bind, and considerably so, because, under the new Federal legislation, in the development of an industrial site in the act just signed by the President of the United States they can develop this land, secure loans at the United States Government rate up to 65 percent for the roads, sewerage, and other items in developing this park. But until they have the deed, they cannot meet the qualifications for borrowing money in any bank in this Commonwealth. Even though they would attempt to build, they could not move in the next step under the PIDA program. It is Somerset County that is in the tough situation because at these conferences of better than three years they were able to work this out. And today there creeps in here this very item that it is a potential race track, which it is not. When we acted upon it two years ago, it was not even thought of in any manner.

I say to you people that I would prefer to vote the bill. I have no objections if you think you can resolve your problem by putting it on the table but you have not resolved it in the conferences that have been held for over three years, and Somerset County is the one that will have to wait and never move on that project as they hope to.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, I would like to interrogate the gentleman from Bucks, Mr. Williams.

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Williams, permit himself to be interrogated?

Mr. A. D. WILLIAMS, Jr. I shall, Mr. Speaker.

Mr. GELFAND. Mr. Speaker, it is the gentleman's contention that by virtue of the transaction proposed in this legislation Somerset County will be getting land, or there will be an exchange of land by the Commonwealth to the turnpike, which is far greater in value, so far as the turnpike commission is concerned, than that which the turnpike is giving up. Is that not so?

Mr. A. D. WILLIAMS, Jr. That is correct. The turnpike is giving up land worth \$40,000, approximately, and the

Commonwealth is giving land worth—I do not know how much—in excess of hundreds of thousands of dollars.

Mr. GELFAND. I would presume in your examination of this legislation you read it from one end to the other and all four points of the document?

Mr. A. D. WILLIAMS, Jr. I am aware . . . Well, I will let the gentleman ask his question and then I will answer it.

Mr. GELFAND. The gentleman read it in full and in its entirety, I presume?

Mr. A. D. WILLIAMS, Jr. I certainly hope so.

Mr. GELFAND. Mr. Speaker, if you will pick up the legislation proposed and begin on line 4 of page 11—do you have the legislation?

Mr. A. D. WILLIAMS, Jr. Yes, that is the section of the bill where there is supposed to be a cash contribution for the difference.

Mr. GELFAND. Will the gentleman kindly read beginning with the word "if" on line 4, page 11 of the bill?

Mr. A. D. WILLIAMS, Jr. Yes. "If as a result of the exchange contemplated by this act either party would obtain land easements or interest therein of greater value than the other party as determined by the appraisers the former party shall compensate the latter party in money for any such difference in value."

Mr. GELFAND. That is exactly the point of the legislation, Mr. Speaker. If you read the whole document to the end, you will note that it specifically provides that if, as a result of the exchange contemplated by this act, either party would obtain an interest of greater value than the other party as determined by the appraisers, the former party shall compensate the latter party in money for any such difference in value.

Therefore, the bill itself provides that if anybody exchanges, or either party exchanges, something of greater value it shall be compensated. I think it answers the question in itself and, therefore, the legislation should be passed.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would like to point out to the House and to the gentleman from Philadelphia, Mr. Gelfand, that the appraisers are instructed to set the value as of June 1, 1952. I think that date is the reason why, even with this provision, it is still not a fair transaction to the taxpayer.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Bucks, Mr. Williams.

The SPEAKER pro tempore. Will the gentleman from Bucks, permit himself to be interrogated?

Mr. A. D. WILLIAMS, Jr. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Bucks, Mr. Williams, tell me if he knows the name of Mr. Gordon Exley, III?

Mr. A. D. WILLIAMS, Jr. Yes, sir, I do.

Mr. McCANN. What is his title?

Mr. A. D. WILLIAMS, Jr. Director of the industrial development corporation of Bucks County.

Mr. McCANN. Does he serve in that capacity at the present time?

Mr. A. D. WILLIAMS, Jr. Yes, sir.

Mr. McCANN. If I were to say to you that the sole



purpose of that last sentence in there is simply because this ground is to go to the Bucks County industrial development program to be sold to them at that figure so they can develop it, not for a race track, but for industrial development that was agreed to, and the principal presented, including the name that I present on this floor, what would you say?

Mr. A. D. WILLIAMS, Jr. I would say, Mr. Speaker, that the gentleman has to be in error, at least partially, because this land is unsuitable for industrial development at one site. It is a prime commercial location; it is a location for a motel. The interior land over near Richelieu Road does have road access, and I think it might be a good industrial site.

I am once again saying that its value to the taxpayer is the important thing. I do not care whether Bucks County industrial corporation is getting it. If we do, we should pay fair value for it, or make some sort of an agreement so that eventually fair value is paid to the taxpayer for it. If this were true, it is about time that this House was apprized of that fact.

Mr. McCANN. Mr. Speaker, I, of course, would say to the gentleman—and I am hesitant in sayings things which I go over in conference, and I am briefed in one day on many things, this land that is to go to the turnpike, a part of that land is to be sold to the Bucks County industrial development group headed by that executive director. There is no race track intended, as he keeps insinuating. For that reason the whole transaction benefits both Somerset County, the Commonwealth of Pennsylvania, and the Bucks County industrial development group.

Mr. A. D. WILLIAMS, Jr. I would like to point out, Mr. Speaker, that I have not once insinuated this was a race-track site, and I do not know who the gentleman is referring to, but it better not be me because I have not and I am not intending to do that.

Mr. McCANN. Mr. Speaker, I will call for a roll call on the bill. I have given the facts and I ask that you support the bill.

The SPEAKER pro tempore. The gentleman from Allegheny has placed a motion before the House.

Mr. M. H. GOLDSTEIN. Mr. Speaker, before I do that, I want to answer a statement made by the majority leader, Mr. McCann, as to the law.

The majority leader has stated that it is illegal for a conveyance to be made to the turnpike commission where there is restriction as to use. That is not the law whatsoever. We can convey land to the turnpike commission and not in derogation of any bond or mortgage and provide that the land may be used for a specific purpose. Therefore, my original contention that it might be used for a purpose which I do not desire is correct.

Now, I asked Mr. McCann, heretofore what was the purpose for which it was to be used? He was in the dark then. Now he states it may be used by the Bucks County redevelopment organization, the industrial redevelopment organization or some similar body. Therefore, I would like to have in the record a statement to that effect, so the people who make a responsible promise to the taxpayers and citizens of the Commonwealth will be able to look back at the record and see whether the people violated their word.

On the question recurring,  
Shall the bill pass finally?

### BILL POSTPONED

Mr. M. H. GOLDSTEIN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The question is on the motion. Does the gentleman desire to be recognized on the motion?

Mr. McCANN. The roll call will be agreed to. I ask that they oppose the motion made by the gentleman from Allegheny, Mr. M. H. Goldstein.

On the question recurring,

Will the House agree to the motion?

The years and days were required by Messrs. M. H. GOLDSTEIN and A. D. WILLIAMS, Jr., and were as follows:

### YEAS—76

Adams,	George,	Kessler,	Simmons,
Anderson, J. H.,	Gibb,	Kistler,	Steckel,
Backenstoe,	Gibbons,	Knecht,	Stimmel,
Bossert,	Goldstein, J. H.,	Kooker,	Strausser,
Bower,	Goldstein, M. H.,	Lee, A. M.,	Thompson,
Buchanan,	Goodrich,	Lee, K. B.,	Tompkins,
Bush,	Gross,	Lippincott,	Ujobai,
Davis,	Guthrie,	Magee,	Varner,
Dengler,	Haudenshield,	Manbeck,	Weidner,
Dennison,	Helm,	Marsh,	Whittaker,
Donaldson,	Henzel,	May,	Willard,
Down,	Holliday,	McCandless,	Willaredt,
Edwards,	Holman,	Merry,	Williams, A. D.,
Elvey,	Horst,	O'Dell,	Williams, E. S.,
Eshleman,	Isaacs,	Odorizio,	Wilt,
Ewing,	Johnson, A. W.,	Polaski,	Wood,
Foor,	Johnson, R. P.,	Royer,	Worley,
Fox,	Kelser,	Rutherford,	Zember,
Fulmer,	Kernaghan,	Seltzer,	Zimmerman,

### NAYS—117

Anderson, S. A.,	Fry,	Long, Wm. Jos.,	Reibman,
Arlene,	Galley,	Lutty,	Renwick,
Ashton,	Gallagher,	Maxwell,	Rovansek,
Auker,	Gelfand,	McCann,	Rubin,
Bachman,	Gramlich,	McCormack,	Rudisill,
Blair,	Gray,	McDevitt,	Scarcelli,
Boles,	Gremminger,	McDonald,	Schaaf,
Bonner,	Guesman,	McInroy,	Schuster,
Bowman,	Hamilton,	McKeever,	Shelton,
Branca,	Hankins,	McLaughlin,	Sherman,
Breth,	Hartley,	McNally,	Shupnik,
Capano,	Heavey,	Meholchick,	Slack,
Capitolo,	Haffner,	Mills,	Snare,
Cauley,	Hocker,	Morley,	Stank,
Cianfrani,	Irvis,	Munley,	Stiteler,
Cloffi,	Jenkins,	Murphy,	Stone,
Clarke,	Jim,	Musto,	Sullivan, J. A.,
Comer,	Jones,	Needham,	Sullivan, T. F.,
Cooley,	Kamyk,	O'Donnell, J. A.,	Taylor,
Crossin,	Kelly,	O'Donnell, J. P.,	Tomascik,
Curwood,	King,	Ogilvie,	Trusio,
Dougherty,	Klein,	Parlante,	Verona,
Doughten,	Kornick,	Pashley,	Wall,
Ellberg,	Korns,	Perry,	Walsh,
Farsabaugh,	Kramer,	Petrosky,	Wargo,
Filo,	Lawson,	Piper,	Welsh,
Fineman,	Leonard,	Polen,	Wescott,
Flynn,	Limper,	Prendergast,	Yetter,
Foerster,	Long, Wm. Jas.,	Pursley,	Andrews,
Frascella,			Speaker

### NOT VOTING—13

Eshback,	Mihm,	Mullen,	Reidenbach,
Fetterolf,	Miller,	Murray,	Riley,
Lamb,	Monroe,	Price,	Sakulsky,
Markley,			

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,  
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Gallagher.

Mr. GALLAGHER. Mr. Speaker, a lot of words have been bandied about here on this bill in attempts to insinuate that deals are being made, and that somebody was taking this land for a race track. The statement of the majority leader in reference to Mr. Gordon Exley III is correct. In 1959 when this bill was before this legislature, I met with Mr. Exley, took the bill to him, the plan, the plot, and it was his opinion that this would be a good thing for Bucks County if this land were transferred to the turnpike commission; they could then negotiate a sale between the industrial development commission and the turnpike commission as far as this land for use as an industrial development. For this reason, ladies and gentlemen, I sincerely solicit all the votes of the members of the House for this bill. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. A. D. Williams, Jr.

Mr. A. D. WILLIAMS, Jr. I desire to interrogate the gentleman from Bucks, Mr. Gallagher.

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Gallagher, permit himself to be interrogated?

Mr. GALLAGHER. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, do I understand the gentleman to say that all that Mr. Exley has said is this would be a wonderful idea, but there is no agreement verbal or written, between the industrial development corporation of Bucks County and the Pennsylvania Turnpike Commission, in regard to this land?

Mr. GALLAGHER. There is not, Mr. Speaker, because there was no final action, as the gentleman pointed out. Mr. Exley informed me at our meeting that it was his desire and objective to approach the turnpike commission once this land was deeded to them and to attempt to negotiate a sale for the industrial development commission. In this area, in Bensalem Township, where there is so much tax-exempt land, this would be a wondrous boon to Bensalem Township, as well as to the county as a whole.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, would the gentlemen tell me whether or not he thinks a price of \$40,000 would be a fair price for this land in Bensalem Township?

Mr. GALLAGHER. Mr. Speaker, not being a realtor nor having any practical knowledge of the value of land, I do not think I could answer the gentleman. I think the proper thing would be to have a real estate man appraise it and set up a fair value.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, does the gentleman believe then that the Bucks County industrial development corporation should pay a fair price based on real estate appraisals for this land, if we in fact get it?

Mr. GALLAGHER. Yes, they should pay a fair price.

Mr. A. D. WILLIAMS, Jr. And, Mr. Speaker, would the gentleman state that that value should be as of the time that we take title to it?

Mr. GALLAGHER. That is a very arbitrary position. I do not know whether I am qualified to say yes or no in that matter.

Mr. A. D. WILLIAMS, Jr. All right, Mr. Speaker, will the gentleman tell this House whether or not real estate

values have gone up, down, or remained constant in Bucks County since June 1, 1952?

Mr. GALLAGHER. I would judge, in my humble opinion as a layman, they have gone up.

Mr. A. D. WILLIAMS, Jr. They have gone up.

Mr. GALLAGHER. I would say so.

Mr. A. D. WILLIAMS, Jr. I thank the gentleman.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—132

Anderson, J. H.,	Gallagher,	Long, Wm. Jas.,	Renwick,
Anderson, S. A.,	Gelfand,	Long, Wm. Jos.,	Rovansek,
Arlene,	George,	Lutty,	Royer,
Ashton,	Goldstein, J. H.,	Manbeck,	Rubin,
Boles,	Goodrich,	Maxwell,	Rudisill,
Bonner,	Gramlich,	McCann,	Scarcell,
Bower,	Gray,	McCormack,	Schaff,
Bowman,	Gremminger,	McDevitt,	Schuster,
Branca,	Guesman,	McDonald,	Shelton,
Breth,	Guthrie,	McKeever,	Sherman,
Bachman,	Hamilton,	McLaughlin,	Shupnik,
Capano,	Hankins,	McNally,	Slack,
Capitolo,	Hartley,	Meholchick,	Stank,
Clanfrani,	Heavey,	Merry,	Stiteler,
Cloff,	Heffner,	Mills,	Stone,
Clarke,	Helm,	Morley,	Sullivan, J. A.,
Comer,	Irviss,	Mullen,	Sullivan, T. F.,
Cooley,	Jenkins,	Munley,	Taylor,
Crossin,	Jim,	Murphy,	Tomascik,
Curwood,	Johnson, A. W.,	Musto,	Tompkins,
Davis,	Jones,	Needham,	Trusio,
Dougherty,	Kamyk,	O'Donnell, J. A.,	Ujobai,
Doughten,	Kelly,	O'Donnell, J. P.,	Verona,
Down,	Kessler,	Parlante,	Wall,
Ellberg,	Klein,	Pashley,	Walsh,
Farabaugh,	Knecht,	Perry,	Wargo,
Filo,	Korns,	Petrosky,	Weidner,
Fineman,	Kramer,	Piper,	Welsh,
Flynn,	Lamb,	Polaski,	Wescott,
Foerster,	Lawson,	Polen,	Williams, E. S.,
Frascella,	Lee, K. B.,	Prendergast,	Wood,
Fry,	Leonard,	Pursley,	Yetter,
Galley,	Limper,	Reibman,	Andrews,

Speaker

## NAYS—62

Adams,	Fox,	Kistler,	Simmons,
Auker,	Fulmer,	Kooker,	Snare,
Backenstoe,	Gibb,	Lee, A. M.,	Steckel,
Blair,	Gibbons,	Lippincott,	Stimmel,
Bossert,	Goldstein, M. H.,	Magee,	Strausser,
Buchanan,	Gross,	Markley,	Thompson,
Bush,	Haudensfield,	Marsh,	Varnier,
Cauley,	Hocker,	May,	Whittaker,
Dengler,	Holliday,	McCandless,	Willard,
Dennison,	Holman,	McInroy,	Willaredt,
Donaldson,	Horst,	O'Dell,	Williams, A. D.,
Edwards,	Isaacs,	Odorisio,	Wilt,
Elvey,	Johnson, R. P.,	Ogilvie,	Worley,
Eshleman,	Kelser,	Rutherford,	Zember,
Ewing,	Kernaghan,	Seltzer,	Zimmerman,
Foor,	King,		

## NOT VOTING—12

Eshback,	Kornick,	Monroe,	Reidenbach,
Fetterolf,	Mihm,	Murray,	Riley,
Henzel,	Miller,	Price,	Sakulsky,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1369, entitled:

An Act amending "The Realty Transfer Tax Act" ap-



proved December 27, 1951 (P. L. 1742), providing for determination of deficiencies redetermination reviews and appeals therefrom and conferring additional powers and duties upon the Department of Revenue.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 10.1), page 2, line 11, by striking out "or filing."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## CAUCUSES

Mr. McCANN. Mr. Speaker, I ask for one hour to caucus on bills beginning on page 22, the mobile-home package, and going through on the concurrences.

## REPORTS FROM COMMITTEE

Mr. SHERMAN from the Committee on Judiciary, reported as amended, House bill No. 959, entitled:

An Act amending the act of July 9, 1901 (P. L. 614), entitled, "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" providing for service of writs issued for violations of municipal ordinances by any magistrate in cities of the first class by registered or certified mail.

Mr. FRY from the Committee on Townships, reported as committed, House bill No. 1142, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the reassessment of after built property in townships, and imposing liability for township taxes upon the owners thereof.

## BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1142, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the reassessment of after built property in townships, and imposing liability for township taxes upon the owners thereof.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

## COMMUNICATION FROM GOVERNOR

The secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILLS Nos. 631 and 811

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

May 2, 1961.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 631, Printer's No. 1305, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' authorizing third class cities to install traffic signals on LOCAL highways within such cities without prior approval of the Secretary of Highways SUBJECT TO UNIFORM STANDARDS."

DAVID L. LAWRENCE.

May 2, 1961.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 811, Printer's No. 1396, entitled "An Act amending the act of May 28, 1915 (P. L. 596), entitled, 'An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions' providing a method of paying service increments from the pension fund to employees of the city after retirement."

DAVID L. LAWRENCE.

## RESOLUTION

### CONGRATULATIONS

Messrs. FILO and BOIES offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 2, 1961.

The P.I.A.A. Volleyball title is again in the hands of Homestead High School.

Vic Sullivan, coach of the squad, stated: "It was a real good tournament with some surprisingly rough teams entering. Our biggest asset in winning was our power. Our four spikers carried the brunt of our attack and supplied us with that extra punch needed to win."

The team effort put forth by the Homestead squad was an inspiration to all admirers of coordinated and spirited team play.

Homestead volleyball teams have previously won the W.P.I.A.A. title in 1943, 1944, 1945, 1946, and 1949, and have won the P.I.A.A. title in 1947, 1948, 1954, 1955, 1957, 1958, and 1961.

The tradition of good winning volleyball teams at Homestead High School is an admirable accomplishment, and sets a goal to be admired and emulated by other school groups in their various educational efforts; therefore be it

Resolved, That this House of Representatives hereby extends its hearty congratulations to the Homestead High School Volleyball team on its winning the State Championship; and be it further

Resolved, That copies of this resolution be sent to the principal and the coach of the volleyball team of Homestead High School.

## RESOLUTION

### CONGRATULATIONS

Mr. GEORGE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 2, 1961.

On April 19, 1961, a six-year-old boy was rescued from

the swollen waters of Paxtang Creek by Raymond Marrow, a truck driver and resident of Carlisle.

For this outstanding act of bravery which resulted in saving the life of John Straining of Harrisburg, the House of Representatives hereby commends and congratulates Raymond Marrow. At the risk of his own life he dived into the water and pulled the boy to safety.

Raymond Marrow is married and the father of two boys. He resides at 10 Garrison Lane, Carlisle; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania commends and congratulates Raymond Marrow on this outstanding act of bravery which resulted in the saving of a human life; and be it further

Resolved, That a copy of this resolution be sent to Raymond Marrow, 10 Garrison Lane, Carlisle.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MAXWELL asked and obtained permission for the Committee on Public Health and Sanitation to meet immediately upon the call of the recess.

#### RECESS

The SPEAKER pro tempore. Without objection, the Chair will now declare a recess until 4:15 e.s.t.

The Chair hears none.

#### AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. HELM IN THE CHAIR

#### SENATE MESSAGE

##### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 140.

An Act amending the act of June 13, 1883 (P. L. 122), entitled, "A supplement to an act entitled, 'An act to provide for the incorporation and regulation of certain corporations, approved April twenty-ninth, one thousand eight hundred and seventy-four, providing for the improvement, amendment and alteration of the charters of corporations of the second class \* \* \*'; removing a provision relating to construction of the act.

##### HOUSE BILL No. 474.

An Act amending the act of May 20, 1921 (P. L. 984), entitled as amended, "An act providing for the condemnation by the Commonwealth of lands suitable and desirable for forest and State park purposes or game preserve purposes or the perpetuation and protection of fish \* \* \*"; providing for the payment of money into court for the benefit of persons entitled thereto and for the crediting of such payments.

##### HOUSE BILL No. 1060.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), providing for the transportation of poultry in crates.

##### HOUSE BILL No. 1119.

An Act amending the act of May 29, 1945 (P. L. 1132), entitled, "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth \* \* \*"; removing compensation provisions for first aid and mine rescue workers.

#### HOUSE BILL No. 1120.

An Act amending the act of April 25, 1945 (P. L. 289), entitled, "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania \* \* \*"; removing salary provisions for electrical inspectors.

With the information that the Senate has passed the same without amendment.

#### SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 213, 294, 313, 482, 483, 484, 505, 506, 533, and 534.

#### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House-bill No. 1100, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), prohibiting in certain cases domestic insurers from insuring the lives of persons of residents of or property or operations located in states in which such insurers are not authorized to do business.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—139

Anderson, S. A.,	Gallagher,	Lee, A. M.,	Polen,
Arlene,	Gelfand,	Leonard,	Prendergast,
Ashton,	Gibb,	Limper,	Reibman,
Auker,	Gibbons,	Lippincott,	Renwick,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Rovansek,
Backenstoe,	Goodrich,	Long, Wm. Jos.,	Rubin,
Boles,	Gramlich,	Lutty,	Rutherford,
Bonner,	Gray,	Markley,	Scarcelli,
Bossert,	Gremminger,	Marsh,	Schaaf,
Branca,	Guesman,	Maxwell,	Schuster,
Breth,	Guthrie,	McCann,	Shelton,
Capano,	Hamilton,	McCormack,	Sherman,
Capitolo,	Hankins,	McDevitt,	Shupnik,
Cauley,	Hartley,	McDonald,	Simmons,
Cianfrani,	Haudensfield,	McInroy,	Slack,
Cloffi,	Heavey,	McKeever,	Stank,
Clarke,	Helm,	McLaughlin,	Steckel,
Comer,	Henzel,	McNally,	Stimmel,
Cooley,	Holliday,	Meholchick,	Stiteler,
Crossin,	Irviss,	Mills,	Stone,
Curwood,	Isaacs,	Morley,	Sullivan, J. A.,
Dengler,	Jenkins,	Mullen,	Sullivan, T. F.,
Dennison,	Jim,	Munley,	Taylor,
Donaldson,	Johnson, A. W.,	Murphy,	Tomascik,
Dougherty,	Jones,	Musto,	Trusio,
Doughten,	Kamyk,	Needham,	Ujobai,
Ellberg,	Keiser,	O'Donnell, J. A.,	Verona,
Eshleman,	Kelly,	O'Donnell, J. P.,	Walsh,
Farabaugh,	Kernaghan,	Odoriso,	Wargo,
Filo,	Klein,	Parlante,	Welsh,
Flynn,	Kooker,	Pashley,	Willaredt,
Foerster,	Kornick,	Perry,	Wilt,
Frascelia,	Kramer,	Petrosky,	Yetter,
Fry,	Lamb,	Piper,	Andrews,
Galley,	Lawson,	Polaski,	Speaker

#### NAYS—55

Adams,	Fulmer,	Magee,	Tompkins,
Anderson, J. H.,	George,	Manbeck,	Varnier,
Blair,	Goldstein, M. H.,	May,	Wall,
Bower,	Gross,	McCandless,	Weidner,
Bowman,	Heffner,	Merry,	Wescott,
Buchanan,	Hocker,	O'Dell,	Whittaker,
Bush,	Holman,	Ogilvie,	Willard,
Davis,	Horst,	Pursley,	Williams, A. D.,
Down,	Johnson, R. P.,	Royer,	Williams, E. S.,



Edwards, Elvey, Ewing, Foot, Fox,	Kessler, King, Kistler, Korns, Lee, K. B.,	Rudisill, Seltzer, Snare, Strausser, Thompson,	Wood, Worley, Zember, Zimmerman,
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## NOT VOTING—12

Eshback, Fetterolf, Fineman,	Knecht, Mihm, Miller,	Monroe, Murray, Price,	Reidenbach, Riley, Sakulsky,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1101, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), subjecting domestic mutual fire insurance companies to the provisions thereof; requiring approval of policies, contracts or certificates of insurance by the Insurance Commissioner.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—135

Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Boles, Bonner, Bossert, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dengler, Donaldson, Doughten, Eilberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Frascella, Fry,	Galley, Gallagher, Gelfand, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Helm, Henzel, Holliday, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Jones, Kelly, Kernaghan, Klein, Kooker, Kramer, Lamb, Lawson, Lee, A. M., Leonard,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Markley, Maxwell, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McNally, Meholchick, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Donnell, J. A., Odoriso, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Reibman, Renwick, Rovanseck,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stimmel, Stiteler, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Trusio, Ujobal, Varnier, Verona, Walsh, Wargo, Welsh, Willaredt, Wilt, Yetter, Andrews, Speaker
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## NAYS—54

Adams, Anderson, J. H., Blair, Bower, Bowman, Buchanan, Bush, Davis, Dennison, Down, Edwards, Foot, Fox, Fulmer,	George, Goodrich, Gramlich, Gross, Heffner, Hocker, Holman, Horst, Johnson, R. P., Kelser, Kessler, King, Kistler, Korns,	Lee, K. B., Magee, Manbeck, Marsh, McCandless, Merry, O'Dell, Ogilvie, Piper, Pursley, Royer, Seltzer, Snare,	Strausser, Tompkins, Wall, Weidner, Wescott, Whittaker, Willard, Williams, A. D., Williams, E. S., Wood, Worley, Zember, Zimmerman,
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## NOT VOTING—17

Dougherty, Eshback, Fetterolf, Foerster, Kamyk,	Knecht, Kornick, May, McLaughlin,	Mihm, Miller, Monroe, Murray,	O'Donnell, J. P., Price, Reidenbach, Riley,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1163, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), requiring that policies of fire insurance issued by stock and mutual insurance companies, associations and exchanges contain standard policy provisions herein prescribed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—138

Anderson, S. A., Arlene, Auker, Bachman, Backenstoe, Boles, Bonner, Bossert, Branca, Breth, Bush, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dengler, Donaldson, Dougherty, Doughten, Eilberg, Eshleman, Ewing, Filo, Fineman, Flynn, Foerster, Frascella, Fry, Galley, Gallagher,	Gelfand, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Helm, Henzel, Holliday, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Lee, A. M., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Markley, Maxwell, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McNally, Meholchick, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast,	Pursley, Reibman, Rovanseck, Rubin, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Trusio, Ujobal, Varnier, Verona, Walsh, Wargo, Welsh, Whittaker, Willaredt, Wilt, Yetter, Andrews, Speaker
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## NAYS—56

Adams, Anderson, J. H., Ashton, Blair, Bower, Bowman, Buchanan, Davis, Dennison, Down,	Fox, Fulmer, George, Goodrich, Gramlich, Gross, Heffner, Hocker, Holman, Horst,	Magee, Manbeck, Marsh, May, McCandless, Merry, O'Dell, Ogilvie, Piper, Renwick,	Snare, Strausser, Tompkins, Varnier, Wall, Weidner, Wescott, Willard, Williams, A. D., Williams, E. S.,
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Edwards, Elvey, Farabaugh, Foor,	Kessler, King, Kistler, Lee, K. B.,	Royer, Rudisill, Seltzer, Slack,	Wood, Worley, Zember, Zimmerman,
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## NOT VOTING—12

Capano, Eshback, Fetterolf,	Knecht, McLaughlin, Mihm,	Miller, Monroe, Murray,	Price, Reidenbach, Riley,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1327, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing the expiration date of permits issued by the Commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—194

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Hefner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Lee, A. M., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McNally, Meholchick, Merry, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick, Rovanske, Royer,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews,
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Speaker

## NAYS—0

## NOT VOTING—12

Eshback, Fetterolf, Knecht,	Lee, K. B., McLaughlin, Mihm,	Miller, Monroe, Murray,	Price, Reidenbach, Riley,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1371, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions"; regulating credit for pension for previous employment by the city in the bureau of fire or bureau of police.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—192

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Blair, Boles, Bonner, Bachman, Backenstoe, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Hefner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Lee, A. M., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick, Rovanske,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Yetter, Zember, Zimmerman, Andrews,
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Speaker



## NAYS—0

## NOT VOTING—14

<b>Eshback,</b> Fetterolf, Goldstein, M. H., Gross,	<b>Knecht,</b> Lee, K. B., Mihm, Miller,	<b>Monroe,</b> Murray, Price,	<b>Reidenbach,</b> Riley, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1387, entitled:

An Act amending the "Statutory Construction Act" approved May 28, 1937 (P. L. 1019), authorizing the changing of certain errors in the punctuation of laws and removing the provision that the punctuation of laws shall not control or affect the intention of the Legislature in the enactment thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—187

<b>Adams,</b> <b>Anderson, J. H.</b> <b>Anderson, S. A.,</b> <b>Arlene,</b> <b>Ashton,</b> <b>Auker,</b> <b>Bachman</b> <b>Backenstoe,</b> <b>Blair,</b> <b>Boles,</b> <b>Bonner,</b> <b>Bossert,</b> <b>Bower,</b> <b>Bowman,</b> <b>Branca,</b> <b>Breth,</b> <b>Buchanan,</b> <b>Bush,</b> <b>Capano,</b> <b>Capitolo,</b> <b>Cauley,</b> <b>Cioffi,</b> <b>Clarke,</b> <b>Comer,</b> <b>Cooley,</b> <b>Crossin,</b> <b>Curwood,</b> <b>Davis,</b> <b>Dengler,</b> <b>Dennison,</b> <b>Donaldson,</b> <b>Dougherty,</b> <b>Doughten,</b> <b>Down,</b> <b>Edwards,</b> <b>Ellberg,</b> <b>Eshleman,</b> <b>Ewing,</b> <b>Farabaugh,</b> <b>Filo,</b> <b>Fineman,</b> <b>Flynn,</b> <b>Foerster,</b> <b>Foor,</b> <b>Fox,</b> <b>Frascella,</b> <b>Fry,</b>	<b>Fulmer,</b> <b>Galley,</b> <b>Gallagher,</b> <b>Gelfand,</b> <b>George,</b> <b>Gibb,</b> <b>Gibbons,</b> <b>Goldstein, J. H.,</b> <b>Goldstein, M. H.,</b> <b>Goodrich,</b> <b>Gramlich,</b> <b>Gray,</b> <b>Gremminger,</b> <b>Guesman,</b> <b>Guthrie,</b> <b>Hamilton,</b> <b>Hankins,</b> <b>Hartley,</b> <b>Haudenshield,</b> <b>Heavey,</b> <b>Heffner,</b> <b>Helm,</b> <b>Henzel,</b> <b>Hocker,</b> <b>Holliday,</b> <b>Holman,</b> <b>Irvls,</b> <b>Isaacs,</b> <b>Jenkins,</b> <b>Jim,</b> <b>Kamyk,</b> <b>Keiser,</b> <b>Kelly,</b> <b>Kernaghan,</b> <b>Kessler,</b> <b>King,</b> <b>Klein,</b> <b>Kooker,</b> <b>Kornick,</b> <b>Korns,</b> <b>Kramer,</b> <b>Lamb,</b> <b>Lawson,</b> <b>Lee, K. B.,</b>	<b>Leonard,</b> <b>Limper,</b> <b>Lippincott,</b> <b>Long, Wm. Jas.,</b> <b>Long, Wm. Jos.,</b> <b>Lutty,</b> <b>Magee,</b> <b>Markley,</b> <b>Marsh,</b> <b>Maxwell,</b> <b>May,</b> <b>McCandless,</b> <b>McCann,</b> <b>McCormack,</b> <b>McDevitt,</b> <b>McDonald,</b> <b>McInroy,</b> <b>McKeever,</b> <b>McLaughlin,</b> <b>McNally,</b> <b>Meholchick,</b> <b>Merry,</b> <b>Mills,</b> <b>Morley,</b> <b>Mullen,</b> <b>Munley,</b> <b>Murphy,</b> <b>Musto,</b> <b>Needham,</b> <b>O'Dell,</b> <b>O'Donnell, J. A.,</b> <b>O'Donnell, J. P.,</b> <b>Odorisio,</b> <b>Ogilvie,</b> <b>Parlante,</b> <b>Pashley,</b> <b>Perry,</b> <b>Petrosky,</b> <b>Piper,</b> <b>Polaski,</b> <b>Polen,</b> <b>Prendergast,</b> <b>Pursley,</b> <b>Worley,</b> <b>Yetter,</b> <b>Zember,</b> <b>Zimmerman,</b>	<b>Rubin,</b> <b>Rudisill,</b> <b>Rutherford,</b> <b>Sakulsky,</b> <b>Scarcelli,</b> <b>Schaaf,</b> <b>Schuster,</b> <b>Shelton,</b> <b>Sherman,</b> <b>Shupnik,</b> <b>Simmons,</b> <b>Slack,</b> <b>Snare,</b> <b>Stank,</b> <b>Steckel,</b> <b>Stimmel,</b> <b>Stiteler,</b> <b>Stone,</b> <b>Strausser,</b> <b>Sullivan, J. A.,</b> <b>Sullivan, T. F.,</b> <b>Taylor,</b> <b>Thompson,</b> <b>Tomasck,</b> <b>Tompkins,</b> <b>Trusio,</b> <b>Ujobal,</b> <b>Varner,</b> <b>Verona,</b> <b>Wall,</b> <b>Walsh,</b> <b>Wargo,</b> <b>Weidner,</b> <b>Welsh,</b> <b>Wescott,</b> <b>Whittaker,</b> <b>Willard,</b> <b>Willaredt,</b> <b>Williams, A. D.,</b> <b>Williams, E. S.,</b> <b>Wilt,</b> <b>Wood,</b> <b>Worley,</b> <b>Zember,</b> <b>Zimmerman,</b>
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## NAYS—8

<b>Elvey,</b> <b>Gross,</b>	<b>Horst,</b> <b>Kistler,</b>	<b>Lee, A. M.,</b> <b>Manbeck,</b>	<b>Seltzer,</b> <b>Andrews,</b> <b>Speaker</b>
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## NOT VOTING—11

<b>Cianfrani,</b> <b>Eshback,</b> <b>Fetterolf,</b>	<b>Knecht,</b> <b>Mihm,</b> <b>Miller,</b>	<b>Monroe,</b> <b>Murray,</b> <b>Price,</b>	<b>Reidenbach,</b> <b>Riley,</b>
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1388, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing provisions relating to the punctuation of laws by the Department of State.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—188

<b>Adams,</b> <b>Anderson, J. H.</b> <b>Anderson, S. A.</b> <b>Arlene,</b> <b>Ashton,</b> <b>Auker,</b> <b>Bachman</b> <b>Backenstoe,</b> <b>Blair,</b> <b>Boles,</b> <b>Bonner,</b> <b>Bossert,</b> <b>Bower,</b> <b>Bowman,</b> <b>Branca,</b> <b>Breth,</b> <b>Buchanan,</b> <b>Bush,</b> <b>Capano,</b> <b>Capitolo,</b> <b>Cauley,</b> <b>Cianfrani,</b> <b>Cioffi,</b> <b>Comer,</b> <b>Cooley,</b> <b>Crossin,</b> <b>Curwood,</b> <b>Davis,</b> <b>Dengler,</b> <b>Dennison,</b> <b>Donaldson,</b> <b>Dougherty,</b> <b>Doughten,</b> <b>Down,</b> <b>Edwards,</b> <b>Ellberg,</b> <b>Elvey,</b> <b>Eshleman,</b> <b>Ewing,</b> <b>Farabaugh,</b> <b>Filo,</b> <b>Fineman,</b> <b>Flynn,</b> <b>Foerster,</b> <b>Foor,</b> <b>Fox,</b> <b>Frascella,</b>	<b>Fry,</b> <b>Fulmer,</b> <b>Galley,</b> <b>Gallagher,</b> <b>Gelfand,</b> <b>George,</b> <b>Gibb,</b> <b>Gibbons,</b> <b>Goldstein, J. H.,</b> <b>Goldstein, M. H.,</b> <b>Goodrich,</b> <b>Gramlich,</b> <b>Gray,</b> <b>Gremminger,</b> <b>Gross,</b> <b>Guesman,</b> <b>Guthrie,</b> <b>Hamilton,</b> <b>Hankins,</b> <b>Hartley,</b> <b>Haudenshield,</b> <b>Heavey,</b> <b>Heffner,</b> <b>Helm,</b> <b>Henzel,</b> <b>Hocker,</b> <b>Holliday,</b> <b>Holman,</b> <b>Irvls,</b> <b>Isaacs,</b> <b>Jenkins,</b> <b>Jim,</b> <b>Johnson, A. W.,</b> <b>Johnson, R. P.,</b> <b>Jones,</b> <b>Kamyk,</b> <b>Keiser,</b> <b>Kelly,</b> <b>Kernaghan,</b> <b>Kessler,</b> <b>King,</b> <b>Kistler,</b> <b>Klein,</b> <b>Kooker,</b> <b>Kornick,</b> <b>Korns,</b> <b>Kramer,</b>	<b>Lamb,</b> <b>Lawson,</b> <b>Lee, K. B.,</b> <b>Leonard,</b> <b>Limper,</b> <b>Lippincott,</b> <b>Long, Wm. Jas.,</b> <b>Long, Wm. Jos.,</b> <b>Lutty,</b> <b>Magee,</b> <b>Markley,</b> <b>Marsh,</b> <b>Maxwell,</b> <b>May,</b> <b>McCandless,</b> <b>McCann,</b> <b>McCormack,</b> <b>McDevitt,</b> <b>McDonald,</b> <b>McInroy,</b> <b>McKeever,</b> <b>McLaughlin,</b> <b>Meholchick,</b> <b>Merry,</b> <b>Mills,</b> <b>Morley,</b> <b>Mullen,</b> <b>Munley,</b> <b>Murphy,</b> <b>Musto,</b> <b>Needham,</b> <b>O'Dell,</b> <b>O'Donnell, J. A.,</b> <b>O'Donnell, J. P.,</b> <b>Odorisio,</b> <b>Ogilvie,</b> <b>Parlante,</b> <b>Pashley,</b> <b>Perry,</b> <b>Petrosky,</b> <b>Piper,</b> <b>Polaski,</b> <b>Polen,</b> <b>Prendergast,</b> <b>Pursley,</b> <b>Rebman,</b> <b>Renwick,</b>	<b>Rovansek,</b> <b>Royer,</b> <b>Rubin,</b> <b>Rudisill,</b> <b>Rutherford,</b> <b>Sakulsky,</b> <b>Scarcelli,</b> <b>Schuster,</b> <b>Shelton,</b> <b>Sherman,</b> <b>Shupnik,</b> <b>Simmons,</b> <b>Slack,</b> <b>Snare,</b> <b>Stank,</b> <b>Steckel,</b> <b>Stimmel,</b> <b>Stiteler,</b> <b>Strausser,</b> <b>Sullivan, J. A.,</b> <b>Sullivan, T. F.,</b> <b>Taylor,</b> <b>Thompson,</b> <b>Tomasck,</b> <b>Tompkins,</b> <b>Trusio,</b> <b>Ujobal,</b> <b>Varner,</b> <b>Verona,</b> <b>Wall,</b> <b>Walsh,</b> <b>Wargo,</b> <b>Weidner,</b> <b>Welsh,</b> <b>Wescott,</b> <b>Whittaker,</b> <b>Willard,</b> <b>Willaredt,</b> <b>Williams, A. D.,</b> <b>Williams, E. S.,</b> <b>Wilt,</b> <b>Wood,</b> <b>Worley,</b> <b>Yetter,</b> <b>Zember,</b> <b>Zimmerman,</b>
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## NAYS—5

Horst, Lee, A. M.,	Manbeck,	Seltzer,	Andrews, Speaker
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## NOT VOTING—13

Clarke, Eshback, Fetterolf, Knecht,	McNally, Mihm, Miller,	Monroe, Murray, Price,	Reidenbach, Riley, Stone,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL ON FINAL PASSAGE

Agreeably to order,

The House preceeded to the consideration on final passage of House bill No. 32, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boies, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Fulmer, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Irvs, Isaacs, Jenkins, Jim, Johnson, A. W., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B.,	Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Renwick, Rovansek, Royer,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman,
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## NAYS—9

Elvey, Galley, Gross,	Horst, Lee, A. M.,	Manbeck, Reibman,	Seltzer, Andrews, Speaker
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## NOT VOTING—12

Auker, Eshback, Fetterolf,	Johnson, R. P., Knecht, Mihm,	Miller, Monroe, Murray,	Price, Reidenbach, Riley,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. I request permission of the House to go beyond six o'clock on voting time. We have three bills and five concurrences that were agreed to. I desire then that we vote these non-debatable items and then amend the bills that are left over to finish the work.

I request permission to turn to page 26.

Mr. A. W. JOHNSON. Mr. Speaker, could we use the same roll call? I do not know that the rest of these bills are particularly controversial.

Mr. McCANN. We would be most pleased to expedite. Mr. Speaker, page 26, Senate bill 173, printer's No. 481.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 173, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing the condemnation of land for land fill purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—194

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boies, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg,	Fulmer, Gailey, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvs, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker,
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Elvey,	Kernaghan,	Perry,	Willard,
Eshleman,	Kessler,	Petrosky,	Willaredt,
Ewing,	King,	Piper,	Williams, A. D.,
Farabaugh,	Kistler,	Polaski,	Williams, E. S.,
Filo,	Klein,	Polen,	Wilt,
Fineman,	Kooker,	Prendergast,	Wood,
Flynn,	Kornick,	Pursley,	Worley,
Foerster,	Korns,	Reibman,	Yetter,
Foor,	Kramer,	Renwick,	Zember,
Fox,	Lamb,	Rovansek,	Zimmerman,
Frascella,	Lawson,	Royer,	Andrews,
Fry,	Lee, A. M.,		Speaker

## NAYS—0

## NOT VOTING—12

Eshback,	Knecht,	Miller,	Price,
Fetterolf,	McCormack,	Monroe,	Reidenbach,
Jenkins,	Mihm,	Murray,	Riley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 346, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," specifying more accurately the duties of coroners in issuing certificates of cause of death.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, for the explanation which was desired on Senate bill 346, printer's No. 365. In the act to be amended, section 1244, headed "Certificate of Cause of Death" contains a reference to a law which has been repealed. On June 29, 1953, P. L. 304, the vital statistics law was signed by the Governor and became the official vital statistics act for the Commonwealth. This amendment hereby simply deletes a reference to an obsolete statute not in use.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams,	Galley,	Leonard,	Rudisill,
Anderson, J. H.,	Gallagher,	Limper,	Rutherford,
Anderson, S. A.,	Gelfand,	Lippincott,	Sakulsky,
Arlene,	George,	Long, Wm. Jas.,	Scarcelli,
Ashton,	Gibb,	Long, Wm. Jos.,	Schaaf,
Bachman,	Gibbons,	Lutty,	Schuster,
Backenstoe,	Goldstein, J. H.,	Magee,	Seltzer,
Blair,	Goldstein, M. H.,	Manbeck,	Shelton,
Boles,	Goodrich,	Markley,	Sherman,
Bonner,	Gramlich,	Marsh,	Shupnik,
Bossert,	Gray,	Maxwell,	Simmons,
Bower,	Gremminger,	May,	Slack,
Bowman,	Gross,	McCandless,	Snare,
Branca,	Guesman,	McCann,	Stank,
Breth,	Guthrie,	McCormack,	Steckel,
Buchanan,	Hamilton,	McDevitt,	Stimmel,
Bush,	Hankins,	McDonald,	Stiteler,
Capano,	Hartley,	McInroy,	Stone,
Capitolo,	Haudenshield,	McKeever,	Strausser,

Cauley,	Heavey,	McLaughlin,	Sullivan, J. A.,
Cooley,	Hefner,	McNally,	Sullivan, T. F.,
Cianfrani,	Helm,	Meholchick,	Taylor,
Cioffi,	Henzel,	Merry,	Thompson,
Clarke,	Hocker,	Mills,	Tomasck,
Comer,	Holliday,	Morley,	Tompkins,
Crossin,	Holman,	Mullen,	Trusio,
Curwood,	Horst,	Munley,	Ujobal,
Davis,	Irvia,	Murphy,	Varnar,
Dengler,	Isaacs,	Musto,	Verona,
Dennison,	Jim,	Needham,	Wall,
Donaldson,	Johnson, A. W.,	O'Dell,	Walsh,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Doughten,	Jones,	Odorisio,	Weldner,
Down,	Kamyk,	Ogilvie,	Welsh,
Edwards,	Kelser,	Parlante,	Wescott,
Ellberg,	Kelly,	Pashley,	Whittaker,
Elvey,	Kernaghan,	Perry,	Willard,
Eshleman,	Kessler,	Petrosky,	Willaredt,
Ewing,	King,	Piper,	Williams, A. D.,
Farabaugh,	Kistler,	Polaski,	Williams, E. S.,
Filo,	Klein,	Polen,	Wilt,
Fineman,	Kooker,	Prendergast,	Wood,
Flynn,	Kornick,	Pursley,	Worley,
Foerster,	Korns,	Reibman,	Yetter,
Foor,	Kramer,	Renwick,	Zember,
Fox,	Lamb,	Rovansek,	Zimmerman,
Frascella,	Lawson,	Royer,	Andrews,
Fry,	Lee, A. M.,	Rubin,	Speaker
Fulmer,	Lee, K. B.,		

## NAYS—0

## NOT VOTING—13

Auker,	Knecht,	Monroe,	Price,
Eshback,	Mihm,	Murray,	Reidenbach,
Fetterolf,	Miller,	O'Donnell, J. P.,	Riley,
Jenkins,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL PASSED OVER

There being no objection,

Senate bill No. 306, printer's No. 431, was passed over at the request of the SPEAKER pro tempore.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 306

An Act amending the act of July 22, 1913 (P. L. 928), entitled "An act relating to domestic animals defining domestic animals so as to include poultry providing methods of improving the quality thereof and of preventing controlling and eradicating disease thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the manufacture use and sale of tuberculin mallein and other biological products for use with domestic animals defining the powers and duties of the State Livestock Sanitary Board and the officers and employees thereof fixing the compensation of the Deputy State Veterinarian and providing penalties for the violation of this act," prohibiting persons from impeding or hindering the testing of domestic animals or poultry by the Department of Agriculture and changing penalties.

With the information that the Senate had passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 3, line 5, by inserting after the word "act" the words "after reasonable notice of the proposed testing has been given."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams,	Fulmer,	Limper,	Rudisill,
Anderson, J. H.,	Gailey,	Lippincott,	Rutherford,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Sakulsky,
Arlene,	Gelfand,	Long, Wm. Jos.,	Scarcell,
Ashton,	George,	Lutty,	Schaaf,
Auker,	Gibb,	Magee,	Schuster,
Bachman,	Gibbons,	Manbeck,	Seltzer,
Backenstoe,	Goldstein, J. H.,	Markley,	Shelton,
Blair,	Goldstein, M. H.,	Marsh,	Sherman,
Boles,	Goodrich,	Maxwell,	Shupnik,
Bonner,	Gramlich,	May,	Simmons,
Bossert,	Gray,	McCandless,	Slack,
Bower,	Gremmlinger,	McCann,	Snare,
Bowman,	Gross,	McCormack,	Stank,
Branca,	Guesman,	McDevitt,	Steckel,
Breth,	Guthrie,	McDonald,	Stimmel,
Buchanan,	Hamilton,	McInroy,	Stiteler,
Bush,	Hartley,	McKeever,	Stone,
Capano,	Haudenshield,	McLaughlin,	Strausser,
Capitolo,	Heavey,	McNally,	Sullivan, J. A.,
Cauley,	Heffner,	Meholchick,	Sullivan, T. F.,
Cianfrani,	Helm,	Merry,	Taylor,
Cioffi,	Henzel,	Mills,	Thompson,
Clarke,	Holliday,	Morley,	Tomasck,
Comer,	Holman,	Mullen,	Tompkins,
Cooley,	Horst,	Munley,	Trusio,
Crossin,	Irvis,	Murphy,	Ujobal,
Curwood,	Isaacs,	Musto,	Varner,
Davis,	Jim,	Needham,	Verona,
Dengler,	Johnson, A. W.,	O'Dell,	Wall,
Dennison,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,
Donaldson,	Jones,	O'Donnell, J. P.,	Wargo,
Dougherty,	Kamyk,	Odorizio,	Weidner,
Doughten,	Kelser,	Ogilvie,	Welsh,
Down,	Kelly,	Parlante,	Wescott,
Edwards,	Kernaghan,	Pashley,	Whittaker,
Ellberg,	Kessler,	Perry,	Willard,
Elvey,	King,	Petrosky,	Willaredt,
Eshleman,	Kistler,	Piper,	Williams, E. S.,
Ewing,	Klein,	Polaski,	Wilt,
Farabaugh,	Kooker,	Polen,	Wood,
Filo,	Kornick,	Prendergast,	Worley,
Fineman,	Korns,	Pursley,	Yetter,
Flynn,	Kramer,	Reibman,	Zimmerman,
Foerster,	Lamb,	Renwick,	Andrews,
Foor,	Lawson,	Rovanseck,	Speaker
Fox,	Lee, A. M.,	Royer,	
Frascella,	Lee, K. B.,	Rubin,	
Fry,	Leonard,		

## NAYS—0

## NOT VOTING—13

Eshback,	Jenkins,	Miller,	Price,
Fetterolf,	Knecht,	Monroe,	Reidenbach,
Hankins,	Mihm,	Murray,	Riley,
Hocker,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 470

An Act amending the act of December 14, 1863 (P. L. P. L. 1127), entitled "An act relating to the liens of common carriers and others," reducing time after demand for payment after which property may be sold and reducing the number of advertisements required for the sale of property.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend bill page 3, by inserting after line 6 the following Section 2 This act shall take effect immediately.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Adams,	Fulmer,	Lee, K. B.,	Royer,
Anderson, J. H.	Gailey,	Leonard,	Rubin,
Anderson, S. A.,	Gallagher,	Limper,	Rudisill,
Arlene,	Gelfand,	Lippincott,	Rutherford,
Ashton,	George,	Long, Wm. Jas.,	Sakulsky,
Auker,	Gibb,	Long, Wm. Jos.,	Scarcell,
Backenstoe,	Gibbons,	Lutty,	Schaaf,
Blair,	Goldstein, J. H.,	Magee,	Schuster,
Boles,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bonner,	Goodrich,	Markley,	Shelton,
Bossert,	Gramlich,	Marsh,	Sherman,
Bower,	Gray,	Maxwell,	Shupnik,
Bowman,	Gremmlinger,	May,	Simmons,
Branca,	Gross,	McCandless,	Slack,
Breth,	Guesman,	McCann,	Snare,
Buchanan,	Guthrie,	McCormack,	Stank,
Bush,	Hamilton,	McDevitt,	Steckel,
Capano,	Hartley,	McDonald,	Stimmel,
Capitolo,	Haudenshield,	McInroy,	Stiteler,
Cauley,	Heavey,	McKeever,	Stone,
Cianfrani,	Heffner,	McLaughlin,	Strausser,
Cioffi,	Helm,	McNally,	Sullivan, J. A.,
Clarke,	Henzel,	Meholchick,	Sullivan, T. F.,
Comer,	Hocker,	Merry,	Taylor,
Cooley,	Holliday,	Mills,	Thompson,
Crossin,	Holman,	Morley,	Tomasck,
Curwood,	Horst,	Mullen,	Tompkins,
Davis,	Irvis,	Munley,	Trusio,
Dengler,	Isaacs,	Musto,	Varner,
Dennison,	Jim,	Needham,	Verona,
Donaldson,	Johnson, A. W.,	O'Dell,	Wall,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,
Doughten,	Jones,	O'Donnell, J. P.,	Wargo,
Down,	Kamyk,	Odorizio,	Weidner,
Edwards,	Kelser,	Ogilvie,	Welsh,
Ellberg,	Kelly,	Parlante,	Wescott,
Elvey,	Kernaghan,	Pashley,	Whittaker,
Eshleman,	Kessler,	Perry,	Willard,
Ewing,	King,	Petrosky,	Willaredt,
Farabaugh,	Kistler,	Piper,	Williams, E. S.,
Filo,	Klein,	Polaski,	Wilt,
Fineman,	Kooker,	Polen,	Wood,
Flynn,	Kornick,	Prendergast,	Worley,
Foerster,	Korns,	Pursley,	Yetter,
Foor,	Kramer,	Reibman,	Zember,



Fox, Frascella, Fry,	Lamb, Lawson, Lee, A. M.,	Renwick, Rovanske,	Zimmerman, Andrews, Speaker
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## NAYS—3

Murphy,	Ujobai,	Williams, A. D.,
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## NOT VOTING—13

Bachman Eshback, Fetterolf, Hankins,	Jenkins, Monroe, Mihm,	Miller, Monroe, Murray,	Price, Reidenbach, Riley,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 556

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto authorizing the temporary investment of funds by school districts of the first class and first class A.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 1, line 6, by inserting after the word "class" the following: "and first class A"; Section 1, page 2, line 5, by inserting after the word "first" the following: "class first class A."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Auker, Bachman Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hartley, Haudenshield, Heavey, Heffner,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally,	Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A.,
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Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kaiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Meholchick, Merry, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick, Rovanske, Royer, Rubin,	Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Boies, Eshback, Fetterolf, Hankins,	Jenkins, Knecht, Mihm,	Miller, Monroe, Murray,	Price, Reidenbach, Riley,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 571

An Act amending the act of May 26, 1933 (P. L. 1088), entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund providing for subsequent transfers of equal sums between such funds and making appropriations necessary to effect such transfers," authorizing the transfer of funds during each fiscal period and requiring the retransfer of the funds not later than thirty days after such fiscal period.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 1, line 7, by striking out after the word "fiscal" the word "year" and inserting in lieu thereof the word "period"; page 2, line 1, by striking out after the word "period" the words "during the fiscal year" and inserting in lieu thereof the words "not later than thirty days after such fiscal period"; Section 1, page 2, line 10, by striking out after the word "(biennium)" the word "year" and inserting in lieu thereof the word "period"; line 13, by striking out after the word "(biennium)" the word "year"

and inserting in lieu thereof the word "period"; Section 2, page 3, line 5, by striking out after the word "(biennium)" the word "year" and inserting in lieu thereof the word "period"; line 7, by striking out at the beginning of the line, the word "before" and inserting in lieu thereof the words "not later than thirty days after"; line 8, by striking out after the word "(biennium)" the word "year" and inserting in lieu thereof the word "period."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—178

Anderson, S. A.,	Gallagher,	Lippincott,	Rubin,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Ashton,	George,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibb,	Lutty,	Sakulsky,
Backenstoe,	Gibbons,	Magee,	Scarcell,
Blair,	Goldstein, J. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Marsh,	Schuster,
Bonner,	Gramlich,	Maxwell,	Seltzer,
Bossert,	Gremminger,	May,	Shelton,
Bower,	Guesman,	McCandless,	Sherman,
Bowman,	Guthrie,	McCann,	Shupnik,
Branca,	Hamilton,	McCormack,	Simmons,
Breth,	Hartley,	McDevitt,	Slack,
Buchanan,	Haudenshield,	McDonald,	Snare,
Capano,	Heavey,	McInroy,	Stank,
Capitolo,	Heffner,	McKeever,	Steckel,
Cauley,	Helm,	McLaughlin,	Stiteler,
Cianfrani,	Henzel,	McNally,	Stone,
Cioffi,	Holliday,	Meholchick,	Strausser,
Clarke,	Holman,	Merry,	Sullivan, J. A.,
Comer,	Horst,	Mills,	Sullivan, T. F.,
Cooley,	Irvis,	Morley,	Taylor,
Crossin,	Mullen,	Thompson,	Thompson,
Curwood,	Jim,	Munley,	Tomasick,
Davis,	Johnson, A. W.,	Murphy,	Tompkins,
Dengler,	Johnson, R. P.,	Musto,	Trusio,
Dennison,	Jones,	Needham,	Ujobal,
Donaldson,	Kamyk,	O'Dell,	Varnar,
Dougherty,	Kelser,	O'Donnell, J. A.,	Verona,
Doughten,	Kelly,	O'Donnell, J. P.,	Wall,
Down,	Kernaghan,	Odorisio,	Walsh,
Edwards,	Kessler,	Parlante,	Wargo,
Elvey,	King,	Pashley,	Weldner,
Eshleman,	Kistler,	Perry,	Welsh,
Ewing,	Klein,	Petrosky,	Wescott,
Farabaugh,	Kooker,	Piper,	Whittaker,
Filo,	Kornick,	Polaski,	Willard,
Fineman,	Korns,	Polen,	Willaredt,
Flynn,	Kramer,	Prendergast,	Williams, E. S.,
Foerster,	Lamb,	Pursley,	Wilt,
Foor,	Lawson,	Reibman,	Wood,
Fox,	Lee, A. M.,	Renwick,	Yetter,
Frascella,	Lee, K. B.,	Rovansek,	Zember,
Fry,	Leonard,	Royer,	Andrews,
Galley,	Limper,		Speaker

## NAYS—11

Adams,	Gross,	Ogilvie,	Worley,
Anderson, J. H.,	Hocker,	Stimmel,	Zimmerman,
Fulmer,	Markley,	Williams, A. D.,	

## NOT VOTING—17

Auker,	Goldstein, M. H.,	Knecht,	Murray,
Bush,	Gray,	Mihm,	Price,
Ellberg,	Hankins,	Miller,	Reidenbach,
Eshback,	Jenkins,	Monroe,	Riley,
Fetterolf,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 649.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" further regulating payment of regular employes in order to be credited for service for pension.

With information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend bill, page 6, line 7, by adding the following: Section 2 This act shall take effect immediately.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Adams,	Fulmer,	Leonard,	Rudisill,
Anderson, J. H.,	Galley,	Limper,	Rutherford,
Anderson, S. A.,	Gallagher,	Lippincott,	Sakulsky,
Arlene,	Gelfand,	Long, Wm. Jas.,	Scarcell,
Ashton,	George,	Long, Wm. Jos.,	Schaaf,
Bachman,	Gibb,	Lutty,	Schuster,
Backenstoe,	Gibbons,	Manbeck,	Seltzer,
Blair,	Goldstein, J. H.,	Markley,	Shelton,
Boles,	Goldstein, M. H.,	Marsh,	Sherman,
Bonner,	Goodrich,	Maxwell,	Simmons,
Bossert,	Gramlich,	McCandless,	Slack,
Bower,	Gremminger,	McCann,	Snare,
Bowman,	Gross,	McCormack,	Stank,
Branca,	Guesman,	McDevitt,	Steckel,
Breth,	Guthrie,	McDonald,	Stimmel,
Buchanan,	Hamilton,	McInroy,	Stiteler,
Bush,	Hartley,	McKeever,	Stone,
Capano,	Haudenshield,	McLaughlin,	Strausser,
Cauley,	Heavey,	McNally,	Sullivan, J. A.,
Cianfrani,	Heffner,	Meholchick,	Sullivan, T. F.,
Cioffi,	Helm,	Merry,	Taylor,
Clarke,	Henzel,	Mills,	Thompson,
Comer,	Hocker,	Morley,	Tomasick,
Cooley,	Holliday,	Mullen,	Tompkins,
Crossin,	Holman,	Munley,	Trusio,
Curwood,	Horst,	Murphy,	Ujobal,
Davis,	Irvis,	Musto,	Varnar,
Dengler,	Isaacs,	Needham,	Verona,
Dennison,	Jim,	O'Dell,	Wall,
Donaldson,	Johnson, A. W.,	O'Donnell, J. A.,	Walsh,
Dougherty,	Johnson, R. P.,	O'Donnell, J. P.,	Wargo,
Doughten,	Jones,	Odorisio,	Weldner,
Down,	Kamyk,	Ogilvie,	Welsh,
Edwards,	Kelser,	Parlante,	Wescott,
Ellberg,	Kernaghan,	Pashley,	Whittaker,
Elvey,	Kessler,	Perry,	Willard,
Eshleman,	King,	Petrosky,	Willaredt,
Ewing,	Kistler,	Piper,	Williams, A. D.,
Farabaugh,	Klein,	Polaski,	Williams, E. S.,



Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Polen, Prendergast, Pursley, Reibman, Renwick, Rovaneck, Royer, Rubin,	Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—19

Auker, Capitolo, Eshback, Fetterolf, Gray,	Hankins, Jenkins, Kelly, Knecht, Magee,	May, Mihm, Miller, Monroe, Murray,	Price, Reidenbach, Riley, Shupnik,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

ANNOUNCEMENT

The SPEAKER pro tempore. The Chair would like to read an announcement which has been handed him from the president of the correspondents' association.

"Tickets to the correspondents' dinner tomorrow night will be available tomorrow from 9 a.m. on in the news room. No tickets available tonight."

COMMITTEE MEETINGS

BOROUGHES, Mr. Filo, chairman, Room 324, Wednesday, May 3, at 10:45 a.m.

CITIES-COUNTIES FIRST CLASS, Mr. Dougherty, chairman, Room 521, Wednesday, May 3, at 10:30 a.m.

FISHERIES, Mr. Jim, chairman, Room 323, Wednesday, May 3, at 10. a.m.

GAME and CONSERVATION, Mr. Curwood, chairman, Room 323, Wednesday, May 3, at 10:45 a.m.

INSURANCE, Mr. Hamilton, chairman, Room 522, Wednesday, May 3, at 10:30 a.m.

LABOR RELATIONS, Mr. Wargo, chairman, Room 131-G, Wednesday, May 3, at 10:30 a.m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521, Wednesday, May 3, at 10:30 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIMES

REPORTS FROM COMMITTEE

Mr. J. P. O'DONNELL from the Committee on Public Health and Sanitation, reported as committed, House bill No. 231, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095), authorizing cities, boroughs and townships to regulate and supervise the use of explosives for blasting.

Mr. LAWSON from the Committee on Public Health and Sanitation, re-reported as amended, House bill No. 460, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 231, entitled:

An Act amending the "Anthracite Strip Mining Law,"

approved June 27, 1947 (P. L. 1095), authorizing cities, boroughs and townships to regulate and supervise the use of explosives for blasting.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 460, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Mr. McCANN. Mr. Speaker, I request permission to call bills for amendment. I call up House bill No. 1275.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1275, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), providing for the assessment valuation and taxation of certain mobile-homes or house trailers.

On the question,

Will the House agree to the bill on third reading?

Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 4 (Sec. 402.1), page 6, lines 16 to 19; page 7, lines 1 to 5; by striking out "which are subject to real property tax and for" in line 16, all of lines 17 to 19, page 6; lines 1 to 4 and "establishing the assessed valuation of such property" in line 5, page 7, and inserting: according to the actual value thereof, and prices for which the same would separately bona fide sell.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1276, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), providing for the assessment valuation and taxation of mobilehomes or house trailers.

On the question,

Will the House agree to the bill on third reading?

Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 4 (Sec. 602.3), page 5, lines 17 to 20; page 6, lines 1 to 6, by striking out "which are subject to" in line 17, all of lines 18 to 20, page 5; all of lines 1 to 5 and "such property" in line 6, page 6, and inserting according to the actual value thereof, and prices for which the same would separately bona fide sell.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1300, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing the appointment of an assistant treasurer requiring him to be bonded and fixing his powers and duties.

On the question,

Will the House agree to the bill on third reading?

Mrs. KERNAGHAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1107), page 2, line 7, by striking out "shall not" and inserting: may

Amend Sec. 1 (Sec. 1107), page 2, line 8, by inserting after "council" but shall not be an officer thereof.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

## RESOLUTION

### CONGRATULATIONS

Messrs. STRAUSSER and NEEDHAM offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 2, 1961.

The Berwick Area Joint High School had in 1960, one of the outstanding football teams in the nation. The accomplishments of this team can only briefly be outlined for this resolution. The teams outstanding record includes the following:

1. Susquehanna Valley Conference Championship.
2. Keystone Conference Championship.
3. Eastern Conference Championship. This championship was won on December 3, at Scranton against West Scranton by a score of 19 to 7.

Two boys from the team were selected by Associated Press for the First All State Team. One boy was selected by the United Press for the First All State Team; one for the second team and one boy honorable mention. One boy has been chosen a member of the Big 33 Football Classic to be held in Hershey July 29, 1961. This team was selected by Scholastic Coach Magazine as one of the three State High School Football Champions; therefore be it

Resolved, That the House of Representatives commend and congratulate the Berwick Area Joint High School Football team on its outstanding record in 1960 and its coach, Ben Jones for the part he played in this extraordinary accomplishment; and be it further

Resolved, That copies of this resolution be sent to Ben Jones, 1201 Orange Street, Berwick and Elmer J. McKechnie, District Superintendent of Berwick Area Joint School District.

## ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 3, 1961, at 10 a.m., e.s.t.

The motion was agreed to, and (at 5:25 p.m., e.s.t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

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HARRISBURG, PA., WEDNESDAY, MAY 3, 1961.

No. 46.

## SENATE

WEDNESDAY, May 3, 1961

The Senate met at 9:30 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. PLUMMER R. HARVEY, Former Pastor of Patton Presbyterian Church, Patton, offered the following prayer:

Let us pray.

O Lord, we thank Thee for Thine infinite patience. We thank Thee that Thou sufferest long and bearest with us still. We would not presume upon Thy patience, but would seek to draw near to Thee now with reverence, remembering Thine infinite majesty, and how Thou art exalted above our knowledge.

Grant that we may be willing to accept all the requirements which fall to us from our relationship to Thee. May we be willing to do the duties that fall to us as elected servants of the Commonwealth. May we be willing to cast off the bondage which this world throws upon us. Grant that we may be able to safely pass through all its temptations. May our experience of life in this world tend only to our permanent good. May it in no one of us produce selfishness, hardness or bitterness, or any evil spirit or temper. Grant that rather our experience of this life may lead us to a sincere desire to be profitable to our fellows, to a truer dependence upon Thee, our God, to a sincerer acceptance of the duties which Thou layest upon us as Thy servants. Grant that we may have that higher tone in conduct, that truer and sincerer devotedness to what is good, that purer conscience, that deeper truthfulness, which comes from fellowship with the Lord, Jesus Christ. We pray Thee that Thou wouldst advance these ends in us today.

Bless, Thou, all who are meeting as we are now meeting. Lord, we beseech Thee that Thou, in Thine infinite spiritual power, wouldst draw near to men and cause them to know Thee and humble themselves before Thee. Hear us, for Christ's sake. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the pre-

ceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 173** and **346**, with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 306**, **470**, **556**, **571** and **649**.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 32**, **1387** and **1388**, which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 188**, **1146** and **1371**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 246**, which was referred to the Committee on Finance.

He also presented for concurrence **HB 351**, which was referred to the Committee on Education.

He also presented for concurrence **HB 832** and **1048**, which were referred to the Committee on Law and Order.

He also presented for concurrence **HB 869**, which was referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1100**, **1101** and **1163**, which were referred to the Committee on Insurance.

He also presented for concurrence **HB 1121**, which was referred to the Committee on Mines and Mineral Industries.

He also presented for concurrence **HB 1136** and **1220**, which were referred to the Committee on State Government.

He also presented for concurrence **HB 1169** and **1327**, which were referred to the Committee on Forests and Waters, Game and Fish.

## BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 173**, **346**, **HB 199**, **307**, **390** and **638**.

**BILL INTRODUCED AND REFERRED**

Messrs. CONFAIR and HAYS presented to the Chair **SB 604**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for director representation in union or merged districts under certain conditions.

Which was committed to the Committee on Education.

**PERMISSION TO ADDRESS SENATE**

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS, Mr. President and Members of the Senate, the bill which I am about to introduce is by no means an earth shaking bill, but it has a locale which is rather interesting and I want to share it with you.

In 1844, the citizens in the town of Aaronsburg, in Centre County, formed a water company which is officially known as the "President of the Water Pipes in Aaronsburg." This bill would amend the chartered by-laws because in that present charter, the maximum that they may charge a customer for water is sixty-two and one-half cents per year. In the light of some inflation which has come to our mountains, this is no longer adequate.

The spotlight was focused on the town of Aaronsburg, about twelve years ago, when James Duff was the Governor of the Commonwealth of Pennsylvania because 100 hundred years before that, the founder of Aaronsburg, Solomon Levy, had given to a Lutheran Church there a communion set. To commemorate this event, we had about 20,000 people come into Aaronsburg. Aaronsburg was then and is still known as a center of religious understanding. I might also say that the founder of Aaronsburg had visions that this would be the Capital of the Commonwealth of Pennsylvania, since it is almost in the geographical center of the State. Therefore, in Aaronsburg we have very wide streets, similar to Pennsylvania Avenue in Washington, D. C.

I feel that it is too late to move the capitol to Aaronsburg. However, there is some uncertainty about the Governor's Mansion and we do not want to take it from Dauphin County, but if, for any reason, it should be moved from Dauphin County, I would recommend, particularly if we get the water pipes of Aaronsburg fixed up properly, that Aaronsburg be considered as the place for the new Executive Mansion.

**BILLS INTRODUCED AND REFERRED**

Hr. HAYS presented to the Chair **SB 605**, entitled:

An Act amending the act of January 29, 1844 (P. L. 25), entitled "An act supplementary to an act to incorporate the president and directors of the water pipes in Aaronsburg," permitting additional persons to vote for the directors; further providing who shall be taxed; increasing one tax; providing for flat rates and tap on charges and repealing inconsistent legislation.

Which was committed to the Committee on Local Government.

Mr. HAWBAKER presented to the Chair **SB 606**, entitled:

An Act amending the act of June 22, 1931 (P. L. 594),

entitled "Rural State Highway Law," adding a new route in Franklin County.

Which was committed to the Committee on Highways.

**PERMISSION TO ADDRESS SENATE**

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL, Mr. President, on April 20, 1961, one of the large regulatory commissions of our professional bodies filed with the Secretary of the Commonwealth its regulations which covered that entire profession in the Commonwealth of Pennsylvania. On April 20 these regulations were effective and regulated each man in this occupation. On the 24th of April, I went over to the commission and asked for a copy of its regulations. They said they had none; they were not yet in print. In other words, a large segment of one of our professions was covered by regulations that were effective but not in print.

Mr. President, it is for this purpose that, on behalf of Senator McCreesh and myself, I am about to introduce this bill for the consideration of the Senate.

**BILLS INTRODUCED AND REFERRED**

Messrs. BELL and McCREESH presented to the Chair **SB 607**, entitled:

An Act amending the act of June 4, 1945 (P. L. 1388), entitled "Administrative Agency Law," providing that regulations shall not become effective until printed and made available for public distribution by the adopting agency.

Which was committed to the Committee on State Government.

Mr. STROUP presented to the Chair **SB 608**, entitled:

An Act amending the act of April 13, 1887 (P. L. 21), entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth," regulating the advancing of eastern standard time by counties, cities, boroughs, towns and townships.

Which was committed to the Committee on Local Government.

**REPORTS FROM COMMITTEES**

Mr. HAYS, from the Committee on Mines and Mineral Industries, reported, as amended, **HB 485**.

Mr. SESLER, from the Committee on Military Affairs and Aeronautics, reported, as committed, **HB 489, 493, 497, 498 and 500**; as amended, **HB 490, 495, 501 and 502**.

Mr. YATRON, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **HB 574, 576, 578, 580, 581, 584, 585, 587, 588 and 589**.

**SENATE RESOLUTION****CONGRATULATIONS OF THE SENATE EXTENDED TO PERRY COMO**

Messrs. DiSILVESTRO, LANE and HALUSKA offered the following resolution (**Serial No. 55**), which was read as follows:

In the Senate, May 3, 1961.

The story of Perry Como is one of those "Only in America" that holds a special interest to the people of the Commonwealth of Pennsylvania. He was born in Canonsburg in Washington County, May 18, 1912. His parents were Italian immigrants and Perry was the first



of their thirteen children to become a citizen by birth. He attended local elementary and high schools. After graduation he operated a barber shop which he started at the age of fourteen as an after school money maker.

His friends urged him to take up a career of entertainer. As a result of these urgings and due to his inherent ability he has become one of the top flight entertainers in the entertainment world today. Perry Como is too well known to further outline his accomplishments. It can truly be said that today he is one of this Commonwealth's distinguished native sons.

Perry Como is married to the former Roselle Belline. They have three children, Ronnie, David and daughter Terri. They live at Sands Point, Long Island.

He received in 1953 an award for his "Unselfish devotion" in the advancement of Interfaith; he was voted "Personality of the Year" in 1956 by the Variety Club of Washington, D. C.; voted "Man of the Year" by the Friars Club of New York City and has numerous awards for his efforts in the entertainment field. He and his wife have received one of the highest honors of the Roman Catholic Church, Knight Commander and Lady Commander of the Equestrian Order of the Holy Sepulchre of Jerusalem; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania commends and congratulates Perry Como on his extraordinary success in his chosen field of endeavor. The Senate of Pennsylvania further wishes to commend him for the honor he has brought to his native State and to the Nation; and be it further

Resolved, That a copy of this resolution be sent to Perry Como and his family at his home at Sands Point, Long Island.

Mr. DiSILVESTRO. Mr. President, I move the immediate adoption of this resolution.

Mr. LANE. Mr. President, I am very happy indeed to second the motion for the adoption of this resolution.

I think the Membership of the Senate should know something about the personal background of Perry Como.

I have had the pleasure of being personally acquainted with this gentleman for quite a number of years, Mr. President. I recall when Perry Como was an apprentice in his uncle's barber shop. To me, he typifies what I would say is a clean-living American. Perry Como is dedicated to his family. I happened to talk to one of his relatives not long ago, right after the decease of his mother, and they informed me that Perry had called home at least twice every day during his mother's illness.

Perry Como is the type of a man who takes good care of his family. I know for a fact that his own mother, who recently passed away, was given every attention by her son. He is not the type to neglect anyone.

In Canonsburg, in my county, I must say, Mr. President, that Perry Como has the respect, the confidence and the good will of all of the citizens because they know that he has been a good boy. He is a good man and he is a credit to the entertainment world.

I am happy indeed to second the motion to adopt this resolution at this particular time.

Mr. HALUSKA. Mr. President, I would like to also second this motion because my brother sang in the church choir with Perry Como during his early days. Furthermore, I also was born in the town of Canonsburg, and I take great pride in adding my few words to the passing of this resolution.

The PRESIDENT. Perry Como, I am sure, has been one of your favorite entertainers just as he has been one of mine. Therefore, it is a pleasure to put this resolution before the Senate.

On the question,  
Will the Senate agree to the motion?

The motion was agreed to and the resolution was adopted.

STUDENTS WELCOMED TO THE SENATE

Mr. MURRAY. Mr. President, we have some distinguished visitors in the gallery today from Wyoming High School. They are accompanied by Mr. K. R. Jones, a member of their faculty. I ask the Chair to welcome them to the Senate of Pennsylvania.

The PRESIDENT. Will the ladies and gentlemen of the high school please arise so that they may be recognized by the Senate?

Thank you, Mr. Jones, for bringing your class here. I hope that the class, having been welcomed by the Senate, will realize that we are very much interested in the younger people of our State getting to understand the ways of good government.

We are glad to have you with us here in the Chamber this morning.

BILLS INTRODUCED AND REFERRED

Messrs. VAN SANT, ROONEY, SCOTT and EHRGOOD, by unanimous consent, presented to the Chair **SB 609**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," permitting retail licensees to furnish free cheese.

Which was committed to the Committee on Law and Order.

Mr. McMENAMIN, by unanimous consent, presented to the Chair **SB 610**, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," further providing for change in classification of counties upon change in population.

Which was committed to the Committee on Local Government.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

**HB 55**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 60**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Confair,	Kessler,	Propert,	Stroup,
Devlin,	Kromer,	Ripp,	Taylor,
DiSilvestro,	Lane,	Rooney,	Van Sant,
Donolow,	Madigan,	Sarra,	Wade,
Ehrgood,	Mahady,	Scott,	Wagner,
Flack,	Mallery,	Sesler,	Ware, III,
Fleming,	McCreesh,	Seyler,	Weiner,
Haluska,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,

## NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 88**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Berger,	Hays,	Mullin,	Stevenson,
Camiel,	Kalman,	Murray,	Stiefel,
Chapman,	Keller,	Pechan,	Stroup,
Confair,	Kessler,	Ripp,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarra,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Wolfe,
Haluska,	McGinnis,	Silvert,	Yatron,
Hawbaker,	McMenamin,	Stalsey,	

## NAYS—2

Bell, Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 95 and 132**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 197**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—45

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Confair,	Kromer,	Ripp,	Stroup,
Devlin,	Lane,	Rooney,	Taylor,
DiSilvestro,	Madigan,	Sarra,	Van Sant,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

## NAYS—4

Chapman, Kessler, Propert, Wade,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL ON THIRD READING AMENDED

**HB 326**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 2004), page 3, line 3, by inserting after "days": except in the case of members of the police department who have been so employed for less than one year, who shall have an annual vacation of not less than two weeks, all such vacations to be

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 479**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.



## BILLS OVER IN ORDER

**SB 518, HB 635 and 636**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 678**—Read at length the third time and agreed to. And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, this bill is very necessary for the industrial rehabilitation and economic growth of the hard coal regions of northeastern Pennsylvania. It is designed to provide additional moneys in our continuing fight to make northeastern Pennsylvania more attractive to new industries and also to provide urgently needed relief to small home owners. Many homes and, indeed, public buildings are in danger of being seriously damaged, if not destroyed, by reason of surface settlements caused by abandoned coal mines.

I appeal to the Members of the Senate to vote for this bill, particularly to aid all of the people in northeastern Pennsylvania and, specifically, to help protect the homes and the buildings of the people who live there.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## BILLS OVER IN ORDER

**HB 715 and 716**—Mr. SILVERT. Mr. President, I request that House Bills Nos. 715 and 716 go over in their order.

The PRESIDENT. Is there objection?

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Silvert.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Silvert, permit himself to be interrogated?

Mr. SILVERT. I will, Mr. President.

Mr. LANE. With reference to House Bill No. 715 and House Bill No. 716, and your request to pass them over in order, would you explain to the Members of the Senate why this request was made?

Mr. SILVERT. I made this request because yesterday I

received information that it would require an additional \$9,000,000 to carry out the provisions of House Bill No. 715 and House Bill No. 716. It requires further study. I believe it is a fact that when these bills should reach the Governor's desk, he probably would veto them.

Therefore, I request that the bills go over in their order so that we can check those figures.

Mr. LANE. Mr. President, the gentleman mentioned a figure of \$9,000,000 and said it would require \$9,000,000 if we pass these bills. Does he mean that it is going to cost the Commonwealth \$9,000,000 a year? Is that the gentleman's statement?

Mr. SILVERT. The information which came to me is that it will cost \$9,000,000 to carry out the provisions. I do not know whether it is annually or in one lump sum.

Mr. LANE. Mr. President, I want to thank the distinguished Chairman of the Finance Committee for his very informative answers.

Mr. BERGER. Mr. President, I would very much appreciate receiving from Senator Silver the information he has received, if he is at liberty to divulge it, not today but sometime next week. The information that I have is that the cost of the bills would not exceed \$3,000,000 or slightly upward.

Mr. SILVERT. Mr. President, I will be glad to furnish this information next week, just as soon as I receive it. I am going to request it.

The PRESIDENT. There being no objection, the bills will go over in their order.

The PRESIDENT. At this time, the Chair turns the gavel over to the distinguished gentleman from Allegheny, Senator Ripp, who will preside while I proceed to the Highway Safety Conference.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

## SECOND READING CALENDAR

## BILL ON SECOND READING

**SB 30**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 31**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON SECOND READING

**SB 76**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING AMENDED

**SB 87**—The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first and twenty-second sections were read and agreed to.

The twenty-third section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendment:

Amend Sec. 23, page 19, line 20, by striking out "certified" and inserting: "competent independent"

It was agreed to.

The section was agreed to as amended.

The twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth and thirty-first sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

#### BILLS ON SECOND READING

**SB 106** and **HB 147**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 171** and **SB 295**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**SB 306**, **HB 323** and **328**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**HB 331**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

#### BILLS ON SECOND READING

**HB 359**, **SB 401**, **407** and **427**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 430** and **SB 431**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON SECOND READING AMENDED

**SB 439**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE, on behalf of Mr. WEINER, offered the following amendments:

Amend Section 1, page 3, line 13, by striking out "and" where it last appears on said line.

Amend Section 1, page 3, line 14, by inserting

after "schools" the following:  
"AGRICULTURAL AND INDUSTRIAL SCHOOLS"

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE, on behalf of Mr. WEINER, offered the following amendments:

Amend Section 2, page 5, line 5, by inserting after "schools" the words:

"AGRICULTURAL AND INDUSTRIAL SCHOOLS"

Amend Section 2, page 6, line 1, by inserting after "school":

"AGRICULTURAL AND INDUSTRIAL SCHOOL"

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

#### BILLS OVER IN ORDER

**SB 441** and **442**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 453**, **454** and **SB 459**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 466**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 480** and **SB 481**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 493**—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

#### BILLS ON SECOND READING

**SB 497** and **HB 507**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**HB 508**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**SB 520**, **523**, **528**, **530**, **539**, **540** and **542**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 552**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILL ON SECOND READING

**SB 553**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

**HB 637**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 1, page 2, lines 6 to 8, by striking out all of said lines and inserting:

As used in this act, disaster or emergency conditions shall mean those conditions which seriously affect the welfare of a substantial number of citizens of the Commonwealth and which were caused by forces beyond the control of man or were caused by factors that were not foreseen and were not known to exist when appropriation bills were enacted

As used in this act, a major disaster occurs or



emergency conditions exist when the Governor officially proclaims that he has made an investigation and finding to that effect and shall cease when the Governor officially proclaims that a major disaster or emergency conditions ceases to exist

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 2, page 2, line 9, by striking out "immediately" and inserting:  
June 1, 1961

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

#### BILLS ON SECOND READING

**HB 662, 721, 734, 744, 745, 746, 747, 984, 992, 1005, 1038 and 1045**—Read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

#### BILL OVER IN ORDER

**HB 1102**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 1130, 1135, 1137, 1139, 1149, 1166 and 1167**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**HB 1179**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 1184 and 1290**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SENATE RESOLUTION, SERIAL No. 49, CALLED UP

Mr. WEINER, without objection, called up from page 16 of the Calendar, Senate Resolution, **Serial No. 49**, entitled:

Requesting the Governor to Appoint a Committee to Encourage Development of Additional Research Facilities in Pennsylvania

On the question,

Will the Senate adopt the resolution?

**SENATE RESOLUTION, SERIAL No. 49, ADOPTED**

Mr. WEINER. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 49.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

#### STUDENTS WELCOMED TO THE SENATE

Mr. KELLER. Mr. President, I wish to take this opportunity to present to you and to the Members of the Senate, thirty-two students from the eighth grade of the Penn Ridge High School, Bucks County.

Would the Chair please welcome this group?

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, is very happy to recognize the thirty-two students from the Penn Ridge High School, in Bucks County. Will the students please rise?

We trust that you will remain with us and see how your government is in operation. This is the democratic way.

Mr. SEYLER. Mr. President, yesterday, I had the pleasure of introducing to the Senate a group of youngsters from the tenth grade of the West York Area High School, which is one of our larger high schools in the suburban area of York. Today, we are pleased to have with us a group of ninth grade youngsters. I believe there are a total of 300 students wandering around somewhere in the Capitol. However, I do not believe all of them are here at the moment.

Nevertheless, Mr. President, I wish the Chair would welcome these members of the West York Area High School—the ninth grade class—who are here today.

The PRESIDING OFFICER. Will the ninth grade students of the West York Area High School please rise? Thank you for being with us.

The Chair also would like to thank Senator Seyler and Senator Keller for inviting these student bodies to our Senate Chamber.

#### RECONSIDERATION OF SB 87

Mr. LANE. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 87, Printer's No. 87, passed Second Reading today.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. STEVENSON. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. STEVENSON. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the first section of the bill?

Mr. LANE offered the following amendments:

Amend Sec. 1, page 2, line 3, by inserting after "county": "of the third, fourth, fifth, sixth, seventh or eighth class."

Amend Sec. 1, page 2, line 6, by inserting after "ties": "of the third, fourth, fifth sixth, seventh and eighth classes."

They were agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth, seventh, eighth and ninth sections were read and agreed to.

Will the Senate agree to the section?

On the question,

The tenth section was read.

Mr. LANE offered the following amendment:

Amend Sec. 10, page 8, line 13, by striking out "not."

It was agreed to.

The section was agreed to as amended.

The eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth and thirty-first section were read and agreed to.

The title was read.

On the question,

Will the senate agree to the title?

Mr. LANE offered the following amendment:

Amend Title, page 1, second line of Title, by inserting after "counties": "of the third, fourth, fifth, sixth, seventh and eighth classes."

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

### STUDENTS WELCOMED TO THE SENATE

Mr. SEYLER. Mr. President, about a week ago, we seemed to be having "Lehigh Valley Week" as far as our school visitations are concerned. I am up again, Mr. President, to call to the attention of the Chair and the Members of the Senate that we have another group of students who have just come into this Chamber. This group comprises members of the student body of the West York Area High School. These are ninth graders in that school.

I would appreciate it if the Presiding Officer of the Senate would recognize them and welcome them to the Senate.

The PRESIDING OFFICER. It is very nice of you, Senator Seyler, to call our attention to the ninth grade students of the West York Area High School who are here with us. Students, will you please rise? Members of the Senate, will you give them a cordial welcome?

Students, we trust that you have some time to spend with us, as we are passing legislation, in order that you will see how your government operates.

### BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **HB 485, 489, 490, 493, 495, 497, 498, 500, 501, 502, 574, 576, 578, 580, 581, 584, 585, 587, 588 and 589.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

### SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED  
TO JOSEPH A. ABBEY, PRESIDENT OF  
ROTARY INTERNATIONAL

Messrs. KELLER, YATRON, PROPERT, VAN SANT

and ROONEY, by unanimous consent, offered the following resolution (**Serial No. 56**), which was read, considered and adopted:

In the Senate, May 3, 1961.

On July 1, 1961, Joseph A. Abbey, Reading, Pennsylvania, will take office as the chief executive of Rotary International, a world-wide service organization, which is comprised of more than 10,900 Rotary Clubs with membership of over 505,000 in 122 countries on 6 continents.

He has been a devoted servant of his community, faithfully serving in its moral, social and economic life. He has served his country as a member of President Eisenhower's People to People Service Club Organization Committee, People to People Sports Committee. He has been an ambassador of good will by making extensive visits to sixty countries over the world. In his own vocation of newspaper publication, he was one of the original members of the Newspaperboy Hall of Fame.

Because of its continuing effort in the constant advancement of international understanding, good will and peace through a world fellowship of business and professional men united in the ideal of service, Rotary enjoys a unique position of prestige in the free world.

Joseph A. Abbey, as the President of Rotary International, will have the required duty to visit Rotary Clubs in many different countries around the world. He will have the welcome obligation to bring to this office his high moral integrity, lofty ideals, broad sympathies and unselfish devotion to the Rotary Ideals: "Service Above Self" and "He Profits Most Who Serves Best."

His being elected as the President of Rotary International has brought great distinction to the City of Reading, Rotary District No. 743, of which the Rotary Club of Reading is a part, the Commonwealth of Pennsylvania and the United States of America; therefore be it

Resolved, That the members of this Senate hereby extend its congratulations to Joseph A. Abbey, President Rotary International, for bringing the high honor of this office to the Commonwealth of Pennsylvania; and be it further

Resolved, That copies of this resolution be transmitted to Joseph A. Abbey, President, Rotary International; H. Galvin Terry, Governor, District No. 743; John M. Wotring, President, Rotary Club of Reading.

### PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President and Members of the Senate, as is well known, of course, the Governor over a year ago appointed a committee to deal specifically with the problems of public education in Pennsylvania and at the beginning of this month, that committee made their report public

Today, I am presenting the first of a series of bills growing out of the work of that committee; three bills, to be specific. I do this realizing there are perhaps some procedural matters before the Senate that have not been resolved. I know that I am of the opinion, and I am sure many of you share this view, that this matter should be no longer delayed.

Therefore, we are presenting this series of bills, despite the fact that this procedural matter has not been completed.

It would be my hope that this Senate would set up this special committee to handle this matter. I assure you that if these bills are referred to the regular Education Committee, we shall be glad to relinquish them to any special committee that may be set up.

I want to say further that if they are in the possession of the Education Committee, at the next meeting of the



Education Committee, it would be my hope that the committee would start serious consideration of these bills.

This is, of course, not the complete package. It is just a part of the package. These three bills deal specifically with the matter of community colleges, with the matter of scholarships and loans, and with the matter of school buildings.

I am sharing sponsorship with the other men in the Senate who served on the Governor's Committee; namely, Senator Wagner and Senator Seyler. Unfortunately, Senator Shafer is not here today. We believe he would be willing and we would like him also to sponsor these bills. If we can reach him, we will give him this opportunity. I hope this opportunity can be extended to him for these bills, and I know it will be for subsequent bills. I am quite sure there are other Members who desire to join in the sponsorship of these matters. As far as I am concerned, I would be quite happy to have them join us in these bills. We thought, as is done in the Local Government Commission, perhaps the initial sponsors might be the four men who should be the most knowledgeable on these matters since they served on the Governor's Committee.

May I say all of them served quite faithfully on the Governor's Committee? It was my privilege to serve on a special task force with Senator Shafer. I know he attended regularly, and I saw Senator Wagner and Senator Seyler attending practically all of the meetings also.

I am now about to present to the Chair three bills dealing with the report of the Governor's Special Committee on Education.

Mr. SILVERT. Mr. President, inasmuch as the Chairman of the Education Committee was kind enough to state that he would be glad to accept sponsorship from any other Member of the Senate on these bills, I wish to state that I would like to become a cosponsor of these bills.

**BILLS INTRODUCED AND REFERRED**

Messrs. HAYS, WAGNER, SEYLER, SILVERT, YATRON and CONFAIR, by unanimous consent, presented to the Chair **SB 611**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing scholarships and loans to graduates of secondary schools.

Which was committed to the Committee on Education.

Messrs. HAYS, WAGNER, SEYLER, SILVERT and YATRON, by unanimous consent, presented to the Chair **SB 612**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the creation, establishment and operation of community colleges, granting certain powers to the State Council of Education and the Department of Public Instruction, authorizing school districts and municipalities to sponsor community college or to combine in community college districts, authorizing school districts, municipalities and community college districts to levy certain taxes, and providing for the reimbursement of school districts or municipalities or community college districts.

Which was committed to the Committee on Education.

They also, by unanimous consent, presented to the Chair **SB 613**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30),

entitled "Public School Code of 1949," changing the per pupil unit cost reimbursement for elementary and secondary school construction, authorizing reimbursement in the year of acquisition for school building sites purchased in advance of their need and harmonizing provisions related thereto, and extending the provisions for reimbursement on preliminary payments on account of approved building construction to include the State Public School Building Authority and Municipal Authorities, and abolishing the cost limitations on school building projects for reimbursement purposes.

Which was committed to the Committee on Education.

Messrs. McMENAMIN and STEVENSON, by unanimous consent, presented to the Chair **SB 614**, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379) entitled "Third Class County Board Assessment Law," authorizing counties subject to the act, to elect to continue thereunder.

Which was committed to the Committee on Local Government.

They also, by unanimous consent, presented to the Chair **SB 615**, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class County Assessment Law," fixing the time of application of the act to counties becoming subject thereto by reason of a change in classification.

Which was committed to the Committee on Local Government.

**NOMINATIONS BY THE GOVERNOR  
REFERRED TO COMMITTEE**

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

**MEMBER OF THE ARMSTRONG COUNTY  
BOARD OF ASSISTANCE**

May 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William M. Bayle (Republican), 242 North Water Street, Kittanning, Armstrong County, for appointment as a member of the Armstrong County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rev. Thomas F. Luce, Kittanning, resigned.

DAVID L. LAWRENCE.

**MEMBER OF THE LANCASTER COUNTY  
BOARD OF ASSISTANCE**

May 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred Nevin Sayres (Republican), 519 West James Street, Lancaster, Lancaster County, for appointment as a member of the Lancaster County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Joseph M. Flanagan, Columbia, resigned.

DAVID L. LAWRENCE.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

MONDAY, MAY 8, 1961

Republican Caucus .....1:00 P.M., D.S.T.  
Democratic Caucus .....1:00 P.M., D.S.T.  
(12:00 Noon Standard Time)

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, May 8, 1961, at 1:30 p.m.

Mr. DEVLIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:30 a.m.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, May 3, 1961

The House met at 10 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

### PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Omniscient and Omnipotent Father, in this day of speed and this age of space, we see the world about us as an association of Thy creation, but we cannot help but see the troubled areas which cause us concern. We ask for Thy counsel and guidance in all our walks of life; but especially we pray for Thy blessing upon this Nation in her relationships with others as well as her conquest in space travel. Likewise, extend Thy counsel to these leaders in the affairs of this Commonwealth that disturbing problems and situations may receive Thy benediction: through Jesus Christ, our Lord.

Amen.

The SPEAKER. The Chair sometimes thinks that prayer should be offered at the end of the session that we might pray for forgiveness, rather than pray at the beginning of the session before empty chairs.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, May 2, 1961 will be postponed until printed.

The Chair hears none.

### BILLS INTRODUCED AND REFERRED

By Mr. MARSH. HOUSE BILL No. 1458.

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), providing for payments to counties in cases where eligibles enter public institutions maintained by a county.

Referred to the Committee on Welfare.

By Mr. MARSH. HOUSE BILL No. 1459.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), changing eligibility requirements in certain cases.

Referred to the Committee on Welfare.

By Messrs. RENWICK, TOMPKINS and CIOFFI.  
HOUSE BILL No. 1460.

An Act authorizing the judge of the court of common pleas of any county of the seventh or eighth class to direct that recorded maps, plats or plans be reproduced; requiring the recorder of deeds to preserve originals of maps, plats or plans so reproduced; and providing for payment of costs by the county.

Referred to the Committee on Judiciary.

By Messrs. McLAUGHLIN, KRAMER, McCORMACK and DOUGHERTY. HOUSE BILL No. 1461.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring school districts, under certain circumstances, to provide free trans-

portation of children attending non-public schools not operated for profit.

Referred to the Committee on Rules.

By Messrs. SCHAAF, O'DELL, POLASKI  
and McCANDLESS. HOUSE BILL No. 1462.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), prohibiting the operation of motor vehicles traveling at slow speeds from State highways and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. WILT, ISAACS, HAMILTON  
and POLASKI. HOUSE BILL No. 1463.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), clarifying the meaning of "frontage abutting on the sewer" for the purpose of sewer assessments.

Referred to the Committee on Townships.

By Messrs. TOMPKINS, RENWICK, DOWN  
and PETROSKY. HOUSE BILL No. 1464.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), permitting townships to make appropriations to industrial development agencies.

Referred to the Committee on Townships.

By Messrs. J. H. ANDERSON, LIPPINCOTT, WILT  
and PETROSKY. HOUSE BILL No. 1465.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), permitting townships to make appropriations to industrial development agencies.

Referred to the Committee on Townships.

By Messrs. CLARKE, LAMB, WILT and GIBB.  
HOUSE BILL No. 1466.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) further providing for the bringing of informations by members of the Pennsylvania State Police in cities of the second class.

Referred to the Committee on Motor Vehicles.

By Messrs. ROVANSEK, STRAUSSER, GRAMLICH  
and FARABAUGH. HOUSE BILL No. 1467.

An Act authorizing the expenditure of certain moneys by volunteer firemen's relief associations for certain purposes.

Referred to the Committee on State Government.

By Messrs. WARGO, MUSTO, ROVANSEK, NEEDHAM,  
GRAMLICH, CAPANO and WM. JOSEPH LONG.  
HOUSE BILL No. 1468.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), enlarging the Coal Research Board's sphere of study and research.

Referred to the Committee on State Government.

By Messrs. LAMB, DENGLE, DONALDSON  
and CLARKE. HOUSE BILL No. 1469.

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), further defining and limiting the rights, powers, duties and liabilities of such

associations; further specifying types of collateral for mortgage loans.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. WILT, R. P. JOHNSON, FLYNN  
and CAPANO. HOUSE BILL No. 1470.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code \*\*\*" providing additional enforcement procedures for traffic violations in boroughs, towns and townships.

Referred to the Committee on Motor Vehicles.

By Messrs. WILT, R. P. JOHNSON, FLYNN  
and CAPANO. HOUSE BILL No. 1471.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring truck tractors to be constructed or equipped so as to bar water or road surface material to be thrown in a certain way from the rear wheels.

Referred to the Committee on Motor Vehicles.

By Messrs. DOWN and BOSSERT.  
HOUSE BILL No. 1472.

An Act amending the "Cooperative Productive and Distributive Association Law," approved June 7, 1887 (P. L. 365), prohibiting certain acts by the directors without the consent of the members.

Referred to the Committee on Judiciary.

By Messrs. FINEMAN and BOWMAN.  
HOUSE BILL No. 1473.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Water and Power Resources Board to sell, lease or otherwise dispose of minerals in or beneath certain streams or bodies of water.

Referred to the Committee on State Government.

By Mr. BOWMAN. HOUSE BILL No. 1474.

An Act relating to the time in which certain appeals may be taken from courts of record; specifying the conditions under which an appeal shall operate as a super-sedeas and repealing inconsistent legislation.

Referred to the Committee on Judiciary.

By Messrs. SHUPNIK, GAILEY, BUCHANAN  
and DENGLE. HOUSE BILL No. 1475

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), omitting the requirement that the written approval of the Department of Public Instruction be given to specific contracts and leases.

Referred to the Committee on State Government

By Messrs. SHUPNIK, GAILEY, BUCHANAN,  
and DENGLE. HOUSE BILL No. 1476.

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), authorizing the Authority to convey projects to school districts when all bonded indebtedness and other obligations incurred in the financing of such projects have been finally paid and discharged.

Referred to the Committee on State Government.

By Messrs. MEHOLCHICK, BUCHANAN, CURWOOD,  
CROSSIN and Mrs. MUNLEY.

HOUSE BILL No. 1477.

An Act amending "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing that boards of school directors shall employ the type of fuel which is most economical in the area.

Referred to the Committee on Rules.

By Messrs. NEEDHAM, MURPHY and  
CROSSIN. HOUSE BILL No. 1478.

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), prescribing powers and duties of the Adjutant General with respect to veteran affairs.

Referred to the Committee on Military Affairs.

By Messrs. NEEDHAM, MURPHY and  
WARGO. HOUSE BILL No. 1479.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), deleting provisions relating to the functions of the Deputy Adjutant General in charge of military affairs and further providing for his compensation.

Referred to the Committee on Military Affairs.

By Messrs. LIPPINCOTT, FINEMAN, CLARKE  
and GIBBONS. HOUSE BILL No. 1480.

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court; \* \* \*" increasing the salary of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County.

Referred to the Committee on Rules.

By Messrs. GAILEY and A. M. LEE.  
HOUSE BILL No. 1481.

An Act amending the act of May 16, 1939 (P. L. 141), entitled "An act to make void all gifts for religious or charitable uses to take effect on the death of the donor; \* \* \*" making certain gifts for religious or charitable uses valid even though made within thirty days of the death of the donor.

Referred to the Committee on Judiciary.

By Messrs. GAILEY and A. M. LEE.  
HOUSE BILL No. 1482.

An Act amending the "Wills Act of 1947" approved April 24, 1947 (P. L. 89), making certain bequests and devises for religious or charitable purposes valid even though made within thirty days of the death of the testator.

Referred to the Committee on Judiciary.

By Messrs. SCHAAF and EILBERG.  
HOUSE BILL No. 1483.

An Act amending the act of June 8, 1907 (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels; \* \* \*" authorizing the commission to enter into certain agreements with the Pennsylvania Fish Commission.

Referred to the Committee on State Government.



By Messrs. DENNISON and RENWICK.

HOUSE BILL No. 1484.

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," clarifying the mileage reimbursement to jurors.

Referred to the Committee on State Government.

By Mr. FRY.

HOUSE BILL No. 1485.

An Act providing that persons receiving certain pensions or retirement benefits shall not thereafter be employed by the Commonwealth of political subdivisions unless payments of such pensions or retirement benefits are waived during the period of employment.

Referred to the Committee on Rules.

By Messrs. SAKULSKY and BOWMAN.

HOUSE BILL No. 1486.

An Act amending the act of July 8, 1947 (P. L. 1428), entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof, conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties," to exempt from its regulatory scope any real estate school approved by the State Real Estate Commission under the Real Estate Brokers Act.

Referred to the Committee on Rules.

By Messrs. SAKULSKY and BOWMAN.

HOUSE BILL No. 1487.

An Act amending the "Real State Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), changing the educational and training requirements for licensure, changing the place of hearing, specifying the nature and weight to be given to the report of a representative appointed by the Commission to hold hearings in connection with any of its disciplinary proceedings, providing for the taking of testimony and bringing auctioneers within the provisions of the act.

Referred to the Committee on Rules.

By Messrs. DOWN and BOSSERT.

HOUSE BILL 1488.

An Act amending the "Milk Control Law," approved April 28 1937 (P. L. 417), further regulating employes of the commission, the production, testing, sale and prices of milk, and the records of milk dealers.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. GAILEY and A. D. WILLIAMS, Jr.

HOUSE BILL No. 1489.

An Act relating to collection agencies; providing for and regulating the licensing of collection agencies and collectors; granting powers and imposing duties on the Secretary of Banking; prescribing unlawful acts and imposing penalties.

Referred to the Committee on Banking and Building and Loan Associations.

## RESOLUTION INTRODUCED AND REFERRED

By Messrs. A. M. LEE, SELTZER, FOOR

and ZEMBER. (Concurrent) RESOLUTION No. 66.

In the House of Representatives, May 2, 1961.

Almost three years have elapsed since the merger, by statute of the 1957 General Assembly, of the Department

of Welfare and the Department of Public Assistance into the Department of Public Welfare. Such merger has created a vast agency, charged with the administration of public moneys totalling one-quarter of the entire General Fund Budget.

Recurring deficits, disclosures of improper payments, steadily mounting relief loads even in times of economic well-being and critical pronouncements by recognized citizen agencies give rise to serious questions as to the operational, procedural and organizational ability of the department to meet and discharge effectively the duties and obligations assigned it by law.

The legislative intent in this field as embodied in the Public Assistance Law of 1937 is " . . . that assistance shall be administered in such a way and manner as to encourage self-respect, self-dependency and the desire to be a good citizen and useful to society." Dollar increases in relief payments while a matter of legitimate concern may merely be symptomatic of what is called the growing "chain of chronic dependency among certain family groups." A 1959 report of the Pennsylvania Citizens Association for Health and Welfare speaks of families with delinquency which "sometimes remain dependent upon public assistance for three or even four generations." Suggested solutions include tougher standards of eligibility or broader rehabilitative services, or both.

Continuing disclosures of dishonesty or inefficiency in the applications or administration are indicative of serious deficiencies in certain areas of the Public Assistance program. Elimination of waste, inefficiency and improper payments would provide funds within the framework of present appropriations to do a better job among the worthy recipients; therefore, be it

Resolved (the Senate concurring), That a joint committee of eight members of the General Assembly shall be established, four members, two from each political party, to be appointed by the Speaker of the House of Representatives from among the members thereof, and four members, two from each political party, to be appointed by the President pro tempore of the Senate from among the members thereof, and that said joint committee shall make an immediate study and investigation of the organization and operation of the Department of Public Welfare in order to determine how the consolidation of the Welfare and Assistance Departments has worked; whether the institutions and programs thereunder are effectively and efficiently operated; whether the top staff of the Department is properly organized for effective functioning; whether there is a way to avoid large deficiency appropriations to the Department; whether Public Assistance as now administered encourages dependency on government; whether the Department is administering the Public Assistance Law in accordance with the stated legislative intent; whether existing standards of eligibility are adequate and proper; whether the procedures now in force are effective in preventing improper payments of State funds, and whether the case load can be reduced to increase grants to those really in need, as well as any and all other phases of departmental operations which shall, to the members of said committee, be deemed proper within the scope of this resolution; and be it further

Resolved, That the joint committee is hereby authorized and directed to contract with a competent business management consulting firm or firms for technical and professional advice on such portions of this study and investigation as may seem proper, the total expenditures of such services by outside agencies shall not exceed the sum of two hundred thousand dollars (\$200,000), or such other amount as may actually be appropriated to such committee for the discharge of its duties; and be it further

Resolved, That the committee shall have the power to issue subpoenas under its hand and seal, requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. The committee shall have the power to administer oaths and affirmations of witnesses appearing before it. Any person who shall wil-

fully neglect or refuse to testify before the committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and, be it further

Resolved, That the said joint committee shall report its findings and recommendations, together with any drafts of legislation it deems necessary, as soon as possible but no later than March 15, 1963.

Referred to the Committee on Rules.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 213.

An Act fixing maximum days and hours of service for policemen in cities of the second class A.

Referred to the Committee on Cities—Counties Second and Second Class A.

#### SENATE BILL No. 294.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the lights and signals to be used in connection with certain vehicles and providing penalties.

Referred to the Committee on Motor Vehicles.

#### SENATE BILL No. 332.

An Act prohibiting the civil arrest of any person for the failure to pay a tax a penalty for a tax or file a tax return.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 482.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" fixing the number of affirmative votes required in seven and nine member councils under the mayor-council plan A of government to effect certain street improvements and to change zoning ordinances.

Referred to the Committee on Cities—Third Class.

#### SENATE BILL No. 483.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" prescribing membership of board of commissioners of the sinking fund commission in cities which have adopted the mayor-council plan A.

Referred to the Committee on Cities—Third Class.

#### SENATE BILL No. 484.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Operational Third Class City Charter Law" further regulating the preparation and adoption of budgets after adoption of Mayor—Council Plan A.

Referred to the Committee on Cities—Third Class.

#### SENATE BILL No. 505.

An Act amending the act of March 2, 1956 (P. L. 1211), entitled "Practical Nurse Law" providing for biennial licenses.

Referred to the Committee on Professional Licensure.

#### SENATE BILL No. 506.

An Act amending the act of January 14, 1952 (P. L. 1898), entitled as amended "Funeral Director Law" providing for biennial licenses.

Referred to the Committee on Professional Licensure.

#### SENATE BILL No. 507.

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers' License Law" providing for biennial registration and increasing certain fees accordingly.

Referred to the Committee on Professional Licensure.

#### SENATE BILL No. 533.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the compensation of mayors councilmen controllers treasurers and department heads.

Referred to the Committee on Cities—Third Class.

#### SENATE BILL No. 534.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" prohibiting departments from being headed by member of city council under mayor—council plan A.

Referred to the Committee on Cities—Third Class.

## REPORT FROM COMMITTEE

Mrs. KOOKER from the Committee on Boroughs, reported as committed, House bill No. 669, entitled:

An Act amending "The Borough Code," approved May 4, 1937 (P. L. 519), providing for the appointment of special school police; defining their powers and duties; and providing for their compensation by the school district.

Mr. McNALLY from the Committee on Motor Vehicles, reported as committed, House bill No. 926, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for the transportation of explosives and providing penalties.

Mr. ODORISIO from the Committee on Insurance, reported as committed, House bill No. 1297, entitled:

An Act amending the act of December 20, 1933 (1933-34, P. L. 89), entitled "An Act appropriating the moneys in The State Stores Fund," providing for additional kinds of insurance.

Mr. MERRY from the Committee on Fisheries, reported as committed, House bill No. 1308, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), requiring the fishing license to be displayed on an outer garment while fishing.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 1439, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the use of return receipts from registered or certified mail as an operator's license or learner's permit in certain cases after a period of suspension has elapsed and until a surrendered license or permit is returned.

Mr. COOLEY from the Committee on Boroughs, reported as committed, Senate bill No. 190, entitled:

An Act amending the act of May 4, 1927 (P. L. 519),



entitled "The Borough Code," authorizing disturbing the peace to be defined and penalized, and providing for disposition of such penalties.

Mr. CURWOOD from the Committee on Game and Conservation, reported as committed, Senate bill No. 291, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," further regulating the issuance of hunting licenses for antlerless deer season and providing a penalty.

Mr. RENWICK from the Committee on Motor Vehicles, reported as amended, House bill No. 81, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring commercial motor vehicles to be marked with the names and addresses of the owners.

Mr. O'DELL from the Committee on Fisheries, reported as amended, House bill No. 816, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), further regulating the issuance of artificial propagation licenses for fish, bait fish and fish bait and the fees for such licenses; providing for the issuance of such licenses for propagation of frogs, tadpoles and turtles and making special provisions for live bait dealers licenses and transportation permits.

Mr. WELSH from the Committee on Labor Relations, reported as amended, House bill No. 1241, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), including services of industrial insurance agents within the definition of employment.

Mr. DOUGHTEN from the Committee on Insurance, reported as amended, House bill No. 1394, entitled:

An Act amending the act of May 1, 1933 (P. L. 102), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred sixty-two), entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employees of subscribers thereto; \*\*\*,' clarifying the responsibilities of the Insurance Commissioner for inspection of the State Workmen's Insurance Fund, changing the period for such inspection and examination and changing the title.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 669, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the appointment of special school police; defining their powers and duties; and providing for their compensation by the school district.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 926, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for the transportation of explosives and providing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1297, entitled:

An Act amending the act of December 20, (1933-34 P. L. 89), entitled "An act appropriating the moneys in The State Stores Fund," providing for additional kinds of insurance.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1308, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), requiring the fishing license to be displayed on an outer garment while fishing.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1439, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the use of return receipts from registered or certified mail as an operator's license or learner's permit in certain cases after a period of suspension has elapsed and until a surrendered license or permit is returned.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 190, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing disturbing the peace to be defined and penalized, and providing for disposition of such penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 291, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," further regulating the issuance of hunting licenses for antlerless deer season and providing a penalty.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### BILL RE-REFERRED

Mr. DOUGHTEN from the Committee on Cities—Counties First Class, returned with the recommendation that it be re-referred to the Committee on Counties, House bill No. 1059, entitled:

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017), increasing the amount the institution district may pay for burial costs in each case.

The SPEAKER. The bill is re-referred to the Committee on Counties.

## STATEMENT BY SPEAKER

The SPEAKER. The Chair has always understood it was the theory that parking space for every member would be protected, that every member of this House would have a parking space that would not be obstructed. The Chair understands that recently members have had some difficulty. They have gone to their parking space and found somebody there and have been told by the capitol police that nothing can be done, there is somebody in your space. We would like to have the leadership of the House and the chief clerk devise some system of fines and penalties, perhaps of towing the car away, taking the number and issuing a warning. If there is one thing that is in derogation of the dignity of this House, it is that members should not have a protected parking place. The Chair hopes that the leadership will cooperate and devise some method that will absolutely work, even if it is towing the car away and putting it in the river.

The SPEAKER. The Chair asks the gentleman from Beaver, Mr. Hamilton, to preside over first and Second-reading calendar.

Mr. HAMILTON IN THE CHAIR

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 732, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) authorizing county associations of townships, supervisors, auditors, assessors and tax collectors to hold quarterly conventions making the holding of conventions permissive instead of mandatory and increasing the amount payable by counties for expenses of the conventions of such associations.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 932, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for voting for mergers where some of the districts are already merged.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 959, entitled:

An Act amending the act of July 9, 1901 (P. L. 614) entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" providing for service of writs issued for violations of municipal ordinances by any magistrate in cities of the first class by registered or certified mail.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1162, entitled:

An Act amending "The C. P. A. Law" approved May

26, 1947 (P. L. 318) further regulating the certification and public practice of certified public accountants.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 172, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries providing for the appointment of Boards of Historical Architectural Review empowering governing bodies of political subdivision to protect the distinctive historical character of these districts and to regulate the erection reconstruction, alteration, restoration, demolition or razing of buildings within the historic districts.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mrs. KERNAGHAN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by her.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 231, entitled:

An Act amending the "Anthracite Strip Mining Law" approved June 27, 1947 (P. L. 1095), authorizing cities, boroughs and townships to regulate and supervise the use of explosives for blasting.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 281, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing second class school districts to make additions and revisions to tax duplicates.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 408, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), permitting expenditures for fire protection from the general township fund.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 650, entitled:

An Act amending the act of April 17, 1893 (P. L. 21), entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be



located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" further providing for the salaries of stenographers and clerks.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 837, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1116, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing indebtedness of school districts and insured deposits to be used in lieu of bonds or securities which are required to be deposited by school depositories.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1138, entitled:

An Act amending the "State Tax Equalization Board Law" approved June 27, 1947 (P. L. 1046), requiring that objections to certified findings or conclusions of board shall be filed by October first of year the same are certified.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1142, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), authorizing the reassessment of after built property in townships and imposing liability for township taxes upon the owners thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1150, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), further regulating the exercise of eminent domain.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1212, entitled:

An Act amending the act of July 5, 1917 (P. L. 693), en-

titled "An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children \*\*\*" providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitteed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1217, entitled:

An Act amending the act of May 1, 1907 (P. L. 137), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts, courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth \*\*\*" increasing the compensation of official stenographers for copies of stenographic notes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1254, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions and officers of the State Government" authorizing investment in certain obligations secured by a mortgage and by the assignment of moneys due under a lease.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1399, entitled:

An Act amending the "Incompetents' Estates Act of 1955" approved February 28, 1956 (P. L. 1154), authorizing the creation of a trust fund to pay the funeral expenses of incompetents.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1402, entitled:

An Act to provide for the creation and administration of an Anthracite Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers there-to \*\*\*.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1407, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the affidavit of the circulator of a nomination petition.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1408, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), eliminating the requirement that cotton fabrics used in State institutions be flameproofed.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1414, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), empowering the Governor to abolish special funds transfer balances in bond fund to the General Fund utilize balances in the sinking funds to extinguish the public debt and providing powers and duties of the Auditor General and the State Treasurer.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

## BILL PASSED OVER

There being no objection

Senate bill No. 103, printer's No. 643; was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 179, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" requiring publication of ordinances not more than sixty days nor less than seven days prior to passage in one newspaper circulating generally in the township.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 239, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 297, entitled:

An Act amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes" increasing certain fees and making certain editorial corrections.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 485, entitled:

An Act repealing subdivisions (q) and (r) of Article XI act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" abolishing the right of taxpayers to acquire the right to furnish all materials and labor necessary for opening making and repairing township, highways and bridges.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

## REPORT FROM COMMITTEE

Mr. SAKULSKY from the Committee on Boroughs, reported as committed, House bill No. 1396, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), increasing the expense allowance for delegates to meetings of the State Association of Boroughs.

## BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1396, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), increasing the expense allowance for delegates to meetings of the State Association of Boroughs.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 140.

An Act amending the act of June 13, 1883 (P. L. 122), entitled, "A supplement to an act entitled, 'An act to provide for the incorporation and regulation of certain corporations, approved April twenty-ninth, one thousand eight hundred and seventy-four; providing for the improvement, amendment and alteration of the charters of corporations of the second class \* \* \*'; removing a provision relating to construction of the act.



## HOUSE BILL No. 306.

An Act amending the act of July 22, 1913 (P. L. 928), entitled, "Domestic Animal Disease Suppression Law," prohibiting persons from impeding or hindering the testing of domestic animals or poultry by the Department of Agriculture and changing penalties.

## HOUSE BILL No. 470.

An Act amending the act of December 14, 1863 (1864, P. L. 1127), entitled, "An act relating to the liens of common carriers and others," reducing time after demand for payment after which property may be sold and reducing the number of advertisements required for the sale of property.

## HOUSE BILL No. 474.

An Act amending the act of May 20, 1921 (P. L. 984), entitled as amended, "An act providing for the condemnation by the Commonwealth of lands suitable and desirable for forest and State park purposes or game preserve purposes or the perpetuation and protection of fish \*\*\*"; providing for the payment of money into court for the benefit of persons entitled thereto and for the crediting of such payments.

## HOUSE BILL No. 556.

An Act amending the act of March 10, 1949 (P. L. 30), entitled, "Public School Code of 1949," authorizing the temporary investment of funds by school districts of the first class and first Class A.

## HOUSE BILL No. 571.

An Act amending the act of May 26, 1933 (P. L. 1088), entitled, "An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund . . ."; authorizing the transfer of funds during each fiscal period and requiring the retransfer of the funds not later than thirty days after such fiscal period.

## HOUSE BILL No. 649.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled, "An act creating and establishing a fund for the care, maintenance and relief of aged, retired, and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof . . ."; further regulating payment of regular employes in order to be credited for service for pension.

## HOUSE BILL No. 1060.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), providing for the transportation of poultry in crates.

## HOUSE BILL No. 1119.

An Act amending the act of May 29, 1945 (P. L. 1132), entitled, "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth \*\*\*"; removing compensation provisions for first aid and mine rescue workers.

## HOUSE BILL No. 1120.

An Act amending the act of April 25, 1945 (P. L. 289), entitled, "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania \*\*\*"; removing salary provisions for electrical inspectors.

Whereupon, The SPEAKER, in the presence of the House, signed the same.

Mr. McCANN. Mr. Speaker, with your permission we would amend some bills with agreement, before we go to

caucus, bills that are agreed, so the printer can get them ready for tomorrow.

The SPEAKER pro tempore. The majority leader is recognized.

## BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 985, entitled:

An Act relating to the effect and priority of liens for taxes and municipal or other claims in cities of the first class.

On the question recurring,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, line 5, by inserting after "situated": "and twenty (20) days notice thereof shall have been served on the taxpayer by registered or certified mail addressed to such taxpayer's last known address."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1032, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), requiring meetings of the Pennsylvania Fish Commission to be open to the public.

On the question,

Will the House agree to the bill on third reading?

Mr. SCHAAF asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last three lines of Title, by striking out "re-" in third from last line and last two lines of Title and inserting: "increasing the membership of the Pennsylvania Fish Commission by providing for the appointment of three experienced boatmen; providing for

the appointment of an assistant executive director and requiring their meetings to be open to the public."

Amend Sec. 1, page 2, line 1, by inserting after "subsection": "(a), the first paragraph of subsection (c) and subsection."

Amend Sec. 1, page 2, line 3, by striking out "is" and inserting: "are."

Amend Sec. 1 (Sec. 302), page 2, line 4, by inserting after "Commission": "(a) The Pennsylvania Fish Commission shall consist of [eight] eleven competent citizens of the State who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate. The members of the commission shall be persons well informed on the subject of conservation and restoration, shall, except in the case of the original members, hold office for terms of eight years each, and shall receive no compensation for their services. Three members of the commission shall be experienced boatmen as evidenced by ownership of a vessel and active membership in a boating organization.

(c) [The] Except as to the three members of the commission who shall be experienced boatmen who shall be appointed at large, the members of said commission appointed after the original members hereinabove provided for shall be appointed, in so far as practicable, from the various geographic districts of the Commonwealth so that at all times one and only one member thereof shall be a resident of each of the following districts:"

Amend Sec. 1 (Sec. 302), page 3, line 8, by inserting after "commission" where it appears the first time: "and an assistant executive director whose duty it shall be to carry out the provisions of the "Pennsylvania Boating Act of 1961."

Amend Sec. 1 (Sec. 302), page 3, lines 17 to 19, by inserting a bracket before "They" in line 17 and after "Five" in line 19 and inserting immediately thereafter: "Six."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. SCHAAF asked unanimous consent to offer additional amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by inserting after "public": "and authorizing it to enter into certain agreements with the Navigation Commission for the Delaware River."

Amend Bill, page 3, by inserting between lines 19 and 20:

"Section 2 Section 2702 of the act is amended by adding after clause (f) a new clause to read:

Section 2702. Enforcement of Fish Laws The Pennsylvania Fish Commission shall have the power, and its duty shall be:

(g) To enter into an agreement with the Navigation Commission for the Delaware River to provide for the administration and enforcement of the "Pennsylvania Boating Act of 1961" by the Navigation Commission in the areas under its jurisdiction. One of the terms of such an agreement shall require the Pennsylvania Fish Commission to reimburse the Navigation Commission for expenses incurred by it in administering and enforcing the provisions of the act."

Amend Sec. 2, page 3, line 20, by striking out "2" and inserting: "3."

The SPEAKER pro tempore. Will the House give unani-

mous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 107, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses" requiring employers to make certain payments to employes when on jury duty in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. GALLAGHER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1.2), page 2, line 1, by striking out "another" and inserting: "an employer of fifty or more persons."

Amend Sec. 1 (Sec. 1.2), page 2, line 3, by striking out "if his employer employs fifty or more persons."

Amend Sec. 1 (Sec. 1.2), page 2, line 4, by inserting after "wage": "exclusive of overtime or any other form of extra payment."

Amend Sec. 1 (Sec. 1.2), page 2, line 4, by inserting after "his" where it appears the second time: "gross."

Amend Sec. 1 (Sec. 1.2), page 2, line 4, by inserting after "juror": "for each of the usual work days that said employe is so absent. Liability under the provisions hereof shall be limited to only that period of time that the employer has fifty or more employes."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

### SENATE BILL No. 173.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" authorizing the condemnation of land for land fill purposes.

### SENATE BILL No. 346.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" specifying more accurately the duties of coroners in issuing certificates of cause of death.



Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LUTTY asked and obtained permission for the Committee on Cities—Counties Second Class and Second Class A to meet during the session of the House.

### DEMOCRATIC CAUCUS

Mr. McCANN. Mr. Speaker, I am ready at this point to ask the membership to take their House calendars with them. We are going to break for one hour and fifteen minutes for a caucus, a half hour for lunch, returning here one hour and forty-five minutes or roughly two hours from this point and start voting on bills at two o'clock. We will arrive a few minutes before two.

The SPEAKER. Two o'clock we will have the first roll call and the Chair would appreciate a full House, without the entire House being down in the stenographic pool. The Chair recognizes the minority leader.

### REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, on the Republican side, we will also have our lunch and we would like to start our caucus promptly on the half hour. That would be twelve-thirty, so that would mean forty minutes for lunch and then we will caucus and we will promise to be down here promptly at two o'clock.

Mr. McCANN. Mr. Speaker, we have agreed on where we will begin on caucusing bills on third reading beginning with House bill 680 to the end of the calendar, plus the bills that we marked on final passage. The Democratic caucus will start promptly at twelve-thirty, please bring your calendars.

### RECESS

The SPEAKER. Without objection, the Chair will declare a recess until 2 o'clock.

The chair hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

### RESOLUTION

#### MEMORIALIZING CONGRESS TO ENACT LEGISLATION TO INCREASE MEMBERSHIP OF THE FEDERAL POWER COMMISSION

Messrs. WALSH, EILBERG, TOMPKINS, McCANN and T. F. SULLIVAN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 2, 1961.

Before the Federal Power Commission, there exists thousands of cases awaiting settlement—involving close to \$800,000,000.00 worth of business. Quite a few of these cases involve tubular Products—upwards of 5000 Miles of Pipe—Much of which could be made in the Pittsburgh Area. Due to the inability of the Federal Power Commis-

sion to keep current on the settling of these rate cases—thousands of our citizens are out of work—walking the streets looking for work. The settling of these cases at the present time would supply much needed employment in the Pittsburgh area; therefore be it.

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact legislation to increase the membership of the Federal Power Commission from five members to seven or nine: and be it further

Resolved, that copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States, and be it further

Resolved, that copies of this resolution be transmitted to the President of the United States and the Attorney General of the United States—requesting they use the power of their offices, to help break the backlog of these cases before the Federal Power Commission.

### PERMISSION TO ADDRESS HOUSE

Mr. FOX asked and obtained unanimous consent to address the House.

Mr. Speaker, I have here clippings from the Harrisburg Patriot and the Pittsburgh Press of Tuesday, May 2nd.

I know that a number of you have read these articles and were incensed at their implications. I would like to quote from one and ask that it be printed in the record. The title of this article is: "U. S. Cracks Down on Amish-Farmer's Horses Sold For Taxes."

The article is as follows:

The Government sold Amish farmer Valentine Byler's three work horses to pay his social security taxes.

It even made a profit collecting \$460 to cover an unpaid bill of \$308.

The Government believes it has found a way to force members of the Amish faith in Lawrence County to save for their old age whether they want to or not. Their religion forbids it.

The Internal Revenue Service (IRS), which is charged with the collection of social security payments, estimates that there are more than 250 Amish families in the same boat around New Wilmington and Pulaski.

They don't believe in social security so they won't pay for it.

After yesterday's sale on the farm of J. R. Rick near New Wilmington, W. K. Shaw, of the regional IRS office, sounded like he sensed a solution to the whole problem.

He indicated similar action would be taken against other conscientious objectors against social security.

Why seize their horses? was the question asked of an IRS agent present to watch Mr. Byler's horses sold.

Because they're easiest to keep, he replied.

However, when the Government seizes an Amish farmer's horse the U. S. is taking away his means of earning a living. For the faithful are not allowed to use tractors even though they're all farmers. They don't drive cars either.

Not one of the bearded Amish folks showed up to bid for their brother's horses yesterday. A revenue official was asked why Mr. Byler was singled out to have his horses sold.

"Because he was one of the more aggressive, uncooperative taxpayers," he replied.

This ends the quote from the newspaper article.

The article in the Patriot added that many of these people are planning to sell their farms and move to Canada.

A reliable source has also informed me that the revenue people not only have trouble collecting the tax, but have been frustrated in their persistent efforts to force the Amish to accept benefit checks when entitled to them.

Mr. Speaker, social security is a well established part of our social and economic philosophy and a firmly entrenched activity of our government. It is a program that all of us here, no doubt, support as a means of working people providing, during their productive years, for the later years of their lives. We expect all to pay into this fund who expect later to draw from it.

There are some, such as the Amish sect, who want neither to pay in nor to withdraw. To participate in this sort of government-operated social program is in violation of their religious principles.

Over three centuries ago when settlement of this continent began, many of those coming to these shores were minority religious groups, seeking a place where they were free to worship as they chose. The Quakers who founded Pennsylvania, the Puritans, the Huguenots, the Roman Catholics from certain countries, and numerous other groups found in America a haven from religious persecution.

It has been a fundamental principle in this country to guarantee religious freedom, but the declaration of freedom to worship as one chooses has a hollow, brassy sound when it is not accompanied by the right to live in accord with the beliefs of that religion. I am not only perplexed by what has happened here, but also disappointed to learn that we are no longer the most tolerant of nations but that our good neighbor to the north can now provide sanctuary for minority religious groups oppressed in this County in the name of social progress.

The Amish take care of their own. They ask no help from benevolent, paternalistic government. They seek no subsidies, no relief, no old-age benefits. Their communities and families provide for the ill, the unfortunate, and the aged. They help one another buy their farms. They provide mutual assistance in adversity. If a barn is destroyed by fire, members of the sect for miles around gather to assist in rebuilding it, and similar assistance is given in time of trouble. If the sun is shining today in Lawrence County, I would wager that work is in progress on the farm of Valentine Byler. Neighbors with their horses will see that one who has lost his most valuable asset at the critical season of planting will not be forgotten.

Mr. Speaker, we are more conscious of the rights of minority groups today than ever before. We are all aware of the Supreme Court rulings and related Federal action to end segregated schools. We hear from time to time of sit-in demonstrations in segregated lunch rooms. We, in this session of the General Assembly, have passed fair-housing and fair-education bills. These are all efforts to extend to minority groups the right to participate in and conform to social and educational practices enjoyed by the majority.

Despite our desire to help minorities who want to conform, are we going to oppress minorities who want to be different? Because most of us favor a social program, are we going to let the colossus of big government roll over all who conscientiously object? Has America's flirtation with social experiments reached the point that the individual is no longer of value except as a contributor of

tax money? Is freedom of religion valid only so long as it does not suggest that a social program is unacceptable?

Mr. Speaker, in time of war, military service was not required of those who conscientiously objected. I believe that those who for religious reasons object to social security and other social programs and want to receive nothing from them should not be coerced into participation.

I feel Congress should amend the law so that disgraceful actions such as the seizure and sale of these horses are not repeated.

I thank you, Mr. Speaker, and members of the House.

### STATEMENT BY SPEAKER

The SPEAKER. The Chair would much prefer if we had a regular order for resolutions and if there was a regular order for members' addresses in the House.

A communication from the gentlemen of the press:

For the information of the members of the House, tickets to the correspondents' dinner will be on sale in the newsroom until a quarter to five. There will be a door sale at the Penn-Harris ballroom prior to the dinner. The dinner is at 7 p.m.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Dougherty for Mr. MURRAY for today because of illness.

Mr. Tompkins for Mr. FETTEROLF for the remainder of the week.

Mr. Tompkins for Mr. WALL for the remainder of the week because of illness.

Mr. Tompkins for Mr. AUKER for the remainder of the week because of illness.

### BIRTHDAYS

The SPEAKER. We have two birthday today and we might as well attend to them—the gentleman from Schuylkill, Mr. Knecht, and also the gentleman from Schuylkill, Mr. Heffner.

Mr. DENGLER. Let us sing, "Happy Birthday, gentlemen."

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 680, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing disturbing the peace to be defined and penalized and providing for disposition of such penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GAILEY. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Flynn.

The SPEAKER. Will the gentleman from Washington, Mr. Flynn, permit himself to be interrogated?

Mr. FLYNN. I shall, Mr. Speaker.

Mr. GAILEY. Mr. Speaker, while I realize that the gentleman from Washington is not an attorney, for that



sometimes I think he can certainly be thankful, I think, will he not agree with me that the crime of disturbing the peace is defined in our penal statutes and has also been further defined by case law decided on that subject?

Mr. FLYNN. I will, Mr. Speaker.

Mr. GAILEY. Will the gentleman tell me, therefore, why he and the sponsors of this bill feel that borough council or second-class townships should have further authority to define this particular act?

Mr. FLYNN. Mr. Speaker, I am of the opinion that the second-class township code, under section 702, article XLII, under the title of public safety, the township commissioners have the power now. All this does, in effect, is to clarify divisions of the present code which says this, and I quote: "Public Safety. To take all legal means of securing the safety of persons or property within the township including the control of disorderly practices." What this does, in effect, is to spell out, or clarify what is determined as disorderly practices.

Mr. GAILEY. Mr. Speaker, I would ask the gentleman then, is he not confusing the crime of disturbing the peace with what is usually taken care of under local ordinances under the title "disorderly conduct"?

Mr. FLYNN. Let me put it this way, Mr. Speaker:

In view of the fact that I am a layman and assuming that I am a township supervisor, naturally it would be my responsibility to have a man learned in the law, such as the gentleman from York County, and before an ordinance could be adopted, naturally, I would consult with my solicitor. Therefore, I am quite certain that the solicitor would not suggest anything to the township supervisors that would be in conflict with the penal code. And, if I may add this, Mr. Speaker, under the provisions of this bill whereby the ordinances would spell out "disturbing the peace," the fines received would go into the township instead of to the State.

Mr. GAILEY. I thank the gentleman.

Mr. Speaker, it would seem to me that this particular piece of legislation serves no useful purpose, and, on the other hand, it may very well have some harmful effect. I say that for these reasons:

The crime of disturbing the peace is well defined in our penal statutes and by case law which has been decided over the course of many, many years. Just what disturbing the peace consists of, therefore, is a well-known quantity in the law, and if someone is guilty of disturbing the peace, they are arrested and, if they are convicted, they are fined, and the fines go, as they do in all provisions under the penal code, not to the individual subdivision, but to the county or the Commonwealth as the case may be.

It seems to me that we have two evils coming about by this which are these:

First, we are chipping away at our general structure of the law whereby criminal acts and any fines therefrom do not go to the municipal subdivision unless they are in the form of ordinances or local laws solely. I think this is wrong because it lends itself to many abuses. Once township supervisors find they can pass an ordinance defining disturbing of the peace and have the fine for this infraction go into the township treasury, I think you are going to find there will be a lot more people arrested for disturbing the peace than there has been heretofore.

The second thing is this: It puts it completely within

the power of the township supervisors to decide just what is "disturbing the peace." I do not know about the rest of the members in this General Assembly, but I would much prefer the court and our own legislature here and the penal statutes to define just what crime I am committing when I disturb the peace, and not some group of supervisors down in a township somewhere having their ordinance enforced by the township constable and local peace officers.

I think, therefore, it would be possible under this act to define looking cross-eyed at a police officer as being disturbing the peace. If it gives them the power completely to define this, I think it places entirely too much power in their hands and it lends itself to abuses. I suggest strongly, therefore, Mr. Speaker, that this legislation should be defeated.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Flynn.

Mr. FLYNN. Mr. Speaker, I rise in order to take exception to some of the remarks made by the gentleman from York County. It has been said, I am told, that the majority of the solicitors for these townships are in favor of this piece of legislation in view of the fact, as I said before, that it clarifies the provisions.

On the other hand, there are some solicitors, perhaps, or some members of the legal profession who would be opposed to such. And there have been cases, I am told, whereby somebody arrested in the townships for disorderly practices has been brought to trial, and some of our more enlightened attorneys, I might say, would prefer the authority's practices as now written. These enlightened attorneys would say, Mr. Speaker, that his client did not endanger the safety of persons or properties. In other words, the act that he may have been doing did not have any affect upon the personal property and endanger other peoples' lives.

In conclusion I might say this, it has been the request of any number of attorneys and bailiffs and particularly solicitors for the townships. If this is adopted into law it will not conflict with the provisions of the penal code or the State laws in any respect in regard to disorderly conduct.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Piper.

Mr. PIPER. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Gailey.

The SPEAKER. Will the gentleman from York, Mr. Gailey, permit himself to be interrogated by the gentleman from Berks?

Mr. GAILEY. I shall, Mr. Speaker.

The SPEAKER. The gentleman from Berks will proceed.

Mr. PIPER. Mr. Speaker, I believe York is a third-class city. Is it true that the city of York has local ordinances defining such a bill as this?

Mr. GAILEY. The city of York has no ordinance defining disturbing the peace. The city of York does have a disorderly conduct ordinance which is already permitted in second-class townships under the code.

Mr. PIPER. They do arrest and fine people under this same ordinance, and that fine does go to the city of York, does it not?

Mr. GAILEY. All fines for the violation of a local ordinance defining disorderly conduct go to the city of

York. We have no such ordinance defining disturbing the peace, because this would be an infringement upon our penal code.

Mr. PIPER. I am not an attorney, Mr. Speaker, but I wish the gentleman from York, Mr. Gailey would give us a definition of "disturbing the peace" and "disorderly conduct."

Mr. GAILEY. Mr. Speaker, I do not know that this is germane to the bill before us, and, even though I like to think of myself as ordinarily qualified in the practice of law, I do not think I am qualified today without resorting to the books to tell the gentleman specifically what "disturbing the peace" is and the difference between it and "disorderly conduct."

Mr. PIPER. I thank the gentleman.

Mr. Speaker, I come from a second-class township. Our second class code already gives these supervisors the opportunity to enact certain regulations and ordinances. I believe only because of this second class township code townships are trying to enact the same type of ordinance that our third-class cities have. I urge everybody to vote for this bill.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—172

Adams,	George,	Lee, A. M.,	Royer,
Anderson, J. H.	Gibb,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gibbons,	Limper,	Rudisill,
Arlene,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Ashton,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Auker,	Goodrich,	Manbeck,	Scarcelli,
Bachman	Gramlich,	Markley,	Schaaf,
Backenstoe,	Gremminger,	Marsh,	Schuster,
Blair,	Gross,	Maxwell,	Seltzer,
Boles,	Guesman,	May,	Shelton,
Bonner,	Guthrie,	McCandless,	Simmons,
Bossert,	Hamilton,	McCann,	Slack,
Bower,	Hankins,	McDevitt,	Snare,
Branca,	Hartley,	McDonald	Stank,
Breth,	Haudenshield,	McInroy,	Steckel,
Buchanan,	Heavey,	McKeever,	Stimmel,
Bush,	Helm,	McLaughlin,	Stone,
Capano,	Henzel,	McNally,	Strausser,
Capitolo,	Hocker,	Meholchick,	Sullivan, J. A.,
Cianfrani,	Holliday,	Merry,	Taylor,
Cioffi,	Horst,	Miller,	Thompson,
Clarke,	Irviss,	Mills,	Tomascik,
Comer,	Isaacs,	Morley,	Tompkins,
Cooley,	Jenkins,	Mullen,	Trusio,
Crossin,	Jim,	Munley,	Ujobai,
Curwood,	Johnson, A. W.,	Murphy,	Varner,
Dengler,	Johnson, R. P.,	Musto,	Verona,
Dennison,	Jones,	Needham,	Walsh,
Donaldson,	Kamyk,	O'Dell,	Wargo,
Dougherty,	Keiser,	O'Donnell, J. P.,	Weidner,
Down,	Kelly,	O'Donnell, J. A.,	Welsh,
Edwards,	Kernaghan,	Parlante,	Whittaker,
Ellberg,	Kessler,	Pashley,	Willard,
Elvey,	King,	Perry,	Willaredt,
Eshleman,	Kistler,	Petrosky,	Williams, E. S.,
Ewing,	Klein,	Piper,	Wilt,
Farabaugh,	Knecht,	Polaski,	Wood,
Filo,	Kooker,	Polen,	Worley,
Flynn,	Kornick,	Prendergast,	Yetter,
Foor,	Korns,	Pursley,	Zemmer,
Fox,	Kramer,	Renwick,	Zimmerman,
Frascella,	Lamb,	Riley,	Andrews,
Fulmer,	Lawson,	Rovansek,	Speaker
Gallagher,			

## NAYS—23

Bowman,	Gailey,	Lippincott,	Reibman,
Cauley,	Gelfand,	Lutty,	Sherman,
Davis,	Gray,	Magee,	Stiteler,
Doughten,	Heffner,	McCormack,	Sullivan, T. F.,
Fineman,	Holman,	O'Donnell, J. A.,	Williams, A. D.,
Fry,	Leonard,	Ogilvie,	

## NOT VOTING—11

Eshback,	Mihm,	Price,	Wall,
Fetterolf,	Monroe,	Reidenbach,	Wescott,
Foerster,	Murray,	Shupnik,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House bill No. 719 printer's No. 1768  
was passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 733, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring copies of plans for relocation of State highways to be submitted by the Department of Highways to boards of supervisors of second class townships prior to the time of actual relocation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Adams,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, J. H.	Gailey,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gallagher,	Leonard,	Rubin,
Arlene,	Gelfand,	Limper,	Rudisill,
Ashton,	Gibb,	Lippincott,	Sakulsky,
Bachman	Gibbons,	Long, Wm. Jas.,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Blair,	Goldstein, M. H.,	Lutty,	Schuster,
Boles,	Goodrich,	Manbeck,	Seltzer,
Bonner,	Gramlich,	Markley,	Shelton,
Bossert,	Gray,	Marsh,	Sherman,
Bower,	Gremminger,	Maxwell,	Shupnik,
Bowman,	Gross,	May,	Simmons,
Branca,	Guesman,	McCandless,	Slack,
Breth,	Guthrie,	McCann,	Snare,
Buchanan,	Hamilton,	McCormack,	Stank,
Bush,	Hankins,	McDevitt,	Steckel,
Capano,	Hartley,	McDonald	Stimmel,
Capitolo,	Haudenshield,	McInroy,	Stiteler,
Cauley,	Heffner,	McKeever,	Stone,
Cianfrani,	Helm,	McLaughlin,	Strausser,
Cioffi,	Henzel,	McNally,	Sullivan, J. A.,
Clarke,	Hocker,	Meholchick,	Sullivan, T. F.,
Comer,	Holliday,	Merry,	Taylor,
Cooley,	Holman,	Miller,	Thompson,
Crossin,	Horst,	Mills,	Tomascik,
Curwood,	Irviss,	Morley,	Tompkins,
Davis,	Isaacs,	Mullen,	Trusio,
Dengler,	Jenkins,	Munley,	Ujobai,
Dennison,	Jim,	Murphy,	Varner,
Donaldson,	Johnson, A. W.,	Musto,	Verona,
Dougherty,	Johnson, R. P.,	O'Dell,	Wargo,
Down,	Jones,	O'Donnell, J. A.,	Weidner,
Edwards,	Kamyk,	O'Donnell, J. P.,	Welsh,
Ellberg,	Keiser,	Odoriso,	Whittaker,
Elvey,	Kelly,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Parlante,	Willaredt,
Ewing,	Kessler,	Perry,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Williams, E. S.,
Filo,	Kistler,	Piper,	Wilt,
Fineman,	Klein,	Polaski,	Wood,
Flynn,	Knecht,	Polen,	Worley,
Foor,	Kooker,	Prendergast,	Yetter,
Fox,	Kornick,	Pursley,	Zemmer,
Frascella,	Korns,	Reibman,	Zimmerman,
Fulmer,	Kramer,	Renwick,	Andrews,
Gallagher,	Lawson,	Riley,	Speaker



## NAYS—0

## NOT VOTING—19

Auker,	Heavey,	Murray,	Rutherford,
Eshback,	Lamb,	Needham,	Wall,
Fetterolf,	Magee,	Pashley,	Walsh,
Foerster,	Mihm,	Price,	Wescott,
George,	Monroe,	Reidenbach,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 757, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Adams,	Galley,	Lawson,	Renwick,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Rovansek,
Arlene,	George,	Limper,	Royer,
Ashton,	Gibb,	Lippincott,	Rubin,
Bachman,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, M. H.,	Lutty,	Schaaf,
Boles,	Gramlich,	Magee,	Schuster,
Bonner,	Gray,	Manbeck,	Seltzer,
Bossert,	Gremminger,	Markley,	Shelton,
Bower,	Gross,	Marsh,	Sherman,
Bowman,	Guesman,	Maxwell,	Shupnik,
Branca,	Guthrie,	May,	Simmons,
Breth,	Hamilton,	McCandless,	Slack,
Buchanan,	Hankins,	McCann,	Snare,
Bush,	Hartley,	McCormack,	Stank,
Capano,	Haudenschild,	McDevitt,	Steckel,
Capitolo,	Heavey,	McDonald,	Stimmel,
Cauley,	Heffner,	McInroy,	Stiteler,
Cianfrani,	Helm,	McKeever,	Stone,
Cioffi,	Henzel,	McLaughlin,	Strausser,
Clarke,	Hocker,	McNally,	Sullivan, J. A.,
Comer,	Holliday,	Meholchick,	Sullivan, T. F.,
Cooley,	Holman,	Merry,	Taylor,
Crossin,	Horst,	Miller,	Thompson,
Curwood,	Irlis,	Mills,	Tomascik,
Davis,	Isaacs,	Morley,	Tompkins,
Dengler,	Jenkins,	Mullen,	Trusio,
Dennison,	Jim,	Munley,	Ujobal,
Donaldson,	Johnson, A. W.,	Murphy,	Verona,
Doughten,	Johnson, R. P.,	Musto,	Wargo,
Down,	Jones,	O'Dell,	Weidner,
Edwards,	Kamyk,	O'Donnell, J. A.,	Welsh,
Elberg,	Keiser,	O'Donnell, J. P.,	Whittaker,
Elvey,	Kelly,	Odorisio,	Willard,
Eshleman,	Kernaghan,	Ogilvie,	Willaredt,
Ewing,	Kessler,	Parlante,	Williams, A. D.,
Farabaugh,	King,	Perry,	Williams, E. S.,
Filo,	Kistler,	Petrosky,	Wilt,
Fineman,	Klein,	Piper,	Wood,
Flynn,	Knecht,	Polaski,	Worley,
Foor,	Kooker,	Polen,	Yetter,
Fox,	Kornick,	Prendergast,	Zember,
Frascella,	Korns,	Pursley,	Zimmerman,
Fry,	Kramer,	Reibman,	Andrews,
Fulmer,			Speaker

## NAYS—0

## NOT VOTING—21

Auker,	Lamb,	Needham,	Sakulsky,
Dougherty,	Leonard,	Pashley,	Varner,
Eshback,	Mihm,	Price,	Wall,
Fetterolf,	Monroe,	Reidenbach,	Walsh,
Foerster,	Murray,	Rutherford,	Wescott,
Goodrich,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 766, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June, one thousand nine hundred thirty seven, (Pamphlet Laws 1987) and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams,	Gallagher,	Leonard,	Rovansek,
Anderson, J. H.,	Gelfand,	Limper,	Royer,
Anderson, S. A.,	George,	Lippincott,	Rubin,
Arlene,	Gibb,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goldstein, J. H.,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schaaf,
Boles,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Seltzer,
Bossert,	Gremminger,	Maxwell,	Shelton,
Bower,	Gross,	May,	Sherman,
Bowman,	Guesman,	McCandless,	Shupnik,
Branca,	Guthrie,	McCann,	Simmons,
Breth,	Hamilton,	McCormack,	Slack,
Buchanan,	Hankins,	McDevitt,	Snare,
Bush,	Hartley,	McDonald,	Stank,
Capano,	Haudenschild,	McInroy,	Steckel,
Capitolo,	Heffner,	McKeever,	Stimmel,
Cauley,	Helm,	McLaughlin,	Stiteler,
Cianfrani,	Henzel,	McNally,	Stone,
Cioffi,	Hocker,	Meholchick,	Strausser,
Clarke,	Holliday,	Merry,	Sullivan, J. A.,
Comer,	Holman,	Miller,	Sullivan, T. F.,
Cooley,	Horst,	Mills,	Taylor,
Crossin,	Irlis,	Morley,	Thompson,
Curwood,	Jenkins,	Mullen,	Tomascik,
Davis,	Jim,	Munley,	Trusio,
Dengler,	Johnson, A. W.,	Murphy,	Ujobal,
Donaldson,	Johnson, R. P.,	Musto,	Verona,
Dougherty,	Kamyk,	O'Dell,	Wargo,
Doughten,	Keiser,	O'Donnell, J. A.,	Walsh,
Down,	Kelly,	O'Donnell, J. P.,	Weidner,
Edwards,	Kernaghan,	Odorisio,	Welsh,
Elberg,	Kessler,	Ogilvie,	Whittaker,
Elvey,	King,	Parlante,	Willard,
Eshleman,	Kistler,	Pashley,	Willaredt,
Ewing,	Klein,	Perry,	Williams, A. D.,
Farabaugh,	Knecht,	Petrosky,	Williams, E. S.,
Filo,	Kooker,	Piper,	Wilt,
Flynn,	Kornick,	Polaski,	Wood,
Foor,	Korns,	Polen,	

Fox, Frascella, Fry, Fulmer, Galley,	Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Prendergast, Pursley, Reibman, Renwick, Riley,	Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—18

Auker, Dennison, Eshback, Fetterolf, Fineman,	Foerster, Heavey, Isaacs, Jones, Mihm,	Monroe, Murray, Needham, Price,	Reidenbach, Tompkins, Wall, Wescott,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 768, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeevry, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Mooley, Mullen, Munley, Musto, Needham, O'Dell, O'Donnell, J. A., Odoriso, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Riley, Rovasek, Royer,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujcbai, Varner, Verona, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—16

Auker, Eshback, Fetterolf, Foerster,	Goldstein, M. H., Gross, Holliday, Mihm,	Monroe, Murphy, Murray, O'Donnell, J. P.,	Price, Reidenbach, Renwick, Wall,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 804, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman Backenstoe, Blair, Boles, Bonner, Bossert, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer, Gallagher,	Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Lee, K. B., Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeevry, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Mooley, Mullen, Munley, Murphy, Musto, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick, Riley, Rovasek,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujcbai, Varner, Verona, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0



## NOT VOTING—13

Auker, Bower, Eshback, Fetterolf,	Foerster, Leonard, Mihm,	Monroe, Murray, Needham,	Price, Reidenbach, Wall,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 827, entitled:

An Act amending the act of May 29, 1956, (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof \*\*\*" further providing for the compensation of pension or retirement benefits.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Hefner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, May, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorizio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick,	Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Snare, Stank, Steckel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Walsh, Wargo, Weidner, Welsh, Wescott, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Andrews, Speaker
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NAYS—0

## NOT VOTING—15

Auker, Eshback, Fetterolf, Foerster,	Knecht, Maxwell, Mihm, Monroe,	Murray, Price, Reidenbach, Stimmel,	Wall, Whittaker, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 828, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949, changing the measure or relief for disability or death of personnel on active duty.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Donaldson, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer, Galley,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Hefner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Miller, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorizio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Pursley, Reibman,	Riley, Rovanseck, Royer, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

## NOT VOTING—18

Auker,	Foerster,	Prendergast,	Rubin,
Dennison,	Merry,	Price,	Shupnik,
Dougherty,	Mihm,	Reidenbach,	Wall,
Eshback,	Monroe,	Renwick,	Wilt,
Fetterolf,	Murray,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 23 of today's calendar, bills on third reading, House bill No. 1165.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1165, entitled:

An Act amending the "Liquor Code" approved April 12, 1951, (P. L. 90) authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events under certain conditions.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. Does the gentleman from Philadelphia, Mr. Heavey, desire recognition?

Mr. HEAVEY. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia.

Mr. HEAVEY. Mr. Speaker, as I interpret this bill, it is pin-pointed for Philadelphia for sporting events, 25,000 seating capacity and up, for the sale of beer. I would like to interrogate one of the sponsors of the bill.

The SPEAKER. Will one of the sponsors of the bill permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. HEAVEY. Mr. Speaker, the University of Pennsylvania has Franklin Field with 50,000 seats. Do you know if they are in favor of this bill?

Mr. EILBERG. Mr. Speaker, the purpose of this bill is to provide the Phillies major league baseball team an opportunity to have beer served in their ballpark. Within the next two years they will move to a new stadium in the Torresdale section of Philadelphia, and, in answer to the gentleman's question, the intent of the bill is not to apply to the stadium at the University of Pennsylvania. The capacity of Franklin Field at the University of Pennsylvania is some 70,000. Being an alumnus of that institution I know that. I would also assure the gentleman that the management of the University of Pennsylvania would not consider serving beer in Franklin Field and we have no desire or intent to compel them to do so.

Mr. HEAVEY. Mr. Speaker, the city of Philadelphia has a stadium that seats 100,000 people. Do you know whether they are in favor of this bill?

Mr. EILBERG. Mr. Speaker, this bill was prepared by the law department of the city of Philadelphia. In answer to the gentleman's question, the last time this bill came up, in the last session, it specifically provided that this operation would take place in baseball parks

only. Upon further study and reconsideration the thought was that the term "baseball parks" might amount to special legislation and it was felt for the bill to be constitutional that the definition be used as it appears in the present bill. It is possible, Mr. Speaker, that professional athletes may operate in the municipal stadium in Philadelphia and it is possible that a permit might be issued there, but certainly there is no present intention on the part of the sponsors that any such consequence should follow.

Mr. HEAVEY. Mr. Speaker, I understand one of the main purposes of this bill is to take care of the safety hazard and to sell beer in paper containers so that beer cans will not be thrown around the park at people and to be cleaned up after the game. Is that so?

Mr. EILBERG. Mr. Speaker, certainly one of the most important features of the bill, is that we want to help prevent the tossing of cans and bottles on the baseball field. Further I would answer, Mr. Speaker, that upon talking to the Phillies' management within the last few weeks they informed me that there have been many, many cases where patrons in the stands have been injured by bottles and cans that have been thrown. Certainly, Mr. Speaker, the safety feature is one of the most important reasons for the bill.

Mr. HEAVEY. Mr. Speaker, why cannot the Phillies' management stop people from bringing beer cans into the park now?

Mr. EILBERG. Mr. Speaker, the Phillies' management does, we believe, have the power to prevent people from bringing beer into the ball park now. However, if they were to do so they are very much concerned, very much concerned, that the attendance would be severely dropped or restricted. Now, sir, if beer can be served on the premises in paper cups only, the attendance certainly will not drop and we will have no different a situation than we have now, but a better one in fact.

Mr. HEAVEY. That is the end of my interrogation, Mr. Speaker.

Mr. Speaker, the bill goes on to say that a \$25 application fee and a \$100 license fee is required, or, I think, 77 games scheduled by the Phillies, under the Liquor Control Board. Now, that is about one dollar and a half a game. Now, the Liquor Board is certainly working poorly on that one.

It also says in the bill that beer will only be sold to adults. Now, I can picture a vendor going up and down the aisle passing paper cups of beer up to about ten or fifteen seats and, if some kids will not get a hold of that beer, I do not know why, and I do not think the vendor would care very much about whether the kids got hold of it anyway, because he is working on commission; the more beer he would sell, the more he makes. Mr. Speaker, the Pittsburgh World Champion Pirates baseball team do not come in here in this chamber and ask for the privilege of selling beer. I understand that they would not sell beer. They will not have any part of it. Now, Mr. Speaker, times have changed since you and I were a boy.

The SPEAKER. And how.

Mr. HEAVEY. The smart thing to do today is to take a whiskey flask on your hip to a football game and a can of beer to a baseball game. Now, you cannot stop people from drinking, but I do not believe that any-



body should come into this chamber and ask us to set up something for selling beer that is likely to get into the hands of the kids enjoying a baseball game and contaminate those kids, I just cannot see it.

Mr. EILBERG. Mr. Speaker, presently patrons of the games of the Phillies are very apt to bring large containers or bottles or cans of beer into the ball park. People being normally thrifty, when they bring bottles and cans in, they want to drink up everything they have. We think by permitting beer to be served on the premises that actually less beer will be consumed and that we will have less of a carnival atmosphere that the gentleman from Philadelphia, Mr. Heavey, is concerned about.

The gentleman is quite concerned about the possibility that beer might be sold to children by careless vendors. The gentleman has, evidently, not studied the liquor laws. The liquor code is quite specific in saying that there can be no hawking of beer. The way the liquor code presently reads it would be unlawful, in my opinion, for any hawking or serving of this description to be made by any vendors or any salesmen of any kind.

I would say, further, that in Philadelphia, at least, the Liquor Control Board through its agents is extremely fastidious about enforcing liquor code violations. I feel certain, Mr. Speaker, that there will be Liquor Control Board agents at every game, and, if there is any evidence of sales of the kind that the gentleman from Philadelphia is concerned about, citations will follow and the consequences of violating the liquor code will follow as far as the licensee is concerned.

I would say, further, that a renaissance has been taking place in the city of Philadelphia, and certainly part of that renaissance includes the removal of the Phillies from their present antiquated facilities to a brand new ball park. Now prices being what they are, for the Phillies to undertake their new project they will be required to expend some \$500,000 per year for rental of the new ball park. In order to pay that, they will have to increase their attendance very substantially. It seems to me that the least we can do is provide them with some source of rapid income to help bring this new modern facility to the city of Philadelphia. I ask everyone on both sides of the aisle to vote for the bill.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I have in my hand the morning edition of the Philadelphia Inquirer. The Pittsburgh Pirates are in first place; the Phillies are in last place.

Last year we prevented beer from going to the ball park by the vountary action of the Pittsburgh baseball club. We solved that problem. Our baseball players and our ball team improved; also, the moral conditions in the ball park. The Phillies can solve their safety problems by getting in touch with the Pittsburgh management and prohibiting anybody from bringing beer into the ball park. I say that all members on both sides of the House should not give this wonderful deal to the millionaires' ball club for \$100 a year, when the poor restaurant man around the corner has to spend \$600 a year for only four or five customers at a time. What kind of legislation is this?

I also warn you, if you pass this bill, next year you will pass a bill for Pittsburgh; then you will pass one for Scranton; then you will pass one for Allentown. We get along without beer in the ball parks.

Mr. LEONARD. Mr. Speaker, the previous speaker stated that we had solved our problem in Pittsburgh. I do not know where he gets that information, because I have had person after person tell me they leave the ball game and in many cases will not go to the ball game because of the people bringing in sack after sack of bottled beer and canned beer. The baseball people are trying to eliminate that. We are trying to go forward; we do not want to hang back in the road all the time. People pay to see these games. We have good attendance there and the right people coming, but we are keeping them away by letting them handle beer.

Mr. McINROY. Mr. Speaker, I would like to interrogate Mr. Eilberg or someone on the other side of the House in regard to this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker,

Mr. McINROY. Mr. Speaker, as I understand it, one of the main reasons for this bill is to get more customers in the Phillies' ball park. I wonder if there is any insurance that they will get more customers in the ball park if the bill is passed?

Mr. EILBERG. Mr. Speaker, I would not agree with the gentleman that one of the main purposes is to bring more customers to the ball park. I think the fact that beer is sold will cause the same people, perhaps more, to come. This will be an incidental consequence.

Mr. McINROY. The gentleman would say that there is no assurance that there would be more customers?

Mr. EILBERG. No, sir.

Mr. McINROY. Would it be possible that some customers might be offended by the sale of beer and might stay away?

Mr. EILBERG. Mr. Speaker. I think, to the contrary, the policing situation would be far better under 1165 if it were enacted into law. We would not have people bringing in bottles and cans and tossing them around and consuming everything that they have on their persons. What we propose is a much, much more orderly procedure.

Mr. McINROY. Did the gentleman ever hear of the riot in Chicago three or four years ago because of a number of customers who had imbibed too freely at that game?

Mr. EILBERG. I have not.

Mr. McINROY. I thank the gentleman.

I would like to say that there is no assurance, as the gentleman from Philadelphia, Mr. Eilberg, has stated that there will be more customers at the Phillies' ball park because they are permitted to sell beer. It is quite possible that many people who do not like beer and who do not like to be interrupted by those around them, who might have too much beer, might stay away from the Phillies' ball park. It is also true, as has been stated by Mr. Heavey, that it would make a poor environment for children and a lot of people do not care for it.

I also agree with my colleague that the Phillies do not need more beer, but a better ball team. On television I watched the Phillies play the night before last and they lost by a score of three to two they again lost yesterday by the same score. Two or three good ball players on that team added to what they have might make a difference there which beer would not alter.

It is also true, if we permit the foot in the door in Philadelphia, the foot will be pushed in the door all



over Pennsylvania, not only in ball parks of 25,000, but the next thing there would be someone come in here with an amendment to bring it down to practically any athletic contest, or any gathering of any kind in Pennsylvania. We would be subjected to that, also.

I maintain that the best way is to stop this right now, keep out the beer and those who are causing trouble, and make baseball all athletic—for the game itself—and not for selling beer or for some other reason. Therefore I ask both sides of the House to vote it down.

Mr. EILBERG. Mr. Speaker, I would emphasize, in summary, that House bill 1165 applies only where professional athletes compete. It applies only to the city of Philadelphia, and I think that the fears of the gentleman, the last speaker, are unfounded.

I would say to you further, Mr. Speaker, with this opportunity that the Phillies baseball team needs so badly, that is, the move they are making into new quarters, and the added burdens they have, with additional income, there is no question that they will have a better team and that the Phillies may one day be right with and perhaps superior to the Pittsburgh Pirates. Thank you very much.

Mr. DOUGHERTY. Mr. Speaker, I rise in favor of this measure. I do not drink any beer. I go to the ball park and I hate like the devil to sit beside a fellow opening a can or a bottle and splashing me and my wife. I do not see anything wrong in this bill. If a fellow does not want to drink beer, nobody is going to compel him to drink beer. Just give Philadelphia a little break on this situation. Thank you.

Mr. McCORMACK. Mr. Speaker, I do not want to kill this bill by talking it to death, but at the same time there are a few pertinent observations I would like to make with respect to it.

When this bill was before the House in the last session of the legislature, I can recall quite distinctly the gentleman from Delaware, Mr. Bell, having a front-page piece of news in the Philadelphia Evening Bulletin showing a picture of the terrible condition of the Phillies' baseball park one Sunday afternoon with cans, empty beer cans, strewn throughout the park. He made a pitch for the enactment of this legislation, if for no other reason than that it was a safety measure.

Someone just handed me a card, Mr. Speaker, "My mind is made up. Don't confuse me with the facts." I think that might be very difficult in many debates before the House.

To make a personal observation, I can go out, Mr. Speaker, and attend a banquet and indulge in the drinking of intoxicating beverages, but there are many men here who far surpass me and yet they vote against any liquor bill that comes before the House, despite their personal taste because apparently it makes heroes of them back home. That might be all right, but I say it is not statesmanship.

What I would like to bring out, Mr. Speaker, with respect to the merits of this bill is that we are living in a realistic society and if there is one thing that should be clear here today it is the fact that if this bill is not passed, or if this bill is passed, there is still going to be beer used in the Phillies' baseball park. The only distinction is that now they bring beer in in cans, whereas if this is passed, unquestionably it will be sold and distributed in paper

cups. Regardless of what action you take today, beer is going to be drunk in the Phillies' baseball park.

Another thing, the gentleman from Philadelphia, Mr. Heavey, pointed out that children in ball parks are going to be exposed to this, and I quote, "evil." As far as an evil is concerned, it is a very lucrative evil for the benefit of the Commonwealth of Pennsylvania when you come to tax revenues, and I notice whenever there is any bill to increase the profits on the sale of alcoholic or brewed beverages, there is one chorus of "ayes" in favor of that. I do not think it is necessarily an evil. It is an overindulgence that might be an evil, but nevertheless we do not close up taprooms because children are subjected to that environment and yet we allow children in taprooms, and I do not know how many tavern owners I have represented who have been cited by the Liquor Control Board because of sales to minors. So, certainly Mr. Heavey's argument is not valid. If it were, then we should stop the sale of liquor and malt beverages in Pennsylvania entirely.

One more thing, Mr. Speaker, one of the arguments made in behalf of the bill in the past session of the legislature was that it will help the Philadelphia Phillies utilize some revenue. They are not going to make a fortune, but there was a serious question two years ago about the Phillies moving from Philadelphia over to Delaware Township in New Jersey, and I, for one, and most other members of the General Assembly felt that the city of Philadelphia, being the only first-class city in the State of Pennsylvania, ought to be able to support and to do everything possible to retain a professional baseball team.

If there is a serious question about revenue, and if this bill will enable the Philadelphia Phillies to realize additional income, then I say that we ought to give them the opportunity of making that extra revenue.

But, in voting yes or no, I want you to realize for the last time that even if the bill is not passed, there is still going to be beer brought into the park in cans. If the bill is passed that practice will be stopped. In any event, there is going to be beer in the ball park. Thank you.

Mr. ADAMS. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. ADAMS. Mr. Speaker, I would like to know if there is not present legislation which prohibits the frequenting of premises by minors where intoxicants are sold?

Mr. EILBERG. That is correct, Mr. Speaker.

Mr. ADAMS. If such is the case, will that not prohibit minors from frequenting the ball parks where it is sold if this should become law?

Mr. EILBERG. I do not think so, Mr. Speaker. I think there would be no intention on the part of this legislation to prohibit children from going to baseball games.

Mr. ADAMS. Mr. Speaker, whether that is the intent or not, if such is the law, I do not see how it could be ruled otherwise. But, nevertheless, there are other pertinent factors that are important in this and I think one of them that is not the least important is the fact that the people who are paying hundreds of dollars for a license are going to be deprived of the revenue they would be



getting in legitimate business; and I feel that the youngsters should not be exposed to this in the ball park. I also feel that, perhaps, the solution of the safety factor is an angle on this due to bottles and cans being thrown around, but we do not just put in a lesser evil to replace another evil. Perhaps, the solution is to prohibit having it there in the park at all, which worked so successfully in Pittsburgh.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—77

Anderson, S. A.,	Galley,	Lippincott,	Perry,
Ariene,	Gallagher,	Long, Wm. Jos.,	Petrosky,
Ashton,	Gelfand,	Lutty,	Polaski,
Bachman	Gibbons,	McCormack,	Renwick,
Boles,	Gray,	McDevitt,	Riley,
Bonner,	Gremminger,	McDonald,	Rubin,
Branca,	Hankins,	McKeever,	Sakulsky,
Capano,	Hartley,	McLaughlin,	Scarcelli,
Capitolo,	Isaacs,	McNally,	Schuster,
Cauley,	Jim,	Meholchick,	Shelton,
Cioffi,	Jones,	Morley,	Sherman,
Comer,	Kamyk,	Mullen,	Shupnik,
Crossin,	Kelly,	Munley,	Slack,
Dennison,	Knecht,	Musto,	Stank,
Doughten,	Kramer,	O'Donnell, J. A.,	Sullivan, T. F.,
Farabaugh,	Lamb,	O'Donnell, J. P.,	Taylor,
Fineman,	Lawson,	Odorisio,	Tomascik,
Flynn,	Leonard,	Parlante,	Ujobai,
Frascella,	Limper,	Pashley,	Wargo,
			Welsh,

#### NAYS—118

Adams,	George,	Korns,	Seltzer,
Anderson, J. H.	Gibb,	Lee, A. M.,	Simmons,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Snare,
Blair,	Goldstein, M. H.,	Long, Wm. Jas.,	Steckel,
Bossert,	Goodrich,	Magee,	Stimmel,
Bower,	Gramlich,	Manbeck,	Stiteler,
Bowman,	Gross,	Markley,	Stone,
Breth,	Guesman,	Marsh,	Strausser,
Buchanan,	Guthrie,	Maxwell,	Sullivan, J. A.,
Bush,	Hamilton,	May,	Thompson,
Cianfrani,	Haudenschild,	McCandless,	Tompkins,
Clarke,	Heavey,	McCann,	Trusio,
Coooley,	Heffner,	McInroy,	Varner,
Curwood,	Helm,	Merry,	Verona,
Davis,	Henzel,	Miller,	Walsh,
Dengler,	Hocker,	Mills,	Weidner,
Donaldson,	Holliday,	Murphy,	Wescott,
Dougherty,	Holman,	Needham,	Whittaker,
Down,	Horst,	O'Dell,	Willard,
Edwards,	Irvie,	Ogilvie,	Willaredt,
Elberg,	Jenkins,	Piper,	Williams, A. D.,
Elvey,	Johnson, A. W.,	Polen,	Williams, E. S.,
Eshleman,	Johnson, R. P.,	Prendergast,	Wilt,
Ewing,	Keiser,	Pursley,	Wood,
Filo,	Kernaghan,	Reibman,	Worley,
Foor,	Kessler,	Rovansek,	Yetter,
Fox,	King,	Royer,	Zember,
Fry,	Kistler,	Rudisill,	Zimmerman,
Fulmer,	Klein,	Rutherford,	Andrews,
	Kooker,	Schaaf,	Speaker

#### NOT VOTING—11

Auker,	Foerster,	Monroe,	Reidenbach
Eshback,	Kornick,	Murray,	Wall,
Petterolf,	Mihm,	Price,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. This after-the-ballot canvass does not cast credit upon the procedure in this House.

#### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1259, entitled:

An Act relating to State highways roads and bridges and certain use thereof amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto establishing the State Highway System providing for the construction, abandonment and vacation of State highways and placing of existing roads and bridges on the State Highway System \* \* \*.

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. A. M. LEE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. A. M. LEE asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by inserting after "bridges" imposing duties on the Secretary of Highways relative to construction projects

Amend Table of Contents, page 4, eleventh line of Table of Contents by striking out "Construction and Maintenance Program" and inserting Capital Program for Highways

Amend Sec. 606, page 28, lines 3 to 9, by striking out "Construction and Maintenance Program The secretary" in line 3 all of lines 4 to 9, and inserting

(a) The following words and terms as used in this section shall have the meanings herein assigned to them unless the context clearly indicates otherwise:

"Construction" shall include construction improvement and betterment and planning engineering and right-of-way acquisition pertaining thereto.

"Highways" shall include bridges, tunnels and related structures necessary to provide a roadway for vehicular traffic.

(b) The Secretary of Highways shall submit to the Budget Secretary in the same manner and on the same date as prescribed by law for the budget estimates a proposed capital program of highway construction to be undertaken in the ensuing fiscal year and each of the five succeeding fiscal years. Said program shall cover all funds to be expended from the Motor License Fund for the period in question.

The program shall include for each project a brief description indicating the location and type of improvement to be made and an estimate of the total cost of the project and the status of planning, engineering and right-of-way acquisition for the project. Said program shall further include with reference to each such project the present and anticipated types and volumes of traffic classified as to inter-community regional, inter-regional and inter-state.

For the ensuing fiscal year the proposed program shall account for all of the construction funds requested in the budget estimate for such fiscal period, provided that in the discretion of the Secretary of Highways not more than ten per cent of the funds in the proposed program in the ensuing year may be allocated to a miscellaneous or unspecified category.

The Secretary of Highways shall subdivide the construction program into sub-programs based on Federal-aid category of the construction project and such other categories as may be reasonably required.

(c) The Budget Secretary shall, under the direction of

the Governor, examine and verify the proposed program of highway construction. The Secretary of Highways shall submit to the Budget Secretary any additional information which the Budget Secretary shall require for such examination.

(d) The Governor may make alterations in the proposed program of highway construction before he approves it, provided that the program of highway construction approved by the Governor for the ensuing fiscal year is in full conformity with the budget of the Department of Highways approved by the Governor for the ensuing fiscal year.

(e) The Governor shall submit the proposed program of highway construction to the General Assembly together with a proposed budget for the Department of Highways.

(f) The General Assembly before enacting the budget for the Department of Highways shall by concurrent resolution adopt such capital program of highway construction for said six-year period either with or without further modification. Upon approval of such resolution and program in writing by the Governor, such program for the fiscal year ensuing submission shall have the force of law and there shall be no deviations therefrom, provided, however, that with the written approval of the Governor the amount allocated to any specific project may be increased by as much as ten per cent, such increase to be made by transfer from another project amount or from the sum for unspecified projects hereinabove provided. With the approval of the Governor, the fund for unspecified projects may be increased by transfer from authorized projects in such amount as may be required to meet genuine emergencies.

(g) The Secretary of Highways shall submit final plans and specifications for all highway construction projects to the Governor's office for certification that the project is in conformity with the adopted program prior to solicitation of bids.

(h) Four months after the end of each fiscal year, the Secretary of Highways shall submit a report to the Governor and the General Assembly showing the construction program as originally adopted by the General Assembly, the expenditures and extent of progress on projects which were undertaken and the modifications made in the program in the course of the year.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee, for the purpose of discussing his amendments.

Mr. A. M. LEE. Mr. Speaker, these amendments are offered for the purpose of writing in House bill 1259, which is the so-called highway code, a requirement that the Secretary of Highways must submit to the budget secretary, to the Governor, and to the General Assembly, a capital program for highway construction. That capital program would be for the six years in the future after it was submitted. It would be submitted to the budget secretary at the same time as the budget estimates are required to be submitted.

The budget secretary could request additional information from the Secretary of Highways. It would then be subject to approval by the Governor and he would have the right to modify it. It would then be required to be submitted by the Governor to the General Assembly. The General Assembly would have the right to make further modifications in the capital budget of the Highway Department.

Now, when the General Assembly finally approves the capital budget and the budget was again approved by the Governor, the first year of it would have the force of law;

the five remaining years of the six-year period would be advisory only.

The amendment would spell out the nature of the information that is required to be included in this capital budget. It would have to account for all sums to be expended from the motor license fund.

After the budget was approved there could be no deviations from it by the Secretary of Highways with the exception that he would be permitted to transfer up to ten percent of the fund from any authorized project to another authorized project to meet unanticipated increases in costs or other contingencies. In addition to which it would be possible for a transfer to be made from the unallocated portion of the highway budget up to ten percent of that amount for the purpose of meeting genuine emergencies if those emergencies arose and they were certified in writing by the Governor.

Now I do not want to go into a long harangue about the need for capital budgeting. I can only say that as far as these amendments are concerned they would write into the highway code the principle of capital planning for the State Department of Highways, which is something that we do not have at the present time.

The adoption of these amendments and the passage of this bill would provide that high degree of public visibility that is so desirable in the expenditure of capital funds by the Commonwealth of Pennsylvania. This procedure would inform the general public, the members of the General Assembly, the press and all interested citizen agencies as to just exactly where these highway funds are going. I think that is even more important today when we have just recently completed action resulting in a 40 percent increase in the State gasoline tax, and I think the people of Pennsylvania are entitled to know where these highways are going to be built and when they are going to be built.

In conclusion, Mr. Speaker, I would just like to quote to the members of the House a little bit of language from the capital budget message which was sent to us in March by the Governor of the Commonwealth. In his message he said as follows:

It must be pointed out that we have not yet achieved the total pattern of capital budgeting for the Commonwealth. I would hope that in the years to come future administrations and future legislatures will apply this same useful principle in the State highway program and in the allocation of State aid to such important capital investments as those we make.

So I say to the members of the House these amendments would bring about something that everyone will agree is a desirable procedure as far as the Commonwealth of Pennsylvania is concerned, and even though the Governor expresses the hope that this may be done in the future, I say now is the time to do it, and I certainly hope that all the members will support these amendments.

The SPEAKER. The chair recognizes the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. Mr. Speaker, and members of the House, I rise to oppose the amendments offered by the gentleman from Philadelphia, Mr. Lee. I wish to point out that if these amendments would become a part of this bill they would seriously tie the hands of the Secretary of the Highways. In fact if they were taken to their logical



conclusion, it would, in any event, make the operation of the department with respect to the planning of the highway system in this Commonwealth impossible. Let me point out first, that Federal funds—and, as all members of the House know, the Commonwealth is depending for a large part of their highway funds on Federal participation—would be practically impossible under a six-year capital budget because Federal funds are only allocated on an advance of two years.

Number two, if the capital budget were explicated or extended for six years, the cost of land acquisition would skyrocket. If everyone in the Commonwealth knew six years in advance where the highways were going to be located, then certainly the land speculators would move in and, although the costs of obtaining rights-of-way are extremely high, they would be double, triple, or quadruple.

Number three, as we all know, there are times when the highway department is faced with an emergency. They must temporarily abandon one project because of a serious flood, because a bridge has been washed out; they have to convert funds. And in the event that this capital budget of six years is made part of the bill, this would be an impossibility.

Number four, I think the adoption of these amendments would provide that there could be no deviation from the highway network as prescribed by the secretary. It provides that the secretary, for a good cause, would not be able to abandon a project that he had in mind. There may be several reasons why the locality, the tentative times, or for any reason it may be advisable to abandon the project. So for these reasons which I think are very good, I ask every member of the House to oppose the amendments.

Mr. HEAVEY. The six-year program that my friend from the great district of Roxborough, and Manayunk, talks about, I do not see how you could put it into operation, because in the highway department there is generally about thirteen years of road work planned ahead. And as they go along they have to pick out the roads that are most important, where people should be put to work, and also they have to gee-in with the money we receive from Washington. One instance is our Schuylkill Expressway. That road is the greatest thing that ever happened to Philadelphia. It is the greatest improvement, and now after a couple of years it is loaded with traffic. They either have to widen it or they have to build an alternate road through Manayunk. Now, if we had a six-year program, technically devised, something like that could not be done; yet it is something that must be done.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Just briefly in reply to the gentleman from Allegheny, Mr. Speaker. I would like to point out on the question of a six-year program, it is my understanding at the present time they are planning ten years in advance in the Department of Highways. Now, the only thing that I am asking here is that that information not be held secret, that it should be shared with us, the members of the General Assembly, and also with the general public. Because as I said before, I think they are entitled to know where their money is going to go.

Let me say also on the question of tying the hands of the Secretary of Highways, that is not so; he is the one

who will develop this capital program and present it to us and it will be naturally up to him to justify the validity of anything that is included, and that is as it should be. He should be required to justify any construction projects that are put on the drawing board as far as Pennsylvania is concerned.

As far as land acquisition is concerned, I do not agree with the gentleman that it is going to lead to speculation because if these plans are now drawn ten years in advance, somebody must know where the highways are going to go and where they are going to be located.

On the question of the Federal funds, it may be true that there is only a lead time of two years on Federal funds, but it requires a number of years in advance of that two-year period for the State of Pennsylvania to determine which projects are to be submitted and to put the plans into practice, and I do not believe that would impede the Secretary of Highways in drawing his capital budget in any way. So again, on the question of diversion of funds, if the gentleman has read the amendments carefully, he will find that funds up to 10 percent of any authorized project may be transferred to any other project amount, or the sum for unspecified projects may be increased by transfer from authorized projects in such amount as may be required to meet genuine emergencies. I think these are good amendments, and I request their adoption.

Mr. LAMB. Mr. Speaker, just a brief reply to the gentleman from Philadelphia, Mr. Lee. He is mistaken when he says that the department has plans for 10 years in the future. That is not true. I might point out, as you well know, that the secretary has expressed a desire, that is to say that he has indicated, that certain highways over the next 10 years should be built, but that is a far cry from saying that plans for 10 years have been established.

Thank you.

The SPEAKER. In view of the importance of these amendments, does the majority leader suggest a roll call?

Mr. McCANN. Mr. Speaker, he had requested, and it was my understanding, that it would be automatically a roll call.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. A. M. LEE and TOMPKINS and were as follows:

#### YEAS—91

Adams,	Gibb,	Knecht,	Simmons,
Anderson, J. H.	Gibbons,	Krocker,	Slack,
Ashton,	Goldstein, J. H.,	Korns,	Snare,
Backenstoe,	Goodrich,	Lee, A. M.,	Steckel,
Blair,	Gramlich,	Lee, K. B.,	Stiteler,
Bossert,	Gross,	Lippincott,	Strausser,
Bower,	Guthrie,	Magee,	Thompson,
Bowman,	Haudenshield,	Manbeck,	Tompkins,
Buchanan,	Heffner,	Markley,	Ujobal,
Bush,	Helm,	Marsh,	Varner,
Davis,	Henzel,	May,	Weidner,
Dengler,	Hocker,	McCandless,	Wescott,
Dennison,	Holliday,	McInroy,	Whittaker,
Donaldson,	Holman,	Merry,	Willard,
Down,	Horst,	Miller,	Willaredt,
Edwards,	Isaacs,	Odorisio,	Williams, A. D.,
Elvey,	Johnson, A. W.,	Ogilvie,	Williams, E. S.,
Eshleman,	Johnson, R. P.,	Piper,	Wilt,
Ewing,	Kelser,	Prendergast,	Wood,
Foor,	Kernaghan,	Pursley,	Worley,
Fox,	Kessler,	Royer,	Zember,
Fulmer,	King,	Rutherford,	Zimmerman,
George,	Kistler,	Seltzer,	

## NAYS—98

Anderson, S. A.,	Gallagher,	Maxwell,	Riley,
Arlene,	Gelfand,	McCann,	Rovansek,
Boles,	Gray,	McCormack,	Rubin,
Bonner,	Gremminger,	McDevitt,	Rudisill,
Branca,	Guesman,	McDonald,	Sakulsky,
Breth,	Hamilton,	McKeever,	Scarcelli,
Capano,	Hankins,	McLaughlin,	Schaaf,
Cauley,	Hartley,	McNally,	Schuster,
Cianfrani,	Heavey,	Meholchick,	Shelton,
Cioffi,	Iris,	Mills,	Sherman,
Clarke,	Jenkins,	Morley,	Shupnik,
Comer,	Jim,	Munley,	Stank,
Crossin,	Jones,	Murphy,	Stone,
Curwood,	Kamyk,	Musto,	Sullivan, J. A.,
Dougherty,	Kelly,	Needham,	Sullivan, T. F.,
Doughten,	Klein,	O'Dell,	Taylor,
Ellberg,	Kornick,	O'Donnell, J. A.,	Tomasclik,
Farabaugh,	Kramer,	Parlante,	Trusio,
Filo,	Lamb,	Pashley,	Verona,
Fineman,	Lawson,	Perry,	Walsh,
Flynn,	Leonard,	Petrosky,	Wargo,
Frascella,	Limper,	Polaski,	Weish,
Fry,	Long, Wm. Jas.,	Polen,	Yetter,
Galley,	Long, Wm. Jos.,	Reibman,	Andrews,
	Lutty,	Renwick,	Speaker

## NOT VOTING—17

Auker,	Eshback,	Mihm,	O'Donnell, J. P.,
Bachman,	Fetterolf,	Monroe,	Price,
Capitolo,	Foerster,	Mullen,	Reidenbach,
Cooley,	Goldstein, M. H.,	Murray,	Stimmel,
			Wall,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Armstrong, Mr. Helm.

Mr. HELM. Mr. Speaker, it is not my desire to take too much time of the House this afternoon on discussion of House bill 1259.

Two years ago we had an almost similar bill on our calendar at which time we went into very lengthy interrogation and very lengthy debate and the bill was defeated on two occasions. With some modification we have almost the identical bill on the calendar this afternoon. I will take an expression from the gentleman from Allegheny, Mr. Lamb, when he said that the amendments that were offered by the gentleman from Philadelphia, Mr. Lee, would tie the hands of the Secretary of Highways. I say to you that with the enactment of House bill 1259 in its present form it will do just the opposite—it will untie the hands of the Secretary of Highways. It gives him almost unlimited powers in the performance of his functions as Secretary of Highways of this Commonwealth, probably more power than any other administrative officer in this Commonwealth.

I have every confidence in the world in the present Secretary of Highways. I think he is a man who is doing an excellent job. I would hope that every secretary of highways that we might have in this Commonwealth would be just as diligent in his duties, but to me it seems there is always the danger of getting someone in that office who might abuse the powers that he is given under this bill. The bill is offered to us under the guise of a codification of the highway laws. If it did just that, I would be the first one to stand on this floor and support

it. But I say to you, Mr. Speaker, that it goes much further than that.

It gives the Secretary of Highways almost unlimited power in the condemnation for the obtaining of property and for the disposal of that property in case they do not need it. Now the bill has been made somewhat more powerful, perhaps, in the last few days by the addition of some few amendments, but in spite of that—and as I say I do not want to take too much of the time of the House to get into the various ramifications of the bill—I would ask the members on our side of the House to vote against this bill.

I am sure that on the other side of the House they have made up their minds how they are going to vote. I do not believe if I talked for the next hour or hour and a half I would change many votes. Mr. Speaker, I am perfectly happy to allow the bill to come to a vote right now.

Mr. COMER. Mr. Speaker, I rise to speak for the bill. The SPEAKER. The gentleman is in order.

Mr. COMER. Mr. Speaker, I rise to ask the members of both sides to support this bill.

This bill, for the most part, is composed of existing law now in effect. The repeal section is obsolete law and no longer needed. The one big new section is the acquisition of property and procedures for condemnation of fee simple titles. This condemnation legislation was passed in a single bill last session by this House by a vote of 196 to 1. This is the same procedure that we allow the turnpike commission to use but deny to our own highway department. There have been five basic surveys in the Commonwealth of Pennsylvania and in these five studies that have taken place by the Federal, State and other agencies since 1947, everyone of those studies, including the last two, the 1950 Automotive Safety Foundation, and the Campbell report of the United States Bureau of Public Roads, strenuously ask that Pennsylvania adopt this condemnation procedure. I know this is needed legislation and I ask the members on both sides of the House to support this bill.

Mr. LAMB. Mr. Speaker, just a few words on this bill. It is a very large bill, it contains quite a bit, but as the gentleman said most of it is a codification of existing laws. I have to agree with the gentleman from Armstrong, Mr. Helm, that this bill does give the secretary more power. But, if we are going to have the highway system that we need in this State, if we are going to, in a sense, put an end to the strangulation that our cities are facing, if we are going to have a wide-open system and make travel easy and profitable in this State, we are going to have to give the Secretary of Highways broad powers.

I might say this, Mr. Speaker, if in the opinion of this legislature at such time in the future as we feel that the highway secretary has overstepped and has overreached his powers, this legislature that gave him that power can take that power away.

With those few words I would ask the members of the House to vote in favor of this legislation.

Mr. A. M. LEE. Mr. Speaker, let me just say a word in connection with this bill as it now stands on the calendar.

There are, as has been indicated, a number of things in this bill for which I worked very hard in the last session, giving the Secretary certain additional powers which I think he should have in connection with the execution of the highways program in the Commonwealth of Penn-



sylvania. I agree with the gentleman from Armstrong, Mr. Helm, that in many instances these things go too far in other respects aside from those for which I worked.

But, I again come back to the question of planning. The gentleman from Allegheny admits that this bill gives the Secretary very wide powers. The gentleman from Philadelphia, Mr. Comer, referred to five studies that have been made of the highway program in the State of Pennsylvania. I have here an analysis of those five studies with which I have been familiar for quite a long time. Let me read to you what the 1958-1960 Report of the Pennsylvania Economy League said of the Bureau of Municipal Research in Philadelphia. "Without long range plans for State highways, road planning at the county and local level becomes an exercise in futility."

Mr. Speaker, the defeat of my amendment which would require long-range capital planning in the highway department is sufficient basis, aside from the other reasons which I have cited, as to why I feel we should vote against this particular bill.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—100

Anderson, S. A.,	Gallagher,	Lutty,	Renwick,
Arlene,	Gelfand,	Maxwell,	Riley,
Bachman	Gray,	McCormack,	Rovansek,
Boles,	Gremminger,	McDevitt,	Rubin,
Bonner,	Guesman,	McDonald,	Rudisill,
Branca,	Hamilton,	McKeever,	Sakulsky,
Breth,	Hankins,	McLaughlin,	Scarcell,
Capano,	Hartley,	McNally,	Schaaf,
Cauley,	Heavey,	Meholchick,	Schuster,
Cianfrani,	Holman,	Mills,	Shelton,
Cioffi,	Irviss,	Morley,	Sherman,
Clarke,	Jenkins,	Mullen,	Shupnik,
Comer,	Jim,	Munley,	Stank,
Cooley,	Jones,	Musto,	Stone,
Crossin,	Kamyk,	Needham,	Sullivan, J. A.,
Curwood,	Kelly,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Klein,	O'Donnell, J. P.,	Taylor,
Eilberg,	Kornick,	Parlante,	Tomasick,
Farabaugh,	Kramer,	Pashley,	Trusio,
Filo,	Lamb,	Perry,	Verona,
Fineman,	Lawson,	Petrosky,	Walsb,
Flynn,	Leonard,	Piper,	Wargo,
Frascella,	Limper,	Polaski,	Welsh,
Fry,	Long, Wm. Jas.,	Prendergast,	Yetter,
Galley,	Long, Wm. Jos.,	Reibman,	Andrews,

Speaker

## NAYS—94

Adams,	Gibb,	Knecht,	Seltzer,
Anderson, J. H.,	Gibbons,	Kooker,	Simmons,
Ashton,	Goldstein, J. H.,	Korns,	Slack,
Backenstoe,	Goldstein, M. H.,	Lee, A. M.,	Snare,
Blair,	Goodrich,	Lee, K. B.,	Steckel,
Bossert,	Gramlich,	Lippincott,	Stimmel,
Bower,	Gross,	Magee,	Stiteler,
Bowman,	Guthrie,	Manbeck,	Strausser,
Bush,	Haudenschild,	Markley,	Thompson,
Davis,	Hefner,	Marsh,	Tompkins,
Dengler,	Helm,	May,	Ujobai,
Dennison,	Henzel,	McCandless,	Varner,
Donaldson,	Hocker,	McCann,	Weidner,
Dougherty,	Holliday,	McInroy,	Wescott,
Down,	Horst,	Merry,	Whittaker,
Edwards,	Isaacs,	Miller,	Willard,
Elvey,	Johnson, A. W.,	Murphy,	Willaredt,
Eshleman,	Johnson, R. P.,	O'Dell,	Williams, A. D.,
Ewing,	Kelser,	Odorisio,	Williams, E. S.,
Foor,	Kernaghan,	Ogilvie,	Wilt,
Fox,	Kessler,	Polen,	Wood,
Fulmer,	King,	Pursley,	Yetter,
George,	Kistler,	Royer,	Zember,
		Rutherford,	Zimmerman,

## NOT VOTING—12

Auker,	Eshback,	Mihm,	Price,
Buchanan,	Fetterolf,	Monroe,	Reidenbach,
Capitolo,	Foerster,	Murray,	Wall,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. The Chair calls to the attention of the House that there are 210 members and 194 votes, which does not coincide with the leaves of absence.

The Chair desires to prepare the bills introduced to get them to the printer and asks the gentleman from Armstrong, Mr. Helm, the preside once again.

## MR. HELM IN THE CHAIR

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1369, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), providing for determination of deficiencies redetermination reviews and appeals therefrom and conferring additional powers and duties upon the Department of Revenue.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Adams,	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gelfand,	Leonard,	Royer,
Anderson, S. A.,	George,	Limper,	Rubin,
Arlene,	Gibbons,	Lippincott,	Rudisill,
Ashton,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Bachman	Goldstein, M. H.,	Lutty,	Sakulsky,
Backenstoe,	Goodrich,	Magee,	Scarcell,
Blair,	Gramlich,	Manbeck,	Schaaf,
Bonner,	Gray,	Markley,	Schuster,
Bossert,	Gremminger,	Marsh,	Seltzer,
Bower,	Gross,	Maxwell,	Shelton,
Bowman,	Guesman,	May,	Sherman,
Branca,	Guthrie,	McCandless,	Shupnik,
Breth,	Hamilton,	McCann,	Simmons,
Buchanan,	Hankins,	McCormack,	Slack,
Bush,	Hartley,	McDevitt,	Snare,
Capano,	Haudenschild,	McDonald,	Stank,
Cauley,	Heavey,	McInroy,	Steckel,
Cianfrani,	Hefner,	McKeever,	Stimmel,
Cioffi,	Helm,	McLaughlin,	Stiteler,
Clarke,	Henzel,	McNally,	Stone,
Comer,	Hocker,	Meholchick,	Sullivan, T. F.,
Cooley,	Holliday,	Merry,	Taylor,
Crossin,	Holman,	Miller,	Thompson,
Curwood,	Horst,	Mills,	Tomasick,
Davis,	Irviss,	Morley,	Tompkins,
Dengler,	Isaacs,	Mullen,	Trusio,
Dennison,	Jenkins,	Munley,	Ujobai,
Donaldson,	Jim,	Murphy,	Varner,
Dougherty,	Johnson, A. W.,	Musto,	Verona,
Doughten,	Johnson, R. P.,	Needham,	Walsh,
Down,	Jones,	O'Dell,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kelser,	O'Donnell, J. P.,	Welsh,
Elvey,	Kelly,	Ogilvie,	Wescott,
Eshleman,	Kernaghan,	Parlante,	Whittaker,
Ewing,	Kessler,	Pashley,	Willard,
Farabaugh,	King,	Perry,	Willaredt,
Filo,	Kistler,	Petrosky,	Williams, A. D.,
Fineman,	Klein,	Piper,	Williams, E. S.,
Flynn,	Kooker,	Polaski,	Wilt,
Foor,	Kornick,	Polen,	Wood,
Fox,	Korns,	Prendergast,	Yetter,
Frascella,	Kramer,	Pursley,	Zember,
Fry,	Lamb,	Reibman,	Zimmerman,
Fulmer,	Lawson,	Renwick,	Andrews,
Galley,	Lee, A. M.,	Riley,	Speaker

## NAYS—1

Worley,

## NOT VOTING—18

Auker,  
Boles,  
Capitolo,  
Eshback,  
Fetterolf,

Foerster,  
Gibb,  
Knecht,  
Long, Wm. Jas.,  
Mihm,

Monroe,  
Murray,  
Odorisio,  
Price,

Reidenbach,  
Strausser,  
Sullivan, J. A.,  
Wall,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1381, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Adams,  
Anderson, J. H.  
Anderson, S. A.,  
Arlene,  
Ashton,  
Bachman  
Backenstoe,  
Blair,  
Boles,  
Bonner,  
Bossert,  
Bower,  
Bowman,  
Branca,  
Breth,  
Buchanan,  
Bush,  
Capano,  
Cauley,  
Cianfrani,  
Cioffi,  
Clarke,  
Comer,  
Cooley,  
Crossin,  
Curwood,  
Davis,  
Dengler,  
Dennison,  
Donaldson,  
Dougherty,  
Doughten,  
Down,  
Edwards,  
Ellberg,  
Elvey,  
Eshleman,  
Ewing,  
Farabaugh,  
Filo,  
Fineman,  
Flynn,  
Foor,  
Fox,  
Frascella,  
Fry,  
Fulmer,  
Galley,

Gallagher,  
Gelfand,  
George,  
Gibbons,  
Goldstein, J. H.,  
Goldstein, M. H.,  
Goodrich,  
Gramlich,  
Gray,  
Gremminger,  
Gross,  
Guesman,  
Guthrie,  
Hamilton,  
Hankins,  
Hartley,  
Haudenshield,  
Heavey,  
Heffner,  
Helm,  
Henzel,  
Hocker,  
Holliday,  
Holman,  
Horst,  
Irvis,  
Isaacs,  
Jenkins,  
Jim,  
Johnson, A. W.,  
Johnson, R. P.,  
Jones,  
Kamyk,  
Keiser,  
Kelly,  
Kernaghan,  
Kessler,  
King,  
Kistler,  
Klein,  
Knecht,  
Kooker,  
Kornick,  
Korns,  
Kramer,  
Lamb,  
Lawson,  
Lee, A. M.,

Lee, K. B.,  
Leonard,  
Limper,  
Lippincott,  
Long, Wm. Jas.,  
Long, Wm. Jos.,  
Lutty,  
Magee,  
Manbeck,  
Markley,  
Marsh,  
Maxwell,  
May,  
McCandless,  
McCann,  
McCormack,  
McDevitt,  
McDonald,  
McInroy,  
McLaughlin,  
McNally,  
Meholchick,  
Merry,  
Miller,  
Mills,  
Morley,  
Mullen,  
Munley,  
Murphy,  
Musto,  
Needham,  
O'Dell,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Ogilvie,  
Parlante,  
Pashley,  
Perry,  
Petrosky,  
Piper,  
Polaski,  
Polen,  
Prendergast,  
Pursley,  
Reibman,  
Renwick,  
Riley,

Rovansek,  
Royer,  
Rudisill,  
Rutherford,  
Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Seltzer,  
Shelton,  
Sherman,  
Shupnik,  
Simmons,  
Slack,  
Snare,  
Stank,  
Steckel,  
Stimmel,  
Stiteler,  
Stone,  
Strausser,  
Sullivan, T. F.,  
Taylor,  
Thompson,  
Tomasck,  
Tompkins,  
Trusio,  
Ujobal,  
Varner,  
Verona,  
Walsh,  
Wargo,  
Weidner,  
Welsh,  
Wescott,  
Whittaker,  
Willard,  
Willaredt,  
Williams, A. D.,  
Williams, E. S.,  
Wood,  
Worley,  
Yetter,  
Zember,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—17

Auker,  
Capitolo,  
Eshback,  
Fetterolf,

Foerster,  
Gibb,  
McKeever,  
Mihm,

Monroe,  
Murray,  
Odorisio,  
Price,

Reidenbach,  
Rubin,  
Sullivan, J. A.,  
Wall,  
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 853, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), authorizing a change in the compensation of certain township commissioners.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—180

Anderson, J. H.  
Anderson, S. A.,  
Arlene,  
Ashton,  
Bachman  
Backenstoe,  
Blair,  
Boles,  
Bonner,  
Bossert,  
Bower,  
Bowman,  
Branca,  
Breth,  
Buchanan,  
Bush,  
Capano,  
Cauley,  
Cianfrani,  
Cioffi,  
Clarke,  
Comer,  
Cooley,  
Crossin,  
Curwood,  
Dengler,  
Dennison,  
Donaldson,  
Dougherty,  
Down,  
Edwards,  
Ellberg,  
Elvey,  
Eshleman,  
Ewing,  
Farabaugh,  
Filo,  
Fineman,  
Flynn,  
Fox,  
Frascella,  
Fry,  
Fulmer,  
Galley,  
Gallagher,

Gelfand,  
George,  
Gibbons,  
Goldstein, J. H.,  
Goldstein, M. H.,  
Goodrich,  
Gramlich,  
Gray,  
Gremminger,  
Guesman,  
Guthrie,  
Hamilton,  
Hankins,  
Hartley,  
Haudenshield,  
Heavey,  
Heffner,  
Helm,  
Henzel,  
Holliday,  
Horst,  
Irvis,  
Isaacs,  
Jenkins,  
Jim,  
Johnson, A. W.,  
Johnson, R. P.,  
Jones,  
Kamyk,  
Keiser,  
Kelly,  
Kernaghan,  
Kessler,  
King,  
Kistler,  
Klein,  
Knecht,  
Kooker,  
Kornick,  
Kramer,  
Lamb,  
Lawson,  
Lee, A. M.,  
Lee, K. B.,  
Leonard,

Limper,  
Lippincott,  
Long, Wm. Jas.,  
Long, Wm. Jos.,  
Lutty,  
Magee,  
Markley,  
Marsh,  
Maxwell,  
May,  
McCandless,  
McCann,  
McCormack,  
McDevitt,  
McDonald,  
McInroy,  
McKeever,  
McLaughlin,  
McNally,  
Meholchick,  
Merry,  
Miller,  
Mills,  
Morley,  
Mullen,  
Munley,  
Murphy,  
Musto,  
Needham,  
O'Dell,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Ogilvie,  
Parlante,  
Pashley,  
Perry,  
Petrosky,  
Piper,  
Polaski,  
Polen,  
Prendergast,  
Pursley,  
Reibman,  
Renwick,  
Riley,

Rovansek,  
Royer,  
Rubin,  
Rudisill,  
Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Seltzer,  
Shelton,  
Sherman,  
Shupnik,  
Simmons,  
Slack,  
Snare,  
Stank,  
Steckel,  
Stimmel,  
Stone,  
Strausser,  
Sullivan, T. F.,  
Taylor,  
Thompson,  
Tomasck,  
Tompkins,  
Trusio,  
Ujobal,  
Varner,  
Verona,  
Walsh,  
Wargo,  
Weidner,  
Welsh,  
Wescott,  
Whittaker,  
Willard,  
Willaredt,  
Williams, A. D.,  
Williams, E. S.,  
Wood,  
Worley,  
Yetter,  
Zember,  
Zimmerman,  
Andrews,  
Speaker



## NAYS—11

Adams, Davis, Doughten,	Foor, Gross, Hocker,	Holman, Korns, Manbeck,	Rutherford, Stiteler,
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## NOT VOTING—15

Auker, Capitolo, Eshback, Fetterolf,	Foerster, Gibb, Mihm, Monroe,	Murray, Odorisio, Price, Reidenbach,	Sullivan, J. A., Wall, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House bill No. 880, printer's No. 965 and

House bill No. 886, printer's No. 975

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 914, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman,	Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, Meholchick, Merry, Miller, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Tomasck, Trusio, Ujbai, Varner, Verona, Walsh, Wargo, Weidner, Welsh, Wescott, Willard, Willaredt,
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Flynn, Foor, Fox, Frascella, Fry, Fulmer, Galley, Gallagher,	Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick, Riley,	Williams, A. D., Williams, E. S., Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—18

Auker, Bachman, Capitolo, Ellberg,	Eshback, Fetterolf, Foerster, Gibb,	McInroy, Mihm, Monroe, Murray, Odorisio,	Price, Reidenbach, Wall, Whittaker, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 915, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Fineman,	Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick,	Leonard, Limper, Lippincott, Long, Wm. Jas., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujbai, Varner, Verona, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, E. S., Wood, Worley,
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Flynn,	Korns,	Pursley,	Yetter,
Foor,	Kramer,	Reibman,	Zember,
Fox,	Lamb,	Renwick,	Zimmerman,
Frascella,	Lawson,	Riley,	Andrews,
Fry,	Lee, A. M.,	Rovansek,	Speaker
Fulmer,	Lee, K. B.,	Royer,	

## NAYS—1

Williams, A. D.,

## NOT VOTING—19

Auker,	Gibb,	McInroy,	Price,
Capitolo,	Heavey,	Mihm,	Reidenbach,
Eshback,	Jenkins,	Monroe,	Wall,
Fetterolf,	Jim,	Murray,	Wilt,
Foerster,	Long, Wm. Jos.,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 916, entitled:

An Act making an appropriation for moneys in the Korean Conflict Veterans' Compensation Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—184

Adams,	Galley,	Lee, A. M.,	Rovansek,
Anderson, J. H.	Gallagher,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gelfand,	Leonard,	Rubin,
Arlene,	George,	Limper,	Rudisill,
Ashton,	Gibbons,	Lippincott,	Rutherford,
Bachman	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goodrich,	Long, Wm. Jos.,	Scarcelli,
Blair,	Gramlich,	Lutty,	Schlaaf,
Boles,	Gray,	Magee,	Schuster,
Bonner,	Gremminger,	Manbeck,	Seltzer,
Bossert,	Guesman,	Marsh,	Shelton,
Bowman,	Guthrie,	Maxwell,	Sherman,
Branca,	Hamilton,	May,	Simmons,
Breth,	Hankins,	McCandless,	Slack,
Buchanan,	Hartley,	McCann,	Snare,
Bush,	Haudenshield,	McCormack,	Stank,
Capano,	Heavey,	McDevitt,	Steckel,
Cauley,	Heffner,	McDonald,	Stimmel,
Cianfrani,	Helm,	McKeever,	Stiteler,
Cioffi,	Henzel,	McLaughlin,	Stone,
Clarke,	Hocker,	McNally,	Strausser,
Comer,	Holliday,	Merry,	Sullivan, T. F.,
Cooley,	Holman,	Miller,	Taylor,
Crossin,	Horst,	Mills,	Thompson,
Curwood,	Irviss,	Morley,	Tomasick,
Davis,	Isaacs,	Mullen,	Tompkins,
Dengler,	Jenkins,	Munley,	Trusio,
Dennison,	Jim,	Murphy,	Ujobai,
Donaldson,	Johnson, A. W.,	Musto,	Varner,
Dougherty,	Johnson, R. P.,	Needham,	Verona,
Doughten,	Jones,	O'Dell,	Walsh,
Down,	Kamyk,	O'Donnell, J. A.,	Wargo,
Edwards,	Kelser,	O'Donnell, J. P.,	Weidner,
Ellberg,	Kelly,	Ogilvie,	Welsh,
Elvey,	Kernaghan,	Parlante,	Wescott,
Eshleman,	Kessler,	Pashley,	Whittaker,
Ewing,	King,	Perry,	Willard,
Farabaugh,	Kistler,	Petrosky,	Willardt,
Filo,	Klein,	Piper,	Williams, A. D.,
Fineman,	Knecht,	Polaski,	Williams, E. S.,
Flynn,	Kooker,	Polen,	Wood,

Foor,	Kornick,	Prendergast,	Worley,
Fox,	Korns,	Pursley,	Yetter,
Frascella,	Kramer,	Reibman,	Zember,
Fry,	Lamb,	Renwick,	Zimmerman,
Fulmer,	Lawson,	Riley,	Andrews,
			Speaker

## NAYS—0

## NOT VOTING—22

Auker,	Gibb,	Mihm,	Reidenbach,
Bower,	Goldstein, M. H.,	Monroe,	Shupnik,
Capitolo,	Gross,	Murray,	Sullivan, J. A.,
Eshback,	Markley,	Odorisio,	Wall,
Fetterolf,	McInroy,	Price,	Wilt,
Foerster,	Meholchick,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 917, entitled:

An Act making an appropriation from the Korean Conflict Veterans' Fund to the Department of Military Affairs for certain administration expenses necessary in the administration of the "Korean Conflict Veterans' Compensation Act"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams,	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, J. H.	Gelfand,	Leonard,	Royer,
Anderson, S. A.,	Gibbons,	Limper,	Rubin,
Arlene,	Goldstein, J. H.,	Lippincott,	Rudisill,
Ashton,	Goldstein, M. H.,	Long, Wm. Jos.,	Rutherford,
Bachman	Goodrich,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gramlich,	Lutty,	Scarcelli,
Blair,	Gray,	Magee,	Schlaaf,
Boles,	Gremminger,	Manbeck,	Schuster,
Bonner,	Gross,	Markley,	Seltzer,
Bossert,	Guesman,	Marsh,	Shelton,
Bowman,	Guthrie,	Maxwell,	Sherman,
Breth,	Hamilton,	May,	Shupnik,
Buchanan,	Hankins,	McCandless,	Simmons,
Bush,	Hartley,	McCann,	Slack,
Capano,	Haudenshield,	McCormack,	Snare,
Cauley,	Heavey,	McDevitt,	Stank,
Cianfrani,	Heffner,	McDonald,	Steckel,
Cioffi,	Helm,	McKeever,	Stimmel,
Clarke,	Henzel,	McLaughlin,	Stiteler,
Comer,	Hocker,	McNally,	Stone,
Cooley,	Holliday,	Meholchick,	Strausser,
Crossin,	Holman,	Merry,	Sullivan, T. F.,
Curwood,	Horst,	Miller,	Taylor,
Davis,	Irviss,	Mills,	Thompson,
Dengler,	Isaacs,	Morley,	Tomasick,
Dennison,	Jenkins,	Mullen,	Tompkins,
Donaldson,	Jim,	Munley,	Trusio,
Dougherty,	Johnson, A. W.,	Murphy,	Ujobai,
Doughten,	Johnson, R. P.,	Musto,	Varner,
Down,	Jones,	Needham,	Verona,
Edwards,	Kamyk,	O'Dell,	Walsh,
Ellberg,	Kelser,	O'Donnell, J. A.,	Wargo,
Elvey,	Kelly,	O'Donnell, J. P.,	Weidner,
Eshleman,	Kernaghan,	Ogilvie,	Welsh,
Ewing,	Kessler,	Parlante,	Wescott,
Farabaugh,	King,	Pashley,	Whittaker,
Filo,	Kistler,	Perry,	Willard,
Fineman,	Klein,	Petrosky,	Willardt,
Flynn,	Knecht,	Piper,	Williams, A. D.,
	Kooker,	Polaski,	Williams, E. S.,



Foor, Fox, Frascella, Fry, Fulmer, Galley,	Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Polen, Prendergast, Pursley, Reibman, Renwick, Riley,	Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—18

Auker, Branca, Capitolo, Eshback,	Fetterolf, Foerster, George, Gibb,	McInroy, Mihm, Monroe, Murray, Odoristo,	Price, Reidenbach, Sullivan, J. A., Wall, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 918, entitled:

An Act making an appropriation from various funds of the Commonwealth to the Department of Labor and Industry for the payment of the Commonwealth's share of Social Security taxes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Ewing, Farabaugh, Filo, Flynn, Foor,	Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varner, Verona, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley,
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Fox, Frascella, Fry, Fulmer, Galley,	Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Pursley, Reibman, Renwick, Rovanseck, Royer,	Yetter, Zember, Andrews, Speaker
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## NAYS—0

## NOT VOTING—20

Auker, Capitolo, Eshback, Fetterolf, Fineman,	Foerster, Gibb, Gray, Marsh, McInroy,	Mihm, Monroe, Murray, Odoristo, Price,	Reidenbach, Riley, Wall, Wilt, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. FINEMAN. Mr. Speaker, will the record reflect that I am in the hall of the House and had I pushed my button I would have voted "aye."

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 919, entitled:

An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey,	Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante,	Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varner, Verona, Walsh, Wargo, Weidner, Welsh,
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Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer,	Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Lamb, Lawson, Lee, A. M.,	Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick, Riley,	Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Yetter, Zember, Andrews, Speaker
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## NAYS—0

## NOT VOTING—18

Auker, Capitolo, Eshback, Fetterolf,	Foerster, Gibb, Gray, Kramer,	McInroy, Mihm, Monroe, Murray, Odoriso,	Price, Reidenbach, Wall, Wilt, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 920, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—184

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elvey, Eshleman, Ewing,	Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Holliday, Holman, Horst, Irvia, Isaacs, Jenkins, Jim, Johnson, A. W., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Morley, Mullen, Munley, Murphy, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard,
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Farabaugh, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer,	Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick, Rovanseck,	Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—22

Auker, Capitolo, Eilberg, Eshback, Fetterolf,	Foerster, Gibb, Gray, Hocker, Johnson, R. P.,	McInroy, Mihm, Monroe, Murray, Musto, Odoriso,	Price, Reidenbach, Riley, Stiteler, Wall, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 921, entitled:

An Act making an appropriation to the Department of State out of various funds for payments on account of the Annuity Reserve No 2 Contingent Reserve Account and State Police Retirement System to meet the obligations of the funds to the State Employees Retirement System.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey,	Galley, Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvia, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Morley, Mullen, Munley, Murphy, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante,	Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Walsh, Wargo, Weidner, Welsh,
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Eshleman,	Kessler,	Pashley,	Wescott,
Ewing,	King,	Perry,	Willard,
Farabaugh,	Kistler,	Petrosky,	Willaredt,
Filo,	Klein,	Piper,	Williams, A. D.,
Fineman,	Knecht,	Polaski,	Williams, E. S.,
Flynn,	Kooker,	Polen,	Wood,
Foor,	Kornick,	Prendergast,	Worley,
Fox,	Korns,	Pursley,	Yetter,
Frascella,	Kramer,	Reibman,	Zemmer,
Fry,	Lamb,	Renwick,	Zimmerman,
Fulmer,	Lawson,	Riley,	Andrews,
			<b>Speaker</b>

## NAYS—0

## NOT VOTING—18

Auker,	Gallagher,	Murray,	Reidenbach,
Capitolo,	Gibb,	Musto,	Wall,
Eshback,	McInroy,	Odorisio,	Whittaker,
Fetterolf,	Mihm,	Price,	Wilt,
Foerster,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 922, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Adams,	Gelfand,	Lee, K. B.,	Rovansek,
Anderson, J. H.	George,	Leonard,	Royer,
Anderson, S. A.,	Gibbons,	Limper,	Rubin,
Arlene,	Goldstein, J. H.,	Lippincott,	Rudisill,
Ashton,	Goldstein, M. H.,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goodrich,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gramlich,	Lutty,	Scarcelli,
Blair,	Gray,	Magee,	Schaaf,
Boies,	Gremminger,	Manbeck,	Schuster,
Bonner,	Gross,	Markley,	Seltzer,
Bossert,	Guesman,	Marsh,	Shelton,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	May,	Shupnik,
Branca,	Hankins,	McCandless,	Simmons,
Breth,	Hartley,	McCann,	Slack,
Buchanan,	Haudenshield,	McCormack,	Snare,
Bush,	Heavey,	McDevitt,	Steckel,
Capano,	Heffner,	McDonald,	Stimmel,
Cauley,	Helm,	McKeever,	Stitteler,
Cianfrani,	Henzel,	McLaughlin,	Stone,
Cioffi,	Hocker,	McNally,	Strausser,
Clarke,	Holliday,	Meholchick,	Sullivan, J. A.,
Comer,	Holman,	Merry,	Sullivan, T. F.,
Cooley,	Horst,	Miller,	Taylor,
Crossin,	Irviss,	Mills,	Thompson,
Curwood,	Isaacs,	Morley,	Tomascik,
Davis,	Jenkins,	Mullen,	Tompkins,
Dengler,	Jim,	Munley,	Trusio,
Dennison,	Johnson, A. W.,	Murphy,	Ujobai,
Donaldson,	Johnson, R. P.,	Musto,	Varner,
Doughten,	Jones,	Needham,	Verona,
Down,	Kamyk,	O'Dell,	Walsh,
Edwards,	Keiser,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kelly,	O'Donnell, J. P.,	Weidner,
Elvey,	Kernaghan,	Ogilvie,	Welsh,
Eshleman,	Kessler,	Parlante,	Wescott,

Ewing,	King,	Pashley,	Whittaker,
Farabaugh,	Kistler,	Perry,	Willard,
Filo,	Klein,	Petrosky,	Willaredt,
Fineman,	Knecht,	Piper,	Williams, A. D.,
Flynn,	Kooker,	Polaski,	Williams, E. S.,
Foor,	Kornick,	Polen,	Wood,
Fox,	Korns,	Prendergast,	Worley,
Frascella,	Kramer,	Pursley,	Yetter,
Fry,	Lamb,	Reibman,	Zemmer,
Fulmer,	Lawson,	Renwick,	Andrews,
Gailey,	Lee, A. M.,	Riley,	<b>Speaker</b>

## NAYS—0

## NOT VOTING—19

Auker,	Foerster,	Monroe,	Stank,
Capitolo,	Gallagher,	Murray,	Wall,
Dougherty,	Gibb,	Odorisio,	Wilt,
Eshback,	McInroy,	Price,	Zimmerman,
Fetterolf,	Mihm,	Reidenbach,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. GALLAGHER. Mr. Speaker, I would like the record to show that if I had been in my seat I would have voted "aye."

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

## HOUSE RESOLUTION No. 51

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 51.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 5, 1961.

Whereas, The United States has assumed an obligation with its good neighbor the Government of Canada to contribute its full share toward the successful operation of the St. Lawrence Seaway-Great Lakes Shipping Route and

Whereas, The only existing navigable facility connecting lakes Erie and Ontario is the Welland Canal which has been sorely pressed to meet the increasing demands of shipping and

Whereas, The construction of an alternate ship canal would make a major contribution to the security of the United States as well as Canada because

(1) In the event of breakdown or destruction of the existing Welland Canal the commerce of the entire Great Lake's area of the United States and Canada west of Lake Ontario would be denied access by water transportation to the St. Lawrence Seaway and international shipping lanes

(2) It would provide a more secure inland route for the movement of iron ore in the event of war

(3) It would ease the strain on congested rail facilities and east coast ports in the time of emergency and

(4) It would allow the construction and repair of ocean-going vessels in the more secure areas of the Great Lakes and

Whereas The construction of the canal would contribute greatly to the prosperity of commerce industry and agriculture not only in those states bordering the Great Lakes but throughout the entire nation and

Whereas The commerce of the lake port of Erie Pennsylvania would be increased by the benefits accruing to the St Lawrence Seaway-Great Lakes Shipping Route and

Whereas The construction of the canal would stabilize employment provide job security and expand job opportunities therefore be it

Resolved (the Senate concurring) that the Legislature of the Commonwealth of Pennsylvania hereby respectfully memorializes the President and Congress of the

United States immediately to provide adequate funds to the United States Army Corps of Engineers for the necessary surveys and plans for and to initiate the construction of the canal as aforesaid and be it further

Resolved, That copies of this resolution be transmitted as follows

To the President of the United States

To the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to each member thereof from the Commonwealth of Pennsylvania

To the Governor of the Commonwealth of Pennsylvania To the Secretary of Commerce of the Commonwealth of Pennsylvania

To the Governors and State Legislative Leaders of the States of New York Ohio Michigan Indiana Illinois Wisconsin and Minnesota

Ordered, that the clerk present the same to the Senate for its concurrence.

### HOUSE RESOLUTION No. 53

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 53.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 5, 1961.

A National Civil War Centennial Commission to which Pennsylvania belongs has been appointed to supervise the celebration of the one hundredth anniversary of that war

The Commission has planned to meet in session at Charleston South Carolina This meeting originated at the invitation of the South Carolina unit of the Commission

A member of the National Commission Mrs. Madeline A. Williams also a member of the Commission's New Jersey unit is a negro She was informed by a hotel in Charleston South Carolina that if she arrived with the other members of the Commission for the Charleston meeting on April 11 and 12 she could not stay at that hotel which is to be headquarters for the National Commission nor could she eat at the hotel dining room with the other members

One hundred years after the onset of the Civil War some of the conditions still exist which led to that historic struggle which cost the lives of thousands of white and negro soldiers

Pennsylvanians gave their lives in the struggle to unify this country Pennsylvania was the battleground for part of this great war and Pennsylvania must not now participate in any activity which negates the very purposes for which the men died from 1861 to 1865 therefore be it

Resolved, That this House of Representatives hereby condemns the action of the Charleston South Carolina hotel in refusing its accommodations to Mrs. Williams and be it further

Resolved, That this House of Representatives hereby requests the members of the Pennsylvania Unit of the National Civil War Centennial Commission to refuse to participate in any activities of the National Civil War Centennial Commission which involves discrimination against any one of its members and be it further

Resolved, That copies of this resolution be sent to the Honorable David L. Lawrence Governor of Pennsylvania to the National Civil War Centennial Commission and to the Pennsylvania unit of that Commission

### HOUSE RESOLUTION No. 54

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 54.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 5, 1961.

Whereas, Arab nations functioning as the Arab League

have been conducting a boycott of American citizens business and industry and have blacklisted all American ships which have touched at Israeli ports of call and

Whereas, American citizens of the Jewish faith are generally not permitted to disembark on Arab soil by land sea or air and are generally excluded from private employment in any capacity in any Arab owned or controlled company and

Whereas, Approximately 500 American business firms a number of them in Pennsylvania during 1960 received warnings through the United States mails from Arab boycott officers in Damascus and Kuwait that if Americans have commercial dealings with Israel they must forego doing business with Arab countries and

Whereas, The United States Navy reserves the option to cancel the charter of any vessel carrying Navy cargo if any Arab country refuses to allow the vessel to load or unload cargo because the ship's charterers or owners have previously done business with Israel and

Whereas With the approval of the Department of Agriculture Commodity Credit Corporation and the United States Navy contracts for the shipment of United States surplus wheat to the United Arab Republic provide that the vessel may not have traded at Israeli ports and

Whereas, Both the Democratic Party platform and the Republican Party platform of 1960 pledged the protection of the rights of American citizens to travel to pursue lawful trade and to engage in other lawful activities abroad without distinction as to race or religion and to seek an end to transit and trade restrictions blockades and blacklists and further pledged to secure freedom of navigation on international waterways therefore be it

Resolved (the Senate concurring), That the Department of State be hereby respectfully memorialized to take a firm position against Arab interference in the conduct of the affairs of American citizens and business and to abstain from any cooperation with Arab League boycott activities and policies and to resist any efforts by Arab nations to maintain or widen its boycott activities in Pennsylvania and the United States and to exert all possible efforts and utilize its resources to the fulfillment of the spirit and purposes of this Resolution and be it further

Resolved, That the President of the United States restate the position of the United States in opposition to these acts of discrimination against Americans and that he instruct the United States delegation to the United Nations to make known the sentiments expressed in this resolution in every possible manner and be it further

Resolved, That a certified copy of this resolution be forwarded by the Secretary of the Senate of the Commonwealth to the President of the United States the Secretary of State the President of the United States Senate the Speaker of House of Representatives to each member of Congress from the Commonwealth of Pennsylvania and to the legislatures of the states in the United States

Ordered, that the clerk present the same to the Senate for concurrence.

### HOUSE RESOLUTION No. 59

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 59.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 20, 1961.

Resolved, That the House of Representatives direct the Joint State Government Commission to make a thorough study of municipal and county pension systems. This study to include, but shall not be limited to, an investigation and study as to:

1. The adequacy of the municipal and county pension systems.
2. The actuarial soundness of these pension systems.
3. The cost and coverage of the administration of these systems; and be it further



Resolved, That the Joint State Government Commission report the result of its studies and make recommendations to the first session of the 1962 General Assembly.

### HOUSE RESOLUTION No. 61

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 61.

The resolution was read by the clerk as follows:

In the House of Representatives, April 24, 1961.

Whereas, The Governor's Committee on Education sets forth the various problems presently facing the schools of Pennsylvania; and

Whereas, The solution of some of these school problems require legislation that is some legislation in the general field of education and some legislation in the field of taxation; and

Whereas, The legislative process takes time and thought, consideration and debate in order to arrive at the finished product of a law; and

Whereas, The earlier the House of Representatives can take up these problems the sooner their legislative solution can be arrived at; therefore, be it

Resolved, That the Speaker of the House of Representatives appoint a House Committee of four members of the Democratic Party and four members of the Republican Party to consider the necessary legislation required to solve the school problems as set forth in the Report of the Governor's Committee on Education; and be it further

Resolved, That the said House Committee shall from time to time meet with a similarly constituted committee of the Senate so that they may jointly determine the legislative program which in their opinion will constitute the legislative goals of this session in the field of school legislation.

On the question,

Will the House adopt the resolution?

Mr. A. W. JOHNSON. Mr. Speaker, I am glad to yield to Mr. Dengler, of Delaware County, but I would like to be recognized later.

Mr. DENGLER. Mr. Speaker, I do not know if my speech is going to change anybody's mind, but I have certain ideas on this particular resolution which I would like to present.

First of all, I looked at the names of the members on this Governor's committee headed by my good friend of long standing, the Honorable John Morgan Davis, and I do not believe that anywhere in the State of Pennsylvania could you find a committee that is better fitted to study the needs of education than this particular committee. I think the report that the committee made was an outstanding report.

When educators get together, or when laymen get together, or when legislators get together, I do not think you will ever find them agreeing 100 percent on things having to do with education.

I just listed three categories here, so far as educational procedures are concerned. There are some educators who prefer to teach homogeneous groups; there are other educators who prefer to teach heterogeneous groups. We have some people who like to grade according to the normal curve. We have other educators who prefer to grade according to the standards set up by the subject material itself. We have some educators and laymen, parents, who think reading should be taught according to the Gestalt method, and we have others who think reading should be taught according to the phonetic method.

What I am trying to establish here is this: I do not

care how many committees you appoint, you will never have agreement in this nebulous area of education.

I want you to really ponder these points because I think they are worthy of serious consideration. I believe the appointment of a second committee, in the minds of the general public, will dilute the findings and recommendations of the Governor's committee.

Secondly, I believe the appointment of this second committee will, in some measure perhaps—I am not saying this as a certainty—but in some measure they might make recommendations that are not in keeping with the Governor's committee's recommendations. That may sound far-fetched, but, knowing education to some degree, I really believe that this second committee might come up with some ideas that might not be in keeping with the Governor's committee's recommendations.

The third point, the appointment of this second committee—and this is the most serious point, I think—nullifies in part the functions of the standing committees in this House. We have the machinery right here to activate the recommendations of this fine committee which the Governor appointed and which made this outstanding report. We have the machinery right here.

I am privileged to be a member of the Education Committee. I am proud of it. We have wonderful meetings and we have a fine chairman. I do not see why we cannot use the present standing committee of this House to activate the recommendations of the Governor's committee.

Mr. A. W. JOHNSON. Mr. Speaker, I happen to have been a member of the Governor's Committee on Education. I was sorry that I could not spend more time attending the deliberations of the various task forces of the different bodies that assembled this report. I know Mr. McCann was also on it, and it just happened that we were busy attending other meetings and we could not give the time to it that we should have. I know, however, that some of the findings as they were brought into us, I would think as they were read off, well, that is not what the Joint State Government Commission has said in times past as a result of their research. Not that the report is inaccurate, or anything like that, but I am pointing out that the Governor received the report and it was put on his desk. He came here before us and, in effect, put it on our desks. It reminds me of that song, "The Eyes of Texas Are Upon You." The eyes of the people of this State are on us now and they are wondering, what is the General Assembly going to do with that report? I know it is a big problem that faces this session, whether we are going to be able to masticate the report and digest it and do something about it this session. That, of course, is in our laps.

What is the best way to handle the Governor's report? That is the question before us. Apparently, the administration's plan, as expressed in this resolution, is that there be four from the House on the Republican side and four from the Democratic side to meet with a like committee in the Senate, to sit down and go over these problems. The resolution says that the legislative process takes time and thought, consideration and debate, in order to arrive at the finished product. Then it goes on to say we should set up this committee to consider the necessary legislation required to solve this great problem as set forth in the Governor's report. In other words, if you

study this resolution meticulously, it means that if that committee is to consider legislation and that if bills are put in they will be referred to that committee and they would consider the legislation.

I agree with Mr. Dengler. I was looking over our Committee on Education in the House, and I would say that the members of this committee were chosen because of some reasonable relation to the education process, some knowledge from having been school directors, some of them are teachers, some of them—most of them—know something about education and have been members of this House for quite a long time. Here we are going to consider the necessary legislation required. I really feel it is a slight, you might say, to the education committee in the House, which I feel is composed of fine members and good intelligent people, and they are just as able to handle this problem as a select committee would be.

I know on our side it would really put us to quite a task to fairly choose four members on this side of the House for that committee. I would hate to be the one who had to choose them. It says the Speaker would, but if the Speaker asked us to choose four members, we would almost have to submit it to our caucus to have a fair selection, because it would be a tremendously important committee. But the education committee in the House, as I say, is a fine committee and we should not circumvent that committee. If you have bills ready that could be enacted this session, I say refer them to the Committee on Education. It is a bipartisan committee and it is as it should be, the majority party has the majority on the committee. There is no intention of delaying this matter. I know one of the newsmen asked me last Friday, what do you think about it? I said the Joint State Government Commission was set up to do the job because they have the money, they have the staff, they have perpetuity and they have research in almost every one of these problems that is in the Governor's report. But if it was sent to the Joint State Government Commission, I would say there would have to be a terminal date when they would report back and the various task forces that would be set up. But I am not advocating that here today. As long as this resolution is before us, I say we have a standing committee now that can do this job and do it well.

Therefore, I am asking the members on this side of the House to vote against this resolution, not to try to stuff this whole problem under the rug, not to sidetrack it, but to give it the usual treatment that we give anything of importance in this House, because we do honor, respect and look up to our standing committees. Therefore, I believe this resolution is wrong and I do not believe it should be passed.

Mr. McCANN. Mr. Speaker, Resolution No. 61 which is before this House provides that a select committee of bipartisan members of this House, four Republican members and four Democratic members shall be set up to deal with the legislation from the Governor's Committee on Education. I have been told there will be a considerable number of bills. I am sure there will be many.

The Committee on Education, appointed by the Governor, was equally bipartisan. Thirty-one people served on that committee. Just for your information, 16 were Republican and 15 were Democratic. We say to you that

we are not trying to sweep anything under the rug, but we want this committee to act on this legislation and present it to this House. We have had select committees before. We have had, I am sure, such committees in the past history of this House. We believe that education should be bipartisan. We believe that you should support this resolution, support it, and not make any move which would eventually place it in the Joint State Government Commission for another year of study. The legislation as it arrives here from the executive director and his staff would be introduced and referred to this bipartisan committee. We certainly are proud of our standing committees of this House, and rightfully so. They have done an outstanding job, this year, this session and prior sessions, and they will continue to work in that field. We believe that you should approve this resolution in approaching this in a bipartisan manner, that you are willing to place education on this level, and the bills would then be referred to this committee, and the committee would act on the legislation, presenting it here to this House for its vote.

We ask you and we urge you to support this position on education in this Governor's Committee on Education report of which each person in this House has received a copy. We are well aware that there are a number of major changes in education. Some have already been thrashed out in the newspapers, with some for and some against. This House, we believe, should have an opportunity to vote on the legislative program that implements that report which we have been assured will be presented here. I urge you, I urge you, to vote in favor of this resolution to place in this House this bipartisan select committee of eight people, four Democrats and four Republicans, to assist in this legislative program.

Mr. FULMER. Mr. Speaker, I desire to interrogate the majority leader.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. FULMER. Mr. Speaker, just for the sake of clarification, I would like to have the gentleman from Greene, Mr. McCann, inform the Chair as to what is the purpose of the standing Committee on Education of the House as compared to the purpose of the special committee as proposed in the resolution?

Mr. McCANN. There is absolutely no effect, except this House can, by its own rules, select a committee. The standing committees of this House presently are on a 13 to 7 allocation in the House rules. That is true of the education committee. This will call for a bipartisan committee, equally divided, the same as the Governor's Committee on Education.

Mr. FULMER. Mr. Speaker, I thank the gentleman. Perhaps I should rephrase my question.

Mr. Speaker, I would like to have the gentleman from Greene, Mr. McCann, differentiate between the purposes which would be intended from the specially appointed committee, which would be bipartisan, four members each, as compared to the purposes of the committee which was originally established.

Mr. McCANN. I repeat again, on the standing committee of this House, the education committee, the House rules adopted by this House provide for 13 to 7 in its membership. This calls for a bipartisan committee, equally divid-



ed, and that is the purpose of this resolution, to place it on an equal bipartisan level.

Mr. FULMER. Mr. Speaker, then do I understand that the function of the respective committees would be identical, the only difference being the composition of the committees?

Mr. McCANN. For the bipartisan committee as proposed in this resolution, if you will take the time to read the paragraph involved, the Speaker would appoint four Democratic members and four Republican members as the select, bipartisan committee on this legislation.

The Speaker would have the right to refer legislation to that committee.

Mr. FULMER. Mr. Speaker, would the gentleman from Greene, Mr. McCann, advise the membership of this House as to what characteristics, qualifications and representations the newly constituted committee would possess that the membership of the present committee does not possess?

Mr. McCANN. None, because the membership would be elected Representatives of this House; they would have to be members of this House, appointed by the Speaker. The Speaker appoints all committees of this House under the present House rules, except it would be equally divided between the two parties.

Mr. FULMER. Then, Mr. Speaker, do we understand that as far as the gentleman from Greene, Mr. McCann, is concerned, the only difference in the qualifications that the members of this new committee would have would be the fact that there would be four from each political party? This is the only difference, really?

Mr. McCANN. I know of no other difference. It would be the same membership, it would be the same people, appointed under the same rules by the Speaker of this House, and it could not be anyone else except, as the resolution indicates, four Democrats and four Republicans.

Mr. FULMER. Then, Mr. Speaker, will the gentleman advise the members of this House if any provisions are contained in this resolution which would set a date at which time this specially appointed committee would report, and, if so, to whom would it report?

Mr. McCANN. They would report their legislation to this House of Representatives.

Mr. FULMER. Mr. Speaker, would the gentleman please advise us as to any time designation that would be set for this committee to report to this House?

Mr. McCANN. The very same time that is set in all other committees, that time being that all legislation is acted upon when sine die is presented and adopted. That ends the session.

Mr. FULMER. Mr. Speaker, would it then be possible that in the events which occur in this House that this specially constituted committee might not report before this House would adjourn sine die?

Mr. McCANN. You are assuming, of course, that the committee will not act on the legislation referred to it by the Speaker. That is a prerogative of any committee. But may I assure you that it is not the intention, unless it is the intention of the members you appoint to the committee, to pickle legislation.

Mr. FULMER. Mr. Speaker, I should like to preface the next question by saying that I have no intention of having a part in pickling, nor do I have any idea that

the majority leader has any intention to do that, but the point I was raising, Mr. Speaker, is this:

Is there a possibility that the special committee appointed by the Speaker of the House could, through the complicated work before it, be detained to a point beyond which this House would remain in session and, therefore, is it conceivable that we would adjourn sine die without any action being taken in this session of the legislature?

Mr. McCANN. That is an assumption of the gentleman from Centre, Mr. Fulmer, because the decision of the committee is only the decision of each individual member on that committee.

Mr. FULMER. Mr. Speaker, suppose this did happen. Let us say, for example, that it is not by design, it is not the intent, but let us say, for example, that the House should adjourn sine die before this special committee made a report on legislation as a result of the Governor's Committee on Education. Should we adjourn sine die, would this committee not then, in effect, die just like all other committees in the House die after we adjourn sine die?

Mr. McCANN. That decision, Mr. Speaker, was certainly brought to light in the 1959 session in which the committee does die upon sine die, but you are going in the direction of an assumption, of trying to find a way to indicate that the legislation would be placed in this committee's hands for the sole purpose, perhaps, of not being able to work on it or report on it, but I bring to your attention, Mr. Speaker, that in our resolution on the introduction of bills, coming very shortly behind this, we even left the exception for this legislation to be introduced in this House.

Mr. FULMER. Mr. Speaker, would the gentleman from Greene, Mr. McCann, advise the members of this House to the best of his knowledge as to whether the Governor's office is presently drafting legislation which, if enacted, would put into effect the recommendations included in the report?

Mr. McCANN. Mr. Speaker, the gentleman must not be well informed, for the Governor's office is not drafting any legislation. But the Governor's Committee on Education, headed by Dr. Robert Christie, the executive director, and the staff that they employ are drafting such legislation to be presented to the House and the Senate.

Mr. FULMER. Mr. Speaker, if this specially appointed committee were to be appointed and they find in the study an analysis of the Governor's Committee on Education Report that they do not have sufficient resource material at their disposal, would additional monies be available to this committee to hire counsel or would the staff of the Governor's present committee be available to aid and assist this special committee?

Mr. McCANN. No, Mr. Speaker. There would be no money, nor is there any money for any other committee except the Appropriation Committee of this House. There would not be any funds. Any committee of this House, standing or select, has the right to use, if they so desire, the Legislative Reference Bureau and the attorneys, if that be the case, of the Joint State Government Commission in assisting them. But there would not be any attempt, or even an effort, made to supplement them with additional staff or attorneys, as there is no attempt at the present time of the standing committees of the House.

Mr. FULMER. Mr. Speaker, it seems to me that some

time in the recent past I read a report in one of our metropolitan newspapers that this special committee which made the study on education did not utilize the \$300,000, I believe, that was allotted them for the study, which would seem to indicate, if this report is correct, that there would be some monies available for that committee to continue a further study. Is this committee in a position to do further study should the membership of this House decide they want some area explored that they have not already explored, or could explore in further detail?

Mr. McCANN. Mr. Speaker, the gentleman is entirely off the resolution, but the Governor's Committee on Education, appointed by a resolution enacted by this House and providing the funds for that committee, has presented to this House and the Senate and the Governor its final report and all that is left is the legislation implementing that report.

Mr. FULMER. Mr. Speaker, would it be possible, then, that if this resolution were adopted, the members of this committee could decide that they would like to have certain areas of legislation introduced and they would just bypass the legislation as drawn by this Governor's Committee. Is there a possibility for liaison between the two committees?

Mr. McCANN. Certainly, there would be a possibility of liaison between the two committees, the same as there is a liaison now, if such is desired, between any committee in requesting such a group to come in, either the executive director or the proper people, to give them their advice or their recommendation, but there is no intention in any way to either bring over the staff that is now finishing up the legislation and the committee itself, the membership of the committee that served, the 31 people on the Governor's Committee on Committee on Education. I am sure that some of them would be most pleased and others, perhaps, would find it a little more difficult to be able to come at a time when they would be asked. It would be their decision.

Mr. FULMER. Then, Mr. Speaker, I assume from the remarks made by the gentleman from Greene, Mr. McCann, that, actually, if this resolution were adopted, we could have made available not only the Legislative Reference Bureau, the Department of Public Instruction and the Joint State Government Commission, but they also would have the benefit of the thinking of this other committee which is now drafting legislation? They would have one more area which they could draw upon?

Mr. McCANN. Mr. Speaker, when the gentleman says, "other committee drafting legislation," there is no other committee.

Mr. FULMER. Excuse me, Mr. Speaker, I thought I understood the gentleman to say when I asked if the Governor's office was drafting any legislation, I thought he corrected me and stated that Dr. Christie and his staff are trying to draw legislation to implement the recommendations of the committee. Maybe I misunderstood the gentleman.

Mr. McCANN. Dr. Christie, Mr. Speaker, and his staff are the Governor's Committee on Education that is drawing the legislation, a portion of which is already prepared and the balance will be prepared. There is no other committee.

Mr. FULMER. Yes, Mr. Speaker, that is the committee I was referring to, and I wanted to get it clarified.

I would like to ask the gentleman from Greene, Mr. McCann, one final question, if he cares to answer it: Does he in his own mind believe that the present Committee on Education is not qualified to study this report and have the legislation drafted and presented to this House for either adoption or defeat?

Mr. McCANN. I think I made that rather clear, Mr. Speaker, in the previous statement in which I stated the education committee, in my opinion, is extremely well qualified and has done a good job in this House, both in the present session and the past session.

Mr. FULMER. Mr. Speaker, I just want to thank the gentleman from Greene, Mr. McCann, for being very cooperative and enlightening to the members of the House in some of the questions that are turning over in our respective minds.

Mr. Speaker, I would like to ask the consent of the House to address myself to this resolution, if I may.

Mr. Speaker, first I want to pay my compliments to those who had any measure of responsibility in making the study and comparing the reports for the Governor's Committee on Education.

While it is true that many of us can find fault with parts, nonetheless, as an entire document, I think we can readily agree that for once we have these respective problems set forth in a uniform manner.

It is not possible for us who are interested in this particular field to refer to the individual reports and also to the final report, and while we may find some disagreement with the solutions advanced to the problems which the committee says exist, nonetheless I think all of us can agree in one degree or another that these problems which are set forth do exist in the Commonwealth of Pennsylvania.

Mr. Speaker, I think it is only fair that we acknowledge the right of the respective members of this committee to agree in some fields and to disagree in others.

In this report we have a majority and a minority report and I believe that one report deserves as much consideration as the other, and, because there was a minority report filed, not only in some other respects, and there were different people who offered these minority reports, this does not mean that they are any less sincere in trying to resolve the problems which confront us in this decade.

Mr. Speaker, I want to express my opinion to the members of this House and all those who wish to listen. I, for one, am finding it a most enjoyable, enlightening experience to be serving on this Committee on Education under the able leadership of the majority's Mrs. Reibman. She has been extremely fair. She has developed in this committee a sense of esprit de corps, a sense of fair play; she has exhibited to the members of our committee that she has a grasp and an understanding of the problems which are confronting us in the field of public education.

I maintain that if we are to accomplish anything in an area that is so complex and so far-reaching and so important, we must have the personal leadership who understands the problem and is sympathetic to all those who entertain ideas different than the chairman.

Therefore, Mr. Speaker, it seems to me that we are getting into an area in which the entire populace of the Commonwealth is concerned. We have the responsibility of continuing the committee structure that was set up in this House.



I think I can fully appreciate the intent of the amendment to this resolution, and noble it is, but at the same time, if we adopt it, we are in effect saying to the public that we are willing to trust the Committee on Education in the House of Representatives to handle routine matters as they come before the House, but when something really important comes up we must have some other committee do the work.

I, as a member of the committee, do not feel that this is any particular reflection on me, but I do think it is a real reflection on our chairman, because I know she has worked hard in committee, I know she has tried to present to us the legislation that would bring about better public education in the Commonwealth of Pennsylvania, and I do think it puts in jeopardy the very committee organization which we have in this House of Representatives for these many years.

Mr. Speaker, I maintain that if we defeat this resolution and allow the standing committee to study the Governor's Committee on Education report, study it carefully, discuss it frankly and where we find areas of agreement we can issue the bills, have the bills drawn with bipartisan support, and in the areas where we have disagreement, if it should happen on party lines, then we can have partisan support. I do not know of any fairer way. We do this through the normal processes of this House; we have bipartisan support on some bills and partisan support on others.

I say, Mr. Speaker, today, when we are talking about this resolution we are talking about more than a committee. We are talking about the democratic processes which this House has followed since its formation. If we are going to start fiddling and diddling around by selecting so-called select committees to study matters which are so terrifically important, then we are saying in effect not only to the people of Pennsylvania but to the world and the communistic world, that the democratic process does not work on matters of importance.

I say, Mr. Speaker, that on this particular day what we do on this resolution will not only be known on the floor of this House, it will be known throughout the Commonwealth of Pennsylvania, and it will be known throughout the United States, and the world.

In these trying times when the talk is about a document as important as the Governor's Committee on Education Report, at a time when the eyes of the world are upon us, for us to say that a committee such as exists in the House of Representatives deals only with routine matters, but when we are talking about an educational program that is supposed to meet the challenges in the 1960's, to meet the challenges of Communism, then it is not good enough, I think we are self-condemning this institution, the House of Representatives.

Therefore, Mr. Speaker, in conclusion, I want to make it perfectly clear that I find no fault with the majority leader, the Representative from Greene. I have no fault with his entertaining his point of view. I am sure that when this resolution was drawn, it was drawn with good intent, and I am not entertaining any idea in my own mind or in my own heart that Mr. McCann had any intention that when this special education committee was formed there should be set up a resolution, that he was going to try to have any program pickled, as he referred to it. I do not believe he had in mind that they would

take this report and they would sit on it. I believe that he does have the intention that this committee should work. I am not finding fault with his position, Mr. Speaker, but I do believe that we should stick with our committee system, and, therefore, I would encourage every member of this House to open up his heart and to use his mind and vote against this resolution. Thank you.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I believe during the course of the interrogation by the gentleman from Centre that the gentleman from Greene, Mr. McCann, stated that . . . First of all, let me inquire about this: Does the majority leader know how many bills will be in this so-called educational package which will interline the Governor's committee's recommendation?

Mr. McCANN. Mr. Speaker, I do not have the exact total but it is above 80.

Mr. TOMPKINS. How many?

Mr. McCANN. Above 80.

Mr. TOMPKINS. Did I understand the gentleman in the previous interrogation to say that some of these would be put in the Senate and some would be put in the House?

Mr. McCANN. Mr. Speaker, we had requested that all the bills be also introduced in the House, as well as the Senate. I hope, I do not have this assurance, but I hope that every single piece of legislation coming from that report will be introduced in this House.

Mr. TOMPKINS. As well as the Senate?

Mr. McCANN. I could not answer if all the bills would be introduced in the Senate; I do not know that. Only the request that they all be introduced in this House.

Mr. TOMPKINS. Mr. Speaker, this resolution provides, and I read it, "The Speaker of the House of Representatives appoint a House Committee of four members of the Democratic Party and four members of the Republican Party to consider the necessary legislation required to solve the school problems . . ." It further resolves that "the said House Committee shall from time to time meet with a similarly constituted committee of the Senate . . ." I am now asking the gentleman, has that committee in the Senate, as yet, been set up?

Mr. McCANN. Mr. Speaker, that committee has not been set up in the Senate.

Mr. TOMPKINS. Is it not a fact that a similar resolution to this in the Senate has already been defeated?

Mr. McCANN. The gentleman is correct. The Republican membership of the Senate voted solidly against the adoption of such a resolution.

Mr. TOMPKINS. Again I ask, has not a similar resolution been defeated in the Senate?

Mr. McCANN. Mr. Speaker, it is a matter of record and I will answer him that it has not been adopted. The Republican membership voted solidly against it.

Mr. TOMPKINS. And the Democrats were absent. I did not ask who voted it down; I asked whether a similar resolution had not been defeated. You have answered the question, and it does not need the fringes on it.

Now, Mr. Speaker, as I understand it, the Governor's committee in preparing this report spent one year and

one day. How soon does the gentleman expect that these bills will be ready for introduction?

Mr. McCANN. Mr. Speaker, on Monday of this week, I requested them and the first pieces of legislation are coming over. At this point there were, as of Monday or Tuesday, perhaps six to ten prepared. I have asked twice that they try to inform me as to how soon they will have every single piece of legislation ready so that I may inform the membership of this House, every bill. I do not have that answer.

Mr. TOMPKINS. One of the resolutions on the calendar today for action is one fixing the last day for the introduction of bills as May 24. Is that right?

Mr. McCANN. That is correct, Mr. Speaker.

Mr. TOMPKINS. With the exception of bills that might come in under this package and a couple of other items?

Mr. McCANN. With the exceptions listed in the resolution, which includes this.

Mr. TOMPKINS. Is that to indicate an early sine die adjournment, may I ask?

Mr. McCANN. I did not hear, did he say—

Mr. TOMPKINS. May 24, the last day for introduction of bills, does it indicate an early sine die adjournment shortly after that date?

Mr. McCANN. I would certainly hope that this select committee, along with, I believe, three other major problems, would be done with its business except that, and that they could complete that business and this House would adjourn sine die at an early date after working on the entire legislative package.

Mr. TOMPKINS. I thank the gentleman, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, we have before us a resolution in which they are asking us to appoint a committee that would work with a like committee from the Senate which has already been killed. Should this resolution be adopted, we would be adopting a resolution which, in effect, would be a nonentity unless a similar committee in the Senate was approved. Furthermore, I have the same feeling as the gentleman from Centre that we would be by-passing the duly constituted legislative processes of this House of Representatives and I do not think it is right. I think we should not by-pass our standing committees which have done very effective work and handled various problems, have handled big problems, have handled important problems, over the years and they are still capable of handling this particular problem. We have had study committees out before. Their recommendations have been implemented with legislation; that legislation has always been assigned to our duly constituted committees. If we create this special committee in this House, then what would the original Committee on Education be doing in the meantime?

I ask you further, what is wrong with the committee of 20 members on which there are 13 Democrats and 7 Republicans? What is wrong with the chairman of that committee appointing a subcommittee on education out of our regular committee on education, which is the standard procedure to handle these special problems when they arise, composed of four Democrats and four Republicans to report back to that committee and let us operate on our regular committee processes and not prostitute them.

The SPEAKER pro tempore. The Chair recognizes the lady from Northampton, Mrs. Reibman.

Mrs. REIBMAN. Mr. Speaker, I would like to take this opportunity to thank the members of the other side of the aisle who spoke such kind words about the chairman of the education committee. Let me assure the members of the House that whichever committee would handle this kind of legislation, whether in the wisdom of the House they select a select committee on education or whether the membership, in its wisdom, decides that the regular standing committee of the House should study the legislation that would be sent to this committee, I have full faith and confidence in each and every member of the House. I know that no matter which committee would handle this very important problem facing the people of Pennsylvania, it will be done with fairness, with integrity, and with dispatch.

Mr. McCORMACK. All of a sudden everybody becomes awake. At least we will get some attention. Mr. Speaker, in light of the previous discussion between the majority leader and Representative Fulmer, I would like some clarification with respect to the relationship between the existence of such a committee adopted in this resolution and sine die adjournment. In light of the issues raised in the Supreme Court decision in the vote fraud case, I am wondering whether or not it is correct that this committee will die if we adjourn sine die and for that reason I would like to ask a ruling with respect to that particular issue.

The SPEAKER pro tempore. The chair is of the opinion that the committee would die on the sine die adjournment of this session.

Mr. McCORMACK. I see.

The SPEAKER pro tempore. According to the ruling of the Supreme Court.

Mr. McCORMACK. I am under a different opinion, so if that be true then, Mr. Speaker, I do not want to get involved in bickering, but it seems to me that in light of the fact that we are now receiving fairly substantial and adequate salary and expenses that this is a wonderful opportunity on the part of the House of which many members, including myself, are puzzled with respect to the various ramifications and mystic formulas of this education system here. It would be a wonderful opportunity if we could sometime before sine die, after finishing the regular business of the House, resolve ourselves into a committee on the whole so that we can get into this very serious problem, ask questions that are on the minds of a lot of members, and this House itself can come to the grass roots of the problem that we must face whether this session or next session. So in the event that anything happens to this resolution, I wish the leadership would seriously consider that.

The SPEAKER pro tempore. The chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, part of the argument of the minority leader in opposing this resolution has to do with the so-called affront that such action would constitute as to the members of the Committee on Education. I am a member of the Committee on Education and I certainly would in no way feel slighted if this resolution were adopted, nor consider such action a reflection in any respect on our Democratic processes. As a matter of fact, such action is an implementation of our Democratic



processes. I say this for this reason, I think we are overlooking the practical considerations that are here involved. There are approximately, as I understand, 80 pieces of legislation to be considered. The effort that has to be made in the consideration of this package has to be a concentrated effort, an effort that will not be, in any way, affected by other considerations of the problems that our standing committee will continue to consider in the regular course of business.

Now a select committee is not a novel creature in this House; it is not a stranger to this House. As a matter of fact, so much a part of our regular business is it that even our House rules, under House rule 23, it provides for the constitution of a select committee. When we first went into annual sessions a select committee was appointed for the purpose of studying what legislation we might consider in the odd-numbered years, or the even-numbered years. This job could very well have been assigned to the Judiciary Committee, a committee that is comprised 99 percent of attorneys, who are equipped to handle such a problem and come up with an intelligent decision. And yet this House thought, in its wisdom, well enough of the proposition to appoint a select committee. So, it is not a novel thing; it is not a strange thing and the appointing of a select committee is not in any way a reflection on the members of the committee nor is it a reflection on our Democratic processes.

Now the other point I want to make is this. It seems to me that the Republican Party has impaled itself on the horns of an inconsistency by the position they take today. Only last week we heard the minority leader rise and speak in protest against the fact that the Governor's office did not invite members of industry and, in essence, thus members of the Republican Party, to the conference held in his office when discussing the so-called labor package of bills. How do we, on one hand, talk about the failure to evidence good faith by bipartisanship discussion, and, on the other hand, condemn that very action that we are here taking with this resolution. We are saying to the Republican Party, this is of equal importance to the industrial climate, perhaps even more important than the question of industrial climate, because the future of tomorrow will grow on the deeds of our children of today, and education is a promising matter of primary concern to all of us.

Certainly this is not a field that is in any way colored by political partisanship, at least it should not be a field where there is political partisanship. This is a bipartisan problem, so to speak, that has been handed to us by the people of this Commonwealth, and they have said to this General Assembly, here is a problem that is plaguing us. Work together as a team. We are not interested in the Republican attitude, we are not interested in the Democratic attitude. Give us the attitude of the General Assembly, and, as a matter of fact, they are the ways that are in this resolution.

From a practical standpoint how are we going to ask 20 members of the education committee to sit down with a like number of members of a Senate education committee? It is unwieldy, it is cumbersome, it is not logical. This is the practical and expedient way to do it. Some members of your party, the minority party, have gotten up and said, or at least expressed apprehensions, that nothing will be done prior to a sine die date. It is more likely that if this problem were left in the hands of our

education committee, and I do not say this as a reflection on that committee because I, as I say, am a member of that committee, but it is more likely that if this problem is left in the hands of the education committee that the problem will not be met prior to the sine die date, more likely than if the problem were considered by a select committee such as is proposed in this bill.

It makes sense; it is logical; it represents fair play. I would imagine that if I were on your side of the aisle I would say I would want to have an equal voice in the determination of this problem. It strikes me that all that has been said here today is just a screen or a front or a show window for the real theory or the real idea behind your position. That position is this: You are the Democratic Party; you are the leadership; this is your problem; you carry the ball. So if you make a mistake we can stand off at a safe distance and take potshots at you.

I might say in conclusion, this is not a situation that demands political consideration. To the contrary, it is a situation devoid of political considerations. This should be a bipartisan effort and we ask you to join with us in this bipartisan effort.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I know we are all getting tired and I am going to be very brief.

I also am a member of the Committee on Education, and I also respect the words of our chairman who is interested in results. We are interested in results and right now we are jockeying for political purposes and let us not kid anybody about it.

Why am I opposed to this resolution? Because I am interested in results. I have the Committee on Education before me—twenty members, 13 Democrats and 7 Republicans—and I challenge any member of the Committee on Education to deny this statement that when we vote in our Committee on Education we do not vote down party lines. Here is how we vote: We vote because we have a special interest in Philadelphia, a special interest in Pittsburgh, a special interest in suburban areas, a special interest in rural areas. Now if we want to have legislation passed that would be fair to everybody in the Commonwealth of Pennsylvania, we have to have a cross-section. I can recall I crossed party lines against my leadership on an education matter, and I can recall when Democrats did the same thing. If we want results, let the Committee on Education have a subcommittee of eight. The gentleman from Cameron, Mr. Tompkins, put the proposition to the gentleman from Greene, Mr. McCann. I heard no answer. He said four Republicans and four Democrats on a subcommittee of education, then give it back to the full committee and we will give you a good bill which will implement the report of the Governor's committee.

Mr. TOMPKINS. I just want to point out a few things about select committees, Mr. Speaker. The gentleman from Philadelphia, Mr. Fineman, talked about a select committee when we made our transition from biennial to annual sessions. That select committee was a committee appointed to work out the details as to how we would do that, and there was no standing committee to which that problem could be assigned.

We had select committees at the beginning of this session. I served on a couple of them, but those select committees were appointed because of the fact that at that

time there were no standing committees in being for the purpose of assigning the legislation to them.

To come down to the processes of the legislature when we are in being and our standing committees are all in being, we should assign all the problems belonging to the particular committee into that standing committee and not set up select committees to parallel and duplicate the committee system in this House.

On the question recurring,

Will the House adopt the resolution?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—103

Anderson, S. A.,	Gallagher,	Maxwell,	Renwick,
Arlene,	Gelfand,	McCann,	Riley,
Bachman	Gray,	McCormack,	Rovanseck,
Boles,	Gremminger,	McDevitt,	Rubin,
Bonner,	Guesman,	McDonald	Rudisill,
Branca,	Hamilton,	McKeever,	Sakulsky,
Breth,	Hankins,	McLaughlin,	Scarcelli,
Capano,	Hartley,	McNally,	Schaaf,
Cauley,	Heavey,	Meholchick,	Schuster,
Clanfrani,	Irvie,	Mills,	Shelton,
Cloff,	Jenkins,	Moley,	Sherman,
Clarke,	Jim,	Mullen,	Shupnik,
Comer,	Jones,	Munley,	Simmons,
Cooley,	Kamyk,	Murphy,	Stank,
Crossin,	Kelly,	Musto,	Stone,
Curwood,	Klein,	Needham,	Sullivan, J. A.,
Dougherty,	Kornick,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Kramer,	O'Donnell, J. P.,	Taylor,
Ellberg,	Lamb,	Parlante,	Tomasick,
Farabaugh,	Lawson,	Pashley,	Trusio,
Filo,	Lee, K. B.,	Perry,	Verona,
Fineman,	Leonard,	Petrosky,	Wargo,
Flynn,	Limper,	Polaski,	Welsh,
Frascella,	Long, Wm. Jas.,	Polen,	Yetter,
Fry,	Long, Wm. Jos.,	Prendergast,	Andrews,
Galley,	Lutty,	Reibman,	Speaker

#### NAYS—87

Adams,	George,	King,	Slack,
Anderson, J. H.,	Gibbons,	Kistler,	Snare,
Ashton,	Goldstein, J. H.,	Knecht,	Steckel,
Backenstoe,	Goldstein, M. H.,	Kooker,	Stimmel,
Blair,	Goodrich,	Korns,	Stuteler,
Bossert,	Gramlich,	Lee, A. M.,	Strausser,
Bower,	Gross,	Lippincott,	Thompson,
Bowman,	Guthrie,	Magee,	Tompkins,
Buchanan,	Haudenschild,	Manbeck,	Ujobal,
Bush,	Heffner,	Markley,	Varner,
Davis,	Heim,	Marsh,	Weldner,
Dengler,	Henzel,	May,	Wescott,
Dennison,	Hocker,	McCandless,	Whittaker,
Donaldson,	Holliday,	Merry,	Willard,
Down,	Holman,	Miller,	Willaredt,
Edwards,	Horst,	O'Dell,	Williams, A. D.,
Elvey,	Isaacs,	Ogilvie,	Williams, E. S.,
Eshleman,	Johnson, A. W.,	Piper,	Wood,
Ewing,	Johnson, R. P.,	Pursley,	Worley,
Foor,	Keiser,	Royer,	Zember,
Fox,	Kernaghan,	Rutherford,	Zimmerman,
Fulmer,	Kessler,	Seltzer,	

#### NOT VOTING—16

Auker,	Foerster,	Monroe,	Reidenbach,
Capitolo,	Gibb,	Murray,	Wall,
Eshback,	McInroy,	Odoorisio,	Walsh,
Fetterolf,	Mihm,	Price,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

#### HOUSE RESOLUTION No. 62

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 62.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 24, 1961.

Whereas There has been introduced in the 87th Congress on January 3 1961 The Equal rights For Women Amendment which has been referred to the Committee on the Judiciary and

Whereas This amendment reads as follows "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex" therefore be it

Resolved (The Senate concurring) That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States to adopt the Equal Rights For Women Amendment and be it further

Resolved That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States and to each member of the Senate and the House of Representatives from the State of Pennsylvania in the Congress of the United States

Ordered, that the clerk present the same to the Senate for its concurrence.

#### HOUSE RESOLUTION No. 63

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 63.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 1, 1961.

Resolved, That the House of Representatives direct the joint State Government Commission to make a study of all laws relating to criminal proceedings against juveniles juvenile courts after commitment length of sentence rehabilitation process and treatment of juveniles while under commitment The study shall also include the constitutional rights of juveniles and whether or not these rights are being protected by the courts under commitment and all related matters and be it further

Resolved That the Joint State Government Commission report with recommendations at the first session of the General Assembly in January 1962

#### HOUSE RESOLUTION No. 64

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 64.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 1, 1961.

Whereas The Commonwealth of Pennsylvania has entered into compacts with other states or is negotiating proposed compacts and

Whereas The Commonwealth has arranged or is contemplating arranging a wide range of reciprocity agreements with other states and

Whereas There is a lack of definite information concerning compacts already negotiated or in the process of negotiation and

Whereas There is a lack of definite information concerning both existing reciprocity agreements with other states as well as reciprocity agreements that are contemplated therefore be it

Resolved That the Joint State Government Commission be directed to compile and submit to the General Assembly a report showing

Compacts that have been established

Compacts that are contemplated

Reciprocity agreements that have been concluded

Reciprocity agreements that are contemplated by various branches of our State Government

Present methods employed in ratifying compacts and reciprocity agreements with other states



## HOUSE RESOLUTION No. 65

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 65.

The resolution was read by the clerk as follows:

In the House of Representatives, May 1, 1961.

Resolved That Wednesday May 24 1961 be fixed as the last day for the introduction of bills in the House of Representatives except bills

Raising revenue

Making appropriations

Reapportionment and

Bills proposed by reason of the Report of the Governor's Committee on Education

On the question,

Will the House adopt the resolution?

Mr. McCANN. Mr. Speaker, upon adopting this resolution, all the bills that are ordered by the members of this House from the Legislative Reference Bureau as of the date of May 24, the Legislative Reference Bureau will number such bills as they have in the past, and upon delivery it will be agreed by the two floor leaders that they were ordered from the Legislative Reference Bureau prior to that date, except for the exceptions contained in here.

The SPEAKER pro tempore. The Chair also thinks that they will be approved by the respective floor leaders and the Speaker of the House as was the custom in the past.

Mr. A. W. JOHNSON. Mr. Speaker, there was a question raised in our caucus as to whether, if a member had a bill that was not on the list that was of importance, it could be put in on initialing by the majority leader and the minority leader?

The SPEAKER pro tempore. The Chair feels that if this became necessary, it would be necessary to suspend the rules of the House.

The Chair has been informed by the Speaker that in the past the last date for introduction of bills has been ignored, but in this particular session the rule will be enforced.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

## COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, Chairman, Room 245, Thursday, May 4, at 9:30 a. m.

HIGHWAYS, Mr. Comer, Chairman, Room 521, Thursday, May 4, at 9:45 a. m.

## ANNOUNCEMENTS BY SECRETARY

The SECRETARY. With the permission of the Chair, the Secretary would like to make a few remarks regarding the parking situation.

I have several announcements to make concerning the parking situation.

First of all, tomorrow the Liberty Bell celebration, a caravan of some sort, will take up the center of the plaza, that is, directly in front of the Capitol steps, and a trailer will be parked there and it will be necessary for all members to remain out of that particular place. You also may encounter a rope when you come there, because that portion of it will be roped off. We would ask that

you cooperate with the police in seeing that this celebration tomorrow goes off in the proper order.

Secondly, I checked on the parking in the rear of the Capitol for today and I was informed by the police back there that this morning a conference was held in the Forum on highway safety and a great number of visitors came into the Capitol and they took parking places all over the various parking lots. As a result, employees from other parking lots also came into the legislative parking lot and the police were unable to handle them. They tried to stop the people from going in, but, as they stopped one car, four or five would go around and park before they could get them out. We are attempting to correct that situation.

Also, the third announcement regarding parking, beginning on May 12, the legislative parking lot, or the entire lot at the rear of the Capitol, is going to be resurfaced. It is under contract and the contractor is going to resurface that particular parking lot in two sections. Arrangements have been made for 90 cars to be parked by the legislators in the rear of the Capitol and, of course, we will have the unoccupied spaces on the plaza during that same period of time. So for a period of two, or possibly three weeks it may be that you will find on occasion a little difficulty in parking. That has been explained to us and we are trying to cooperate.

We have requested and have been informed that there will be a roped-off place for the legislature which will take care of about 90 cars, so that if you do happen to come in for a period of a week or two while they are doing this paving, they ask that you be considerate of the situation that confronts them.

Thank you.

The SPEAKER pro tempore. The Chair thanks the Secretary.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLYNN asked and obtained permission for the Committee on Townships to meet during the session of the House.

## REPORTS FROM COMMITTEE

Mr. IRVIS from the Committee on Cities—Counties Second and Second Class A, reported as amended, House bill No. 483, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law, approved May 22, 1935 (P. L. 233), further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

Mr. FRY from the Committee on Townships, reported as committed, House bill No. 1390, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), increasing the expense allowance for delegates to meetings of the State associations of township officers.

Mr. FRY from the Committee on Game and Conservation, reported as committed, Senate bill No. 315, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled, "The Game Law," removing provisions relating to archery preserves.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1390, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), increasing the expense allowance for delegates to meetings of the State associations of township officers.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 315, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled, "The Game Law," removing provisions relating to archery preserves.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

## SENATE MESSAGE

## HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 60.

An Act amending the act of July 2, 1937 (P. L. 2772), entitled, "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein \* \* \*"; requiring additional information on reports on oil or gas wells drilled in the Commonwealth.

With the information that the Senate has passed the same without amendment.

## SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 88, 197 and 479.

Amended House Bills returned for concurrence Nos. 55 and 678.

## BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 216, entitled:

An Act to define, license, and regulate resident and non-resident auctioneers and apprentice auctioneers in this Commonwealth and revising, consolidating and making the law uniform thereto; creating the State Auctioneers Commission \*\*\* and providing penalties.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. VERONA. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question, recurring,

Will the House agree to the bill on third reading?

Mr. VERONA asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 6, page 6, line 18, by striking out "THE" and inserting: any

Amend Sec. 6, page 6, line 19, by striking out "AND" and inserting: personal property or

Amend Sec. 6, page 6, line 20, page 7, lines 1 and 2, by striking out "AN INDIVIDUAL FARM OR THE HOUSEHOLD" in line 20, page 6, and all of lines 1 and 2, page 7, and inserting: any kind or nature if the same is individually owned by said person.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 460, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law" approved August 24, 1951, (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

On the question,

Shall the bill pass finally?

## BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 980, entitled:

An Act relating to the payment of wages or compensation for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FINEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.



Amend Sec. 11, page 9, line 10, by striking out "without regard to any" and inserting: with credit in the amount of any good faith assertion of a right of.

Amend Sec. 11, page 9, line 15, by striking out "ten" and inserting: thirty.

Amend Sec. 11, page 9, line 16, by striking out "ten" and inserting: thirty

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 840, entitled:

An Act prohibiting the sale, transfer, ownership, possession and use of tear and noxious gas and tear gas guns, providing for certain exemptions and providing penalties.

On the question recurring,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. WELSH. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WELSH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 3, page 3, line 1, by striking out "solely or."

Amend Sec. 3, page 3, line 2, by inserting after "valuables": or the sale of securities or valuables.

Amend Sec. 3, page 3, line 7, by striking out "solely."

Amend Sec. 3, page 3, line 8, by inserting after "valuables": or the sale of securities or valuables.

Amend Sec. 3, page 3, line 10, by inserting after "institutions": This does not apply to a citizen who has in his home or office a tear gas gun intended as a means of self defense in case of attack by criminals.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1176, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing compensation for members of the borough planning commission and the board of adjustment.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1335, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 4), page 4, lines 14, 15 and 16, by striking out "eight hun-" in line 14, all of line 15 and "hundred nineteen dollars (\$865,974,119)" in line 16 and inserting: "eight hundred sixty-nine million, four hundred seventy-four thousand, two hundred and ten dollars (\$869,474,210)."

Amend Sec. 2, page 5, line 15 by striking out "34,847,113" and inserting: "35,715,442."

Amend Sec. 2, page 5, line 16 by striking out " . . . . . 21,190,394" and inserting: "(22,058,723)."

Amend Sec. 2, page 10, line 5 by striking out "589,783" and inserting: "1,458,112."

Amend Sec. 2, page 20, line 9 by striking out "33,535,690" and inserting: "35,992,447."

Amend Sec. 2, page 20, line 11 by striking out "32,650,784" and inserting: "35,107,541."

Amend Sec. 2, page 22, by inserting between lines 2 and 3:

"(g) Construction of Athletic Field . . . . . 282,865"

"(h) Planning and design of Field House and Gymnasium . . . . . 87,710"

Amend Sec. 2, page 23, by inserting between lines 5 and 6:

(d) Construction of Field House . . . . . 2,086,182"

Amend Sec. 2, page 43, line 12 by striking out "12,227,136" and inserting: "12,402,141."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILL PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all bills not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

## ADJOURNMENT

Mr. GUTHRIE. Mr. Speaker, I move that this House do now adjourn until Thursday, May 4, 1961 at 9 a. m., e. s. t.

The motion was agreed to, and (at 4:50 p. m., e. s. t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, MAY 8, 1961.

No. 48.

## SENATE

MONDAY, MAY 8, 1961.

The Senate met at 1:30 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. KIRK A. HUDSON, Pastor of Highland Presbyterian Church, Lancaster, offered the following prayer:

Let us pray.

Our Father and our God, remove for the afternoon the busy, fringe thoughts of our minds and help us to be prepared to meet the order of the day. Help us all to remember that we represent men and women of varying interests and we cannot be, nor should we expect to be, high on any popularity poll.

So, we call upon Thee to guide us this afternoon and give us Thy strength. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 58, 59 and 1380**, which were referred to the Committee on Education.

He also presented for concurrence **HB 680, 827, 853, 1275, 1276, 1277, 1278, 1279 and 1280**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 733**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 757, 766, 768, 804, 914, 915, 916, 917, 918, 919, 920, 921 and 922**, which were referred to the Committee on Appropriations.

He also presented for concurrence **HB 828 and 1381**, which were referred to the Committee on Military Affairs and Aeronautics.

He also presented for concurrence **HB 929**, which was referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1178**, which was referred to the Committee on State Government.

He also presented for concurrence **HB 1369**, which was referred to the Committee on Finance.

## HOUSE CONCURRENT RESOLUTIONS REFERRED TO COMMITTEE

He also presented for concurrence **House Concurrent Resolutions Nos. 51, 54, 62 and Serial No. 76**, which were referred to the Committee on Constitutional Changes and Federal Relations.

## BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **HB 60, 140, 306, 470, 474, 556, 571, 549 and 1060**.

## GUESTS OF SENATOR EDWARD J. KESSLER PRESENTED TO SENATE

Mr. KESSLER. Mr. President, we are privileged today by having as visitors Mr. and Mrs. L. Pheasey, of Vancouver, British Columbia, who are accompanied by their daughter, Mrs. William B. Priester, of Lancaster.

I would appreciate it if the Chair would welcome these guests to the Senate.

The PRESIDENT. I hope the Members of the Senate will show them the welcome which they deserve.

Mr. and Mrs. Pheasey and Mrs. Priester, we are very happy to have you with us in the Senate today. Thank you very much for coming.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

### MEMBER OF THE COAL RESEARCH BOARD

January 3, 1961.

William J. Rude, Ashley, from December 16, 1960, for the term of three years, and until his successor shall have been appointed and qualified.

David L. Lawrence

### WORKMEN'S COMPENSATION REFEREE

January 3, 1961.

George A. Spohrer, Pittston, from January 2, 1961, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

David L. Lawrence

MEMBER OF THE BOARD OF TRUSTEES OF INDIANA  
STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick F. McCarthy, 702 Third Avenue, Punxsutawney, Jefferson County, for reappointment as a member of the Board of Trustees of Indiana State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

David L. Lawrence

MEMBER OF THE DAUPHIN COUNTY BOARD OF  
ASSISTANCE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William B. Blake (Democrat), 622 South 25th Street, Harrisburg, Dauphin County, for appointment as a member of the Dauphin County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Vernon M. Wood, Harrisburg, resigned.

David L. Lawrence

MEMBER OF THE YORK COUNTY BOARD OF  
ASSISTANCE

April 25, 1961.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sherwood F. Ritz (Democrat), 520 Lancaster Avenue, East, Red Lion, York County, for appointment as a member of the York County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Mrs. Dorothy H. Markle, York, resigned.

David L. Lawrence

## JUSTICE OF THE PEACE

April 25, 1961.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Philip Fengish, 53 South Main Street, Manchester, York County, for appointment as Justice of the Peace in and for the Borough of Manchester, York County, to serve until the first Monday of January 1962, to fill a vacancy.

David L. Lawrence

## BILL INTRODUCED AND REFERRED

Mr. STEVENSON presented to the Chair **SB 616**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing for the Creation, by ordinance, of the office of city manager.

Which was committed to the Committee on Local Government.

## PERMISSION TO ADDRESS SENATE

Mr. CONFAIR. Mr. President, I ask unanimous consent to make a brief statement in connection with the bill I

am about to introduce, and to also read a statement by Lawrence B. Sheppard which pertains to this bill.

The PRESIDENT. There being no objection, the gentleman may proceed.

Mr. CONFAIR. Mr. President, the bill which I am about to introduce raises the percentage by the Commonwealth on pari-mutuel betting from five per cent, as the bill now states, to ten per cent. We know they have continued to say that we are supposed to make some money out of horse racing. Therefore, I believe Pennsylvania should receive at least ten per cent of pari-mutuel betting.

I want to read a statement made by Lawrence B. Sheppard, which appeared in The Harness Horse Magazine of April 12, 1961, wherein he spoke about our horse racing setup in the Commonwealth of Pennsylvania. I will read it hastily, as follows:

"When Governor Lawrence honored me by asking that I serve on the Racing Commission, I naturally was flattered. However, in spite of all this, I would not have accepted more responsibility than I already carried because of age, health and business reasons, had it not been for one thing and one thing alone. That was because I saw the clear opportunity to give to the people of Pennsylvania and to the State the finest harness racing, not only in the United States, but in the world.

"This I knew I could guarantee because of several factors working in our favor, but only if each and every one of them were exploited to the fullest extent. If they were, the result would be amazing to the patrons of racing, to the State Treasury and a good return to the track owners on their investment.

"Some of the factors referred to above are as follows:

"1. Adequate grandstand, modernly designed for the convenience and enjoyment of the public, including parking as well as easy ingress and egress to and from the track.

"2. A good, safe, all-weather race track.

"3. Good, clean stable areas to attract the best stables and drivers.

"4. Top-flight experienced management from the parking lots to the stables.

"5. A liberal purse policy to attract the top-flight stables and drivers to move in and stay with us. This insures good racing, honest racing and the finest harness racing in the world, including some of the classic stakes not now being raced in the East. With a "45%" purse policy, all this could be accomplished."

I just want to mention, Mr. President, that they are talking about a thirty-five per cent purse policy for those who furnish horses.

"The Thoroughbred tracks average 45% and some major running tracks considerably higher. What does "45%" mean? It means the track puts that percentage of its take from the pari-mutuel wagering into the purses. Why is this so necessary? It is the only way we can compete with the two giants of trotting: Yonkers and Roosevelt, plus others, for the top stables and drivers. Yonkers and Roosevelt average a nightly handle of about \$1,800,000 and an average nightly attendance of 23 to 24 thousand people for about 210 nights.

"I am confident that any well-run Pennsylvania track in the Philadelphia area will handle a million dollars a night after the first year of operation. With Pennsylvania allowing the track 10% of the take from the betting, while New York State now only allows Yonkers and Roosevelt about 6% and with their purse policy of 35%, we can successfully compete with them for the best horses and stables without causing the track operators any financial pain, in spite of a much



larger handle at Yonkers and Roosevelt. New York used to permit these tracks 9+%, but after the Moreland Commission exposed the scandals that had been going on at the raceways, the Legislature cut them to a sliding scale averaging about 6%.

"There are four outstanding applicants for licenses in the Philadelphia area. Any one of these would put on a good show with one possible exception. In addition, there are three good applicants from Chester County and two others from Delaware County not included in the four above first mentioned.

"All of the above state they will build splendid, adequate plants and put on the best racing. Not included in the above is the so-called Bucks County Racing Association headed by a group from Allegheny County, Messrs. Dan Parish and Art Rooney, who are seeking a lease from Liberty Bell and a license for 50 days of racing in Philadelphia County but who do not propose to make any capital investment. A piece of paper called a lease is all—"

#### POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order. The PRESIDENT. The gentleman will state it.

Mr. WEINER. Mr. President, I have no objection to the statements being made and I am very happy to follow them. However, I do not think that they should come under this order of business. I think either the gentleman's statements should come under the order of business of Resolutions or Petitions or Remonstrances. There are answers to be made to what the gentleman is saying and, therefore, I would like to have an opportunity to present that side of the picture to him. If the gentleman will make his statements under the appropriate order of business, I will be very happy to present the other side of the picture to him.

Mr. CONFAIR. Mr. President, I requested unanimous consent to address the Senate and I received unanimous consent.

Mr. WEINER. Mr. President, I believe the gentleman asked for unanimous consent to make a brief statement before these bills were introduced. I hardly think that by speaking for five or ten minutes is a brief statement. Also, I did not have any idea of what the content of his remarks would be. It may well be that the gentleman does not have to give me the contents of his remarks and I am not asking for them. Unless the gentleman is afraid that I am liable to tell him what the true status of the situation is and, therefore, is using this as an opportunity for making his statements, that may be another factor and I do not want to dispute that.

However, Mr. President, there is another side to this issue. If the gentleman will take the appropriate time to go into it and read the article which he is now reading, I am sure it will keep. I will be very happy to give him additional information which he might want to have.

Mr. CONFAIR. Mr. President, I asked for unanimous consent. I also stated, when I asked for unanimous consent, that I would like to read a statement by Lawrence B. Sheppard. I received that unanimous consent and I do not think I should be interrupted. I would like to finish this article.

The PRESIDENT. Will it take very much additional time?

Mr. CONFAIR. Not too long, Mr. President.

The PRESIDENT. The gentleman may proceed.

Mr. CONFAIR. Mr. President, I continue to read from Mr. Sheppard's statement as follows:

"Almost immediately after the primaries of 1960 when Allegheny County defeated the proposal to permit racing in that area, I began to talk three tracks and 150 days of racing in the greater Philadelphia area, including Bucks, Chester and Delaware Counties as well as Philadelphia. It was not until shortly after the first of the year that I heard the least objection. Then it came from the Clark group who had decided that 100 days was all the racing the area could stand, with which I emphatically do not agree. Of course, I could understand Mr. Gene Mori's feeling, who is a director of Liberty Bell and the president and principal owner of Garden State, right across the river, in not wanting a first-class harness plant operating at night while he was operating in the daytime.

"I should point out that in greater New York the runners are going over 200 days with the trotters nearby going the same. None of them appear to suffer and the business they do indicates the patrons like it, judging from the tremendous handle at all those metropolitan New York tracks. In addition to this, they are racing in Rhode Island and New Jersey at the same time. There is a similar situation in the Chicago area with everybody prosperous.

"About the same time, around the first of the year, the Parish group filed to incorporate with the Department of State, and on January 16 met with officials of the Racing Commission to discuss their intention to apply for a license and to race that license on a lease from Mr. Clark's group. That then made 100 days of racing at one race track, and based on Mr. Clark's adamant position that there should not be over a 100 days, this closes the door to any other applicant in this area regardless of merit. Now it so happens that Mr. Clark, I understand, is retaining all of the voting stock unto himself in the Liberty Bell organization, which of course also means the lessee, his own directors and officers, etc., are virtually serving at Mr. Clark's pleasure. We can only arrive at the conclusion that this whole thing results in an absolute monopoly of all the best racing in Pennsylvania.

"To me this is unthinkable, because it is not to the best interests of the State, the people of the State, the patrons of racing and the sport itself where two political groups are awarded all the worthwhile racing in Pennsylvania and virtually controlled by one man. I am quite sure that Pennsylvania can look forward to nothing but second-rate racing in which I am not at all interested.

"I had no thought until more or less recently that all of the racing in the greater Philadelphia area would be handed on a silver platter to the Allegheny County group headed by Dan Parish and the Philadelphia group headed by Jim Clark to the exclusion of all others, including three other fine groups whose views on how to put on superior racing coincide with mine. The scheme offers nothing in my opinion except personal gain to the individuals.

"Harness racing is a sport and at the same time is both a business and a source of very badly needed tax revenue in the State of Pennsylvania. When conducted and promoted by competent, experienced public-spirited licensees, the interests of all can be well served.

"Under the action taken here today, if the racing is second rate—if the facilities are mediocre—if undesirable elements intrude, the public will have no choice of establishments to patronize . . .

"As it stands right now, I think of it as the last act of a play and should be known as the tragedy of harness racing in Pennsylvania. How-

ever, the last scene, which will be short, is yet to come in the next one to ten months when Messrs. Parish and Rooney of Allegheny County show up with a piece of paper in their hands which they will call a lease, asking for a license to be handed to them to permit them to race another 50 days at Mr. Clark's Liberty Bell track without putting up a dime except for operating expenses and to the exclusion of all other applicants in this area.'"

### BILLS INTRODUCED AND REFERRED

Messrs. CONFAIR, HALUSKA, WARE and KELLER presented to the Chair **SB 617**, entitled:

An Act amending the act of December 22, 1959 (P. L. 1978), entitled "State Harness Racing Law," increasing the amount of tax to be paid by corporations authorized to conduct pari-mutuel betting.

Which was committed to the Committee on Law and Order.

### PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL. Mr. President, this is not a tremendous, earth shaking bill. However, it is very, very important to those people concerned.

Recently, in my county, a young couple purchased a frame house. When they moved in under an agreement of sale before settlement, they were amazed to find that the house was infested by squirrels, and this is a squirrely bill. They went to an exterminating firm. The exterminator threw up his hands and said: "We cannot exterminate squirrels. It is not the hunting season."

They then went to the game protector, asking him for permission to get rid of these squirrels. He told this young couple: "If you touch one of those squirrels except in hunting season, I will lock you up."

This bill, which I am about to introduce, is an amendment to the Game Laws to permit persons to rid a house of squirrels other than during the hunting season.

### BILLS INTRODUCED AND REFERRED

Mr. BELL presented to the Chair **SB 618**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," authorizing the issuance of permits to kill squirrels which have located themselves within dwelling houses or other buildings occupied by human beings.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. RIPP (By request) presented to the Chair **SB 619**, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959," providing for the transfer of credits for employees of the Department of Health who are contributors to the Public School Employees' Retirement System.

Which was committed to the Committee on State Government.

Mr. STIEFEL presented to the Chair **SB 620**, entitled:

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration

Act," increasing compensation of the chairman and other members of the registration commission.

Which was committed to the Committee on Local Government.

### PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I wish to make a brief statement regarding the first two bills that I am about to introduce, which are sponsored by Senator Berger, Senator Rooney and myself. These bills, if enacted into law, would exempt the American National Red Cross from payment of the gasoline taxes.

### BILLS INTRODUCED AND REFERRED

Messrs. WADE, BERGER and ROONEY presented to the Chair **SB 621**, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965), entitled as amended, "Fuel Use Tax Act," exempting from taxation, fuels used by the American National Red Cross in its activities.

Which was committed to the Committee on Highways.

They also presented to the Chair **SB 622**, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled as amended, "The Liquid Fuels Tax Act," providing refunds to the American National Red Cross for taxes paid by it for fuel used in its work.

Which was committed to the Committee on Highways.

Messrs. WADE and TAYLOR presented to the Chair **SB 623**, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "State Employees' Retirement Law," providing additional State annuities for certain beneficiaries.

Which was committed to the Committee on State Government.

Mr. HALUSKA presented to the Chair **SB 624**, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," authorizing the holders of certain life insurance policies to receive public assistance.

Which was committed to the Committee on Public Health and Welfare.

Messrs. WARE, DEVLIN, KESSLER and YATRON presented to the Chair **SB 625**, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State University for the use of the School of Agriculture for the erection of experimental mushroom houses and research in the communicable diseases of mushrooms and other phases of the mushroom industry.

Which was committed to the Committee on Appropriations.

Mr. MULLIN presented to the Chair **SB 626**, entitled:

An Act repealing clause (6) of section 3, and section 12, act of April 24, 1947 (P. L. 80), entitled "Intestate Act of 1947," removing the Commonwealth as an heir.

Which was committed to the Committee on Judiciary General.



## REPORT FROM COMMITTEE

Mr. MURRAY, by unanimous consent, from the Committee on Mines and Mineral Industries, reported, as committed, **HB 1121**.

## SENATE RESOLUTION

## SENATE COMMITTEE TO CONSIDER NECESSARY LEGISLATION AS SET FORTH IN THE REPORT OF THE GOVERNOR'S COMMITTEE ON EDUCATION

Messrs. LANE and WEINER offered the following resolution (**Serial No. 57**), which was read as follows:

In the Senate, May 8, 1961.

WHEREAS, The Governor's Committee on Education, appointed pursuant to a bipartisan House Resolution of the session of 1959, presented its report to the Governor and to the General Assembly, setting forth the various problems presently facing the schools of Pennsylvania; and

WHEREAS, The solution of some of these school problems requires legislation, and

WHEREAS, The House of Representatives adopted House Resolution No. 61 on May 3, 1961, providing for the appointment of a House Committee of four members of the Democratic Party and four members of the Republican Party to consider the necessary legislation required to solve the school problems as set forth in the Report of the Governor's Committee on Education, and further providing that said House Committee from time to time meet jointly with a similarly constituted Senate Committee; therefore be it

RESOLVED, That the President pro tempore of the Senate appoint a Senate Committee comprised of members of the Democratic Party and an equal number of members of the Republican Party to consider the necessary legislation required to solve the school problems as set forth in the Report of the Governor's Committee on Education; and be it further

RESOLVED, That the said Senate Committee shall from time to time meet with the House Committee, appointed pursuant to House Resolution No. 61 so that they may jointly determine the legislative program for this session in the field of school legislation.

Mr. LANE. Mr. President, I request the immediate consideration of this resolution.

Mr. BERGER. Mr. President, this resolution is somewhat similar to a resolution on which we acted the week before last. I do not know whether it is identical or not, and I will not, of course, until I study it. I also believe that the proper committee should study this resolution. Therefore, I object to its immediate consideration.

Mr. LANE. Mr. President, this resolution is similar to one which was rejected several weeks ago. However, we are in this position: The House of Representatives passed, on May 3rd, a resolution setting up a Bipartisan Committee for the House of Representatives. Here we are in the Senate, and I know very well that we are not going to get very far. However, I thought that possibly by submitting this resolution today, it would give the Members on the opposite side the opportunity to reconsider the position they have taken in the past.

We have even gone so far, Mr. President, as to advise the Minority Party that they can select any number they suggest and we on this side will go along.

We are very sincere in this approach, Mr. President, because we feel this is the only answer. We must have a concerted effort on the part of all public officials and all political parties. That is the reason why Senator Weiner and I decided that we would try again. We are

prevailing upon the Members on the other side to not object to this resolution at this time. Let us adopt the resolution and try to work together.

Mr. BERGER. Mr. President, those are very suave words in connection with this matter.

However, I feel that I was not obscure when I stated that I believe the regular processes of the Senate are available to do practically the same thing as this resolution provides; that is, the Chairman of the Education Committee could appoint a subcommittee composed of an equal number—or I believe they said previously two Members from each Party—to study the report and could report to the regular committee, which could then act upon the bills. That is the proper and regular way that matters should be handled.

I said this was similar, and I could not see where it was different, but there is some difference in this resolution. It does not provide for any number. The other resolution did provide for a specific number.

Consequently, Mr. President, I again suggest that the resolution be sent to the appropriate committee, which I shall not suggest since it is obvious.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. LANE. Senator Berger, undoubtedly the position you have taken here with reference to your objection to the immediate consideration of this resolution is going to prevail.

However, once this resolution is referred to committee and, I hope, later on released to the floor, will you at that time reconsider your position and agree to appoint Members from your side to serve on this committee?

Mr. BERGER. Mr. President, that is peering somewhat into the future, I fear, on the part of Senator Lane because the resolution has first to pass the Senate. Then, of course, if the resolution is passed, we will certainly do as it indicates. At this time, I would be unable to answer the question any more definitely than that, which I think is an ample answer.

Mr. LANE. Senator Berger, in the event that the committee favorably considers this resolution and it is reported to the floor, do you anticipate that it will receive any Republican votes?

Mr. BERGER. Mr. President, there again the gentleman is peeping into the future and is interrogating me on a matter which I certainly could not, at this time, answer.

Mr. LANE. Mr. President, I wish to thank the gentleman very kindly.

I am more or less an optimist, and I am afraid that the gentleman on the other side has a point of view that does not concur with optimism. Therefore, all we can do is abide by the objection made by the gentleman and have the resolution referred to committee. I hope it is referred to the Rules Committee because we would like to have a meeting as soon as possible.

The PRESIDENT. The resolution is referred to the Committee on Rules.

Mr. WEINER. Mr. President, I wanted to point out the difference between this resolution and the one we had previously. At that time, the House had not acted. As of now, the House has taken the position that they will ap-

point such a committee. The House has passed such a resolution, and I think this Body should take cognizance of this fact and at least put ourselves in a position to meet with them and discuss this matter.

As you will know, the Senate Education Committee is made up in the fashion that the Republican Members are somewhat outnumbered in the make-up of the committee so that they do not have equal representation. I think this matter is crucial enough to be dealt with on a bipartisan basis. The Governor thought so when he appointed his committee. I think we ought to approach this problem on that very basis. Having done so, I think we will be able to say that the education problem in the State of Pennsylvania is neither Democratic nor Republican. It is a problem that ought to be approached on that basis and dealt with in that manner. Refusal to do so sort of puts us in the position that we are at politics as usual, whether the problem be education or anything else. That is hardly the approach to take on as serious a matter as we face at this time.

Mr. BERGER. Mr. President, while I do not admit that this is the proper time to debate this resolution in any way, I am very much of the opinion that the proposal itself indicates politics as usual.

Itself indicates politics as usual. However, it is a very definite attempt on the part of the Majority to make some shift in responsibility. We have always been willing—and I am offering again—to assume our responsibility if the opportunity is offered.

Mr. President, aside from that, let me say there will be the most complete and sincere cooperation in solving this problem, in so far as the Members on this side are concerned, under any circumstances whatsoever. However, we are of the opinion and will continue to be of the opinion that it should be handled through the proper committee of the Senate.

The PRESIDENT. Therefore, your position remains unchanged in that you object to the immediate consideration of this resolution.

Mr. BERGER. That is correct, sir.

The PRESIDENT. Therefore, the decision of the Chair remains, and the resolution is referred to the Committee on Rules.

### BIRTHDAY FELICITATIONS EXTENDED TO SENATOR EDWARD J. KESSLER

Mr. LANE. Mr. President, this does not pertain to the Committee on Education or to the resolution.

Mr. President, I would like to acquaint the Members of the Senate with the fact that we have with us one of the sages of the Senate, Senator Kessler, who was sixty-four years of age yesterday. As a matter of fact, he looks like a very young man. I think the Senate of Pennsylvania should certainly congratulate Senator Kessler on those sixty-four years.

The PRESIDENT. We are very happy to felicitate you on the achievement of your sixty-fourth birthday, Senator Kessler.

Mr. BERGER. Mr. President, before Senator Kessler takes the appropriate bow, may I ask Mr. Price to deliver this little card to him which he can hold up?

The PRESIDENT. We will be at ease for a moment while the card is delivered by Mr. Price. We will even wait a moment while you open it, Senator.

Mr. KESSLER. Thank you very much.

Mr. President, I want to thank you for those very courteous remarks and I want to thank my associates. I think the reason I keep young is because I am a Member of the Senate of Pennsylvania.

I do not know what this card says, but as you can all see, it is a very elaborate one. It looks like a fancy valentine.

It has been a pleasure being here. I wish I could say that I will be here, like Senator Taylor, for another sixty-four years, but I am afraid I will not.

The PRESIDENT. May we wish you many more happy returns of the day.

### SENATE RESOLUTION

#### URGING TOURIST PROMOTION AGENCIES TO EXERT EVERY EFFORT IN THE PROMOTION OF A TOURIST PROMOTION PLAN

Messrs. WEINER, MURRAY, LANE, HALUSKA, WAGNER, KALMAN and SCOTT offered the following resolution (Serial No. 58), which was read, considered and adopted:

In the Senate, May 8, 1961.

The anthracite coal region of eastern Pennsylvania has been afflicted with a declining economy since the 1920's. This area has become one of the most critical unemployment areas in the United States. Unemployment has become the normal status of this section instead of periods of unemployment.

Many groups have made studies of this area and its critical unemployment situation. The Pennsylvania State University has made an extensive study of this problem, under the guidance of Dr. Deasy and Dr. Griess. This study recommends that a more expansive study be made of the tourist trade and the possibilities of attracting visitors to this area. Within a radius of 400 miles of this area, there are eighty million residents. The entire population within this radius are potential tourists to this section of the State.

There are many interesting attractions in this region. The operation of an anthracite coal mine is an interesting sight. There are mountains, streams and rivers, quaint villages, fishing, hunting and hospitable people, all of which are potentials in the building up for tourist promotion.

The magnitude of the task is such that no individual, no one private or governmental body, could carry the burden alone. Only by cooperation on the part of all can a project of this type be successful.

The General Assembly of the Commonwealth has passed a Tourist Promotion Law which has been signed by the Governor. This Act No. 50 provides for the organization of tourist promotion agencies, and for aid and assistance by the Department of Commerce; therefore be it

RESOLVED, That the various political bodies enumerated in Act No. 50 are hereby urged to exert every effort in the promotion of a Tourist Promotion Plan and utilize the facilities of the Department of Commerce in an all-out effort to alleviate the unemployment crises existing in this area; and be it further

RESOLVED, That a copy of this resolution be sent to the Secretary of Commerce and to Rotary, Kiwanis, Chambers of Commerce, or any organization interested in promoting this act.

### SENATE CONCURRENT RESOLUTION

#### MEMORIALIZING CONGRESS TO ENACT LEGISLATION ADMITTING PUERTO RICO TO THE UNION

Messrs. WEINER and BELL offered the following resolution (Serial No. 117), which was read, considered and adopted:



In the Senate, May 8, 1961.

The United States of America has become the greatest power in the history of the world due to the fact that it is a united nation, made up of equal and sovereign States.

The people of the United States devised a method and program of incorporating territories, as a first step leading to full privileges of statehood. This plan imposes on the people of such territory the obligations of the citizens of the several States, while withholding from such territorial citizens the basic rights of self-government and full representation in the councils of the United States.

Within the past year, Alaska and Hawaii have been admitted to full statehood, after many years of territorial status. There remains one more territory that in the opinion of a large number of people now merits the status of full statehood. This is the territory of Puerto Rico, which has had territorial status for many years.

Puerto Rico has been a bulwark in Central and South America for democracy. Its citizens have served with distinction in the Armed Forces of the United States in both World Wars I and II, as well as the Korean Conflict; therefore, be it

RESOLVED (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact legislation admitting Puerto Rico to the Union; and be it further

RESOLVED, That copies of this resolution be sent to the presiding officers of both Houses of the United States Congress, and to each Senator and Representative from Pennsylvania in the Congress of the United States and that each of them be requested to make every effort to see that legislation to grant statehood to Puerto Rico is promptly considered and passed.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

## EXECUTIVE NOMINATIONS

### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. DiSILVESTRO,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

### NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT. The Clerk will read the nominations. The nominations were read by the Clerk as follows:

#### MEMBER OF THE COAL RESEARCH BOARD

January 3, 1961.

William J. Rude, Ashley, from December 16, 1960, for the term of three years, and until his successor shall have been appointed and qualified.

David L. Lawrence.

#### WORKMEN'S COMPENSATION REFEREE

January 3, 1961.

George A. Spohrer, Pittston, from January, 2 1961,

until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

David L. Lawrence.

#### MEMBER OF THE BOARD OF TRUSTEES OF INDIANA STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick F. McCarthy, 702 Third Avenue, Punxsutawney, Jefferson County, for reappointment as a member of the Board of Trustees of Indiana State College, until the third Tuesday of January, 1967, and until his successor shall have been appointed and qualified.

David L. Lawrence.

#### MEMBER OF THE DAUPHIN COUNTY BOARD OF ASSISTANCE

April 24, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William B. Blake (Democrat), 622 South 25th Street, Harrisburg, Dauphin County, for appointment as a member of the Dauphin County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Vernon M. Wood, Harrisburg, resigned.

David L. Lawrence.

#### MEMBER OF THE YORK COUNTY BOARD OF ASSISTANCE

April 25, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sherwood F. Ritz (Democrat), 520 Lancaster Avenue, East, Red Lion, York County, for appointment as a member of the York County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Mrs. Dorothy H. Markle, York, resigned.

David L. Lawrence.

#### JUSTICE OF THE PEACE

April 25, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Philip Fengfish, 53 South Main Street, Manchester, York County, for appointment as Justice of the Peace in and for the Borough of Manchester, York County, to serve until the first Monday of January 1962, to fill a vacancy.

David L. Lawrence.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,

Donolow,  
DiSilvestro,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. DiSILVESTRO. Mr. President, I second the motion. The motion was agreed to.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### MEMBERS OF THE BOARD OF TRUSTEES OF MANSFIELD STATE COLLEGE

May 8, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Mansfield State College, until the third Tuesday of January, 1967, and until their successors shall have been appointed and qualified:

Milford Paris, Main Street, Tioga, Tioga County.

Mrs. Margaret McMillen, Mansfield, Tioga County.

David L. Lawrence.

#### JUSTICE OF THE PEACE

May 8, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond McAleer, 1410 East Twelfth Street, Eddystone, Delaware County, for appointment as Justice of the Peace in and for the Borough of Eddystone, Delaware County, to serve until the first Monday of January, 1962, vice George A. Dempsey, deceased.

David L. Lawrence.

### SENATE CONCURRENT RESOLUTION

#### WEEKLY ADJOURNMENT

Mr. SILVERT, by unanimous consent, offered the following resolution, which was read, considered and adopted:

In the Senate, May 8, 1961.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, May 22, 1961 at ONE-THIRTY o'clock P.M., E.S.T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Monday, May 22, 1961 at THREE o'clock P.M., E.S.T., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

### CALENDAR

#### THIRD READING CALENDAR

##### BILL OVER IN ORDER

**SB 30**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

##### BILL REREFERRED

**SB 76**—Upon motion of Mr. WEINER, seconded by Mr. SEYLER, and agreed to, the bill was rereferred to the Committee on Appropriations.

##### BILL OVER IN ORDER

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**SB 106**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

##### BILL OVER IN ORDER

**HB 132**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 147**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 306**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Hays,	Miller,	Stalsey,
Berger,	Kalman,	Mullin,	Stevenson,
Camel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Welner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

#### NAYS—1

Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

**HB 323** — Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I move that House Bill No. 323, Printer's No. 1357, be recommitted to the Committee on Local Government for further amendment and clarification.

Mr. BERGER. Mr. President, I wish to object to the recommitment of this bill. I believe if there are any amendments which need to be offered, they can be offered by unanimous consent on Third Reading. I have no objection to the bill going over in order and possibly the amendments being discussed prior to the pressing of this motion.

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. WEINER. Mr. President, I withdraw my previous motion, and ask that House Bill No. 323, Printer's No. 1357, go over in its order.

The PRESIDENT. There being no objection, the bill will go over in its order.

**HB 326**—Mr. WEINER. Mr. President, I request that House Bill No. 326 go over in its order inasmuch as there are amendments to this bill, but they are not here at the moment.

The PRESIDENT. Without objection, the bill will go over in its order.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 328**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. HAYS. Mr. President and Members of the Senate, I deplore the appearance of this bill on the Calendar. It seems to me this term "burgess" is a good holdover from some fine English traditions, and I was hoping that Senator Stiefel would make a case for the retention of the term "burgess."

Pennsylvania has many colonial things that we should hold on to, and this is probably one of them.

We have had the example of two illustrious Senators, Senator Wade and Senator Mullin, in this Session speaking against a bill and then voting for it, and that is what I intend to do.

Mr. BERGER. Mr. President, I cannot help but agree with the gentleman who just spoke on this subject. Many of us do deplore the passing from the statute books of the term "burgess," which I assume has ancient origin. Again, I would yield to Senator Stiefel on the subject of burgomaster.

We have always known the chief executive officer of our boroughs in Pennsylvania as the burgess. There is a phonetic connection which is really quite agreeable. However, as Senator Hays said, I am in the same position. I am going to speak against the bill and vote for it.

Mr. STIEFEL. Mr. President, why my name was brought into this deliberation, I do not know. However, first of all, being a resident of a city, I do not dare to enter into the open spaces and to interfere with the rural life of our citizenry.

If the term "mayor" will aggrandize those burgesses, I am for it. Let them do their duty and let them feel the importance of their office. We have fifty-three cities of the third class. Sometimes a person is more conspicuous by being outside of the large number than by being in it. If they want the title, let them have it.

Mr. LANE. Mr. President, before we begin calling the roll, I want to say that I, too, am going to vote for this legislation. However, I believe we should admonish those in power that this is going to entail a number of amendments of our statutory laws, because if you read over the statutory laws you will find there are many, many laws and Acts of Assembly which use the term "burgess" in the acts themselves.

I think it is all right and I am going to vote for it, but it is going to cost somebody some money.

Mr. WADE. Mr. President, I want to make just a simple statement to welcome Senator Berger, Senator Hays and Senator Lane to this exclusive club.

The PRESIDENT. Thank you, Senator Wade. I am sure the gentlemen appreciate the welcome.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stalsey,
Camel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Welner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

## NAYS—1

Stevenson,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 359**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

Mr. BERGER. Mr. President, I certainly am not going to have anything very lengthy to say about this bill, and I am sorry that the eminent gentlemen who sponsored it cannot be interrogated in this Body. However, I would like to address a general question as to just how, if I intend to dispose of a pigeon by humane means, I am going to know whether he is owned or not owned.

Mr. MAHADY. Mr. President, may I add my comment to that. On one occasion, in this august Body, there was a bill introduced to license stray cats. They did not know how to determine which were stray and which were owned. Now we have a bill which would make it legal to kill unowned pigeons.

I agree with the Minority Leader. Who is to label these unowned pigeons as being unowned?

The PRESIDENT. This is a very serious question, gentlemen.

Mr. BERGER. Mr. President, just to make the record clear, I do not own any pigeons.

The PRESIDENT. That is an excellent piece of advice to give this Body. Are there any pigeons near you which are unowned?

Mr. BERGER. Mr. President, I do not know.

The PRESIDENT. That is one of the things that is troubling me. I might tell the gentleman a story which occurred to me.

You know, of course, that we had a great deal of trouble with pigeons in and around City Hall. After I was elected a Judge, in 1951, I took my office in the beginning of 1952. About two weeks after my installation in office, I heard a noise one night and there, outside of my window, roosting under the rafters of my home, were a couple of cooing pigeons. I did not know and I could not find out, during the entire period when I was in City Hall, whether or not two pigeons were assigned to each Judge, as they moved into city Hall. It has bothered me all of these years. However, after a due course of time, they left my home. After I became Lieutenant Governor, they never came back. We are very glad about that, too.

Mr. FLACK. Mr. President, are you sure they were not stool pigeons?

The PRESIDENT. No, I was not sure of what they really were. However, they appeared to be cooing and not "stooling."

Mr. LANE. Mr. President, I cannot vote for this bill because there is no way to determine whether the pigeons are owned or unowned. I would not want to see any owned pigeons destroyed.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—46

Bell,  
Berger,  
Chapman,  
Camiel,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Madigan,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,  
Mullin,

Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—4

Haluska,

Lane,

Mahady,

Stiefel,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDENT. This, of course, clears up my own recent pigeon problem. Thank you, gentlemen.

**SB 401**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

**SB 407**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

**SB 427**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarra,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

## NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

**HB 453**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 454**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,

Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 459**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. MCGINNIS. Mr. President, I introduced this bill. Pittsburgh, in Allegheny County, is known as the workshop of the world. This is true. However, in Allegheny County, we also have some of the finest farmers and farms in the Commonwealth of Pennsylvania. This bill appropriates to the County Commissioners \$25,000 in order to cooperate with the State University to help the farmers produce better. I hope the farmers here will vote for this bill.

Mr. STIEFEL. Mr. President, I take exception to the remarks made by Senator McGinnis, in singling out the farmers as the people who will be the benefactors and thereby excluding the city dwellers.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

**HB 480**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,

Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 481**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Staisey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

**SB 497**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 507**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Staisey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

**SB 518**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**SB 520**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Staisey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL REREFERRED

**SB 523**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was rereferred to the Committee on Appropriations.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 528**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Staisey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 530**—Read at length the third time and agreed to,  
On the question,



Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bell,	Hays,	Miller,	Stalsey,
Berger,	Kalman,	Mullin,	Stevenson,
Camel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Flack,	Mallery,	Sesler,	Ware, III,
Fleming,	McCreesh,	Seyler,	Weiner,
Haluska,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,

## NAYS—2

Ehrgood, Pechan,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**SB 539 and 540**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 542**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 553**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,

Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 635**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. VAN SANT, by unanimous consent, offered the following amendments:

Amend Title, page 2, tenth line of Title, by striking out "MAKING PERMANENT THE REDUCTION IN" and inserting: reducing

Amend Title, page 2, last line of Title by inserting after "engines": for a certain period

Amend Sec. 1 (Sec. 4), page 4, lines 16 to 18 by striking out "[For" in line 16, all of line 17; "May 31 1961] THEREAFTER" in line 18 and inserting: For the period beginning January 1, 1960 and ending [May 31, 1961] June 30, 1963

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I object to these amendments.

We would like to make the reduction in these rates permanent. The reason for doing so is as follows: I believe everyone has recently read in the newspapers that they are trying to create International Airports in Philadelphia and Pittsburgh, so that flights going to Europe and all over the world will originate from those points.

Up until the time when we had this type of legislation, the general procedure has been that the jet planes would come into Philadelphia, load or unload, and move right on. By this reduction, oddly enough, it has brought more revenue, both to the city and to the Commonwealth, than we have ever had before from this area. It also has caused the planes to load up. The general situation is that they come from New York, make a stop in Philadelphia and then proceed to Baltimore. They then load up before they move on to Puerto Rico, the Bahama Islands or to the areas of the Caribbean. It is our hope that by having this reduction, Philadelphia will truly be an international airport and that many flights will not only originate there, but also terminate there. This is, I will admit, one of the gimmicks or come-ons for the companies to do so and use this area for what is intended.

As you well know, in the city of Philadelphia we have, for a large city, a depressed type of situation in so far as employment is concerned. By bringing people into the community, it is hoped that our hotels and other people who work at this level will obtain further employment. I do not see the reason for limiting this. We have had it now for two years and it has worked well. I see no reason for limiting it to 1963 when we will have to hope that we can get this measure through again.

I think most of the people in this Chamber are of the frame of mind to pass this legislation. I do not know why we must have these amendments which more or less cripple or hobble the bill. Any company might well say that they would like to put in permanent tanks or they

would like to put in permanent personnel to handle the servicing of planes, as well as load them with gasoline at this point. However, they will say that they cannot do so because they will not know how they will fare two years from now. They will not want to make this capital investment in order to make this capital improvement.

I would also like to point out that I have a telegram here from Malcolm S. Hay, the new Adjutant General of the Commonwealth of Pennsylvania. In the telegram, he has stated and I will quote him directly, as follows:

"I do not personally object to the passage of House Bill No. 635 and House Bill No. 636."

Therefore, Mr. President, I think this meets some of the objections which were made here. I think it is proper that this information should be at hand.

Therefore, I ask my colleagues to vote "no" on these amendments.

Mr. VAN SANT. Mr. President, the purpose of the amendments is to allow a period of time wherein we can get an accurate figure on just what the tax return is on the reduction of those gasolines involved in House Bill No. 635, as well as in House Bill No. 636. When we enacted the tax the last time, we were endeavoring at that time to get an accurate figure as to what it meant in the way of dollars to our aviation program here in the Commonwealth of Pennsylvania. At that time, it was felt and there still is a reasonable amount of doubt in my mind as to whether we are benefiting as greatly as we might if the tax remained at .015. However, I will go along and agree that we should determine the figure more accurately than what it has been in the last two years.

The figures which I have from one source are not completely in agreement with figures from another source. For that reason, I think in a two-year period we could determine the figure more accurately. I would, therefore, suggest that so long as we keep this at a two-year period, there is a good possibility that the large airlines will continue to use gas here in Pennsylvania, as they have assured us they will. The figures up-to-date do not indicate that much of a difference, when compared with the volume of air traffic which has been going in and out of the Philadelphia Airport.

Also Pittsburgh, on the first of the month, will be going into an international airport basis. I think here, too, we have an avenue to balance the figures.

For that reason, Mr. President, I would request not only the gentleman on this side of the aisle but the gentlemen on the other side of the aisle, who are interested in the development of smaller airports, to vote in favor of the amendments.

Mr. LANE. Mr. President, I, too, must rise to oppose these amendments.

In this modern day and age, we must encourage air travel. It is going to entail some expense for the large airlines and I am afraid that, naturally, they could have the opportunity to go out of this Commonwealth entirely and buy the gasoline or oil which they use. It seems to me that when we put a cutoff period of 1963, we may hinder the expansion of air traffic in Pennsylvania. We are very fortunate, indeed, that we will have two International Airports. Of course, we have the one in Philadelphia and we are going to have one in Pittsburgh. We should, therefore, do everything possible to encour-

age the airlines to expand air traffic and work with us. Of course, we would like to have their business.

Mr. President, I believe it means an awfully lot, during this modern day and age, to encourage air travel.

Just by digressing a bit, I might say that if you go into the southern States, you will note that there is great encouragement, as far as air travel is concerned. Not long ago, I was down in Savannah, Georgia. I noticed down there that they had two huge airports. The same applies to Atlanta, Georgia. That is where the businesses are going. We have to fight the southern people when it comes to new businesses up here in the North. We should have more airports and we should be cooperative with all the large airlines. We should encourage them to work with us here. I told Senator Van Sant this may be a hindrance. We do not know, because, after all, if it entails a capital expenditure of any great amount, they could very easily go out of the Commonwealth of Pennsylvania and purchase their fuels.

Mr. VAN SANT. Mr. President, certainly, if these amendments were to be a hindrance to the bill, then the slight increase that we showed in our figures over the last two years on the collection of the taxes would be pretty much out of line. The business has continued in the last two years and, as a matter of fact, air traffic has increased. I do not think that the terminal period of June 30, 1963, will make any difference to the airlines.

I am very much interested in aviation, as has been indicated in the past. We have one of the prize airports in the Country down in the famous Lehigh Valley. We are quite proud of it. However, we also want to continue to grow. We do not want all the growth to come to large airports and, perhaps, deprive us of some future development.

And the question recurring,

Will the Senate agree to the amendments?

The roll was called and resulted as follows:

#### YEAS—23

Bell,	Hawbaker,	Propert,	Van Sant,
Berger,	Keller,	Scott,	Wade,
Chapman,	Kessler,	Shafer,	Wagner,
Confair,	Kromer,	Stevenson,	Ware, III,
Ehrgood,	Madigan,	Stroup,	Wolfe,
Flack,	Mallery,	Taylor,	

#### NAYS—23

Camiel,	Kalman,	Mullin,	Silvert,
Devlin,	Lane,	Murray,	Staisey,
DiSilvestro,	Mahady,	Ripp,	Stiefel,
Donolow,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	

So the question was determined in the negative, and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. President, I rise to oppose this bill. I think that the very concise letter, of which I have a copy in my possession, covers the points as were set forth very clearly in the debate on the amendments.



This bill is very, very important to those of you who do not live in Pittsburgh and Philadelphia. I think it is very important to those of you who live in Philadelphia and Pittsburgh. Therefore, that means that it is important to everybody.

I also have a telegram from the Adjutant General, which reads:

"I do not personally object to the passage of House Bill No. 635 and House Bill No. 636." I stress the word "personally."

I also have a carbon copy of a letter sent to the Chairman of the Pennsylvania Aeronautics Commission, who is also our distinguished Adjutant General, and signed by Colonel Philip F. Neuweiler, a member of the Aeronautics Commission, and Allen R. Howard, Jr., a member of the Aeronautics Commission. They state that they have the authority of the other two voting members of the Commission, Mr. Fesenmyer and Mr. Bughman, to quote them.

The Aeronautics Commission, gentlemen, is composed of four appointed members;—all appointed by the Governor, with the concurrence of the Senate—two Members of the Senate, two Members of the House, and the Adjutant General. These four civilian members are the only members with a vote. These are Pennsylvania's experts on civil aeronautics.

I read from the copy of the letter:

"The Fuels Use Tax Act of 1952 (P. L. 1965) imposed an excise of one and one-half cents per gallon on fuel used in prop-jet or turbo-jet driven aircraft. This act was amended on December 28, 1959 (P. L. 2032) reducing the jet fuel tax to one cent per gallon for the period beginning January 1, 1960 and ending May 31, 1961.

"To the best of our knowledge, this reduction in tax was accomplished through dint of expert lobbying and specious"—I do not like the word, but it is in here—"promises by one large trunk carrier airline official. You will note that this reduction in jet fuel tax coincided with the introduction into service of the large turbo-jet type aircraft operating from Philadelphia International Airport and Greater Pittsburgh Airport. Over the past year, the trunk airlines"—and naming them—"have been operating increasingly greater numbers of"—naming these aircraft—"with a correspondingly large increase in use of jet fuel loading at the afore-mentioned two airports."

I further quote from later in the letter, and it answers this business of the argument of the big trunk carriers who instead of buying their jet fuel in Pennsylvania will cart it in by airplane. It reads:

"... all jet aircraft operate under FAA Instrument Flight Rules which establish certain point-to-point . . . fuel load requirements. Any jet aircraft departing Philadelphia or Pittsburgh must have the required fuel aboard. Second, no airline is going to decrease its passenger or freight payload on a flight into Philadelphia or Pittsburgh in order to carry extra fuel it would not have to load on departure.

"A gallon of jet fuel weighs about 7 pounds. An extra 200 gallons of jet fuel carried into a Pennsylvania airport would save one-half a cent a gallon or \$1.00 on a total extra weight of 1400 pounds. Assuming 200 pounds allowance per person, each aircraft would be reducing its passenger payload by 7 persons each flight to save a total of \$1.00. Obviously, this unsound practice is not being followed."

Gentlemen, I, too, have the figures, and I have the correct figures because I served as a Member of the Pennsylvania Aeronautics Commission up until the day I assumed office in the Senate, which was December 1, 1960. On the basis of one year's experience, I can give you facts.

I have in my possession a summary which I personally made up from the monthly reports of the Aeronautics Commission. I have taken these figures, in the case of gallons, to the nearest thousand and, in the case of moneys, to the nearest hundred. I find that in 1959 in Pennsylvania, there was consumed approximately 11,732,000 gallons of jet fuel. In 1960 in Pennsylvania, there was consumed 21,751,000 gallons. In other words, we have an increase in 1960 of a consumption, in Pennsylvania, of approximately 10,000,000 gallons of jet fuel.

At the same time, there was a decline in the use of straight aviation gasoline. In 1959, we used roughly thirty-nine and one-half million gallons of straight aviation gasoline, whereas in 1960, we reduced that total to 36,296,000 gallons, which was a reduction.

On the basis of this 10,000,000-gallon increase of jet fuel to 21,000,000 gallons roughly, we have lost during the past year a half a penny a gallon on 21,000,000, or roughly \$108,000 or thereabouts. In one year, there has been that much less money coming to the Aeronautics Commission as a tax on jet fuel.

Senator Weiner very correctly points out that after we reduced the tax on jet fuel, we received more money on the over-all tax. However, unfortunately, he did not tell you how much. I have the figures here. In 1959, we received roughly \$756,300, and this increased tremendously to \$758,600, or roughly a \$2,000 increase.

Gentlemen, I think I know a little bit about this airplane industry, but not as a flier. I will say this. Under the Pennsylvania procedure, we use the gas tax and the jet fuel tax to build our airports. The airport in the city of Pittsburgh, Allegheny County, and the airport in the city and county of Philadelphia both at present are second to none. People who come into these airports remark on what wonderful airports they are. I do not buy Senator Lane's argument that the southern airports are better. Frankly, some of them are, but I would not like to land on them too often.

When you talk about the future of air travel in Pennsylvania, you have to consider where the money to build the new airports is going to come from. Philadelphia is considering another runway. I have seen the State Highway Department plans that show another 5,000 foot extension of its runway to carry this jet traffic. Gentlemen, you do not have that money in the Aeronautics Commission right at the present time.

Under the existing law, we have what we call matching funds. The Aeronautics Commission puts up a dollar, the city of Philadelphia puts up a dollar, and the Federal Government puts up two dollars. When we lost \$100,000 last year in jet fuel tax, we lost \$400,000 of improvements in this Commonwealth.

Last summer, during the fiscal session in the House, I introduced a bill to appropriate to the Aeronautics Commission—I believe it was—\$2,000,000. I know a House Bill has been recently introduced by two aviation-minded House Members for a deficiency appropriation to the Aeronautics Commission of \$3,500,000, so that we can use

the matching funds that are available. The budget calls for something like \$107,000.

Gentlemen, you are going to make a choice today whether the big trunk airlines will pay a fair share of the cost of the new runways at the Philadelphia and Pittsburgh Airports, or whether you are going to put it on the backs of the citizens of Pennsylvania. You have heard me on this floor, crying about the need for our hospitals under the Kerr-Mills Act. You say there is no money. Yet, here you are going to drop money right into the lap of the jet fuel consumer—the big trunk airlines. You are going to take the money from our schools and from our hospitals to subsidize commercial aviation.

Gentlemen, it is your choice. However, if you cut this jet fuel tax in any way, you have to make up that money from another source and you have to improve these smaller airports.

I just thought what false economy it would be to be flying in one of these big Boeing 707's or one of these big four-engine jet airliners, which fly over my home everyday in increasing numbers, and be some place out around Johnstown and have a couple of engines catch on fire and not have a Johnstown Airport to land on. They cannot glide that far.

I think the trunk airlines are taking a very short-sighted view to cut the throat of the Aeronautics Commission and take the money away from them because not only are those secondary airports for the use of our people from Harrisburg, Allentown, Bethlehem and throughout the State, but they are also emergency airfields.

Gentlemen, you have the choice. You can either believe me or you can believe others.

I say this: Just as these Members of the Aeronautics Commission pointed out very clearly in that letter, what commercial airline will cart 1,400 pounds of dead freight from New York or Baltimore to Philadelphia to save one dollar? I say that is asinine.

Members of the Senate, every man in this room is looking to the future. We are looking toward the problems of the future. My good friend, Charley Weiner, takes one approach. For that I do not condemn him. I take the other one, and for that he does not condemn me.

I have in my possession a page from The Philadelphia Inquirer of April 16, 1961, called: "City on the Move." In this, it is pointed out that the volume of business at the Philadelphia International Airport has reached a record of 2,020,000 passengers a year. I read from this article:

"At year's end, a dozen jet flights a day were hurtling into the air compared to a single daily flight early in the year."

The future of commercial aviation is jet, and we have to face it.

I say, gentlemen, the only decision you have here today is whether the commercial airlines will pay a part of the bill or whether they will not.

Mr. LANE. Mr. President, I am going to be very brief because the hour is getting late and our deadline is 6:00 p. m. We still have quite a number of pages on the Calendar.

Mr. President, I cannot understand why we always endeavor to make it difficult for industry to come into Pennsylvania. I listened to the figures given by the dis-

tinguished gentleman from Delaware County. There was not too much of a variation. I would say that these passenger loads in these large airports are bringing some industry to our areas and they are bringing some business into Pennsylvania. I think we should do everything possible to encourage business in Pennsylvania. I think those figures, in my point of view, are more or less ridiculous. I believe we should overlook the small amounts which are involved here when we talk about the overall revenue received by the Aeronautics Commission. Of course, those statements are correct. The gentleman from Delaware has the figures and was formerly a member of the Commission.

However, Mr. President, I believe the time has come when we must subsidize industry. I would vote to subsidize industry in Pennsylvania, because we must encourage industry and we must employ our people. The more industry we have in Pennsylvania, the better off all of us will be.

I think we should vote for this legislation and give the airlines a break.

Mr. WEINER. Mr. President, I do not want to take issue with all the statements made by the gentleman from Delaware. As he stated, we have two different approaches to this problem.

However, the gentleman might bear in mind that in all the States surrounding the Commonwealth of Pennsylvania, there is not a tax, with the exception of the State of New York. That is where they pay the tax and it is wholly refundable to the companies which have paid the tax. Therefore, in a sense, we are discriminating against these companies in the Commonwealth of Pennsylvania. I think this is not helpful to us.

Mr. SILVERT. Mr. President, Senator Bell's remarks sounded very interesting. However, we should gauge them against the realities of the situation. The city of New York and the State of New York are in need of tax money just as much as we are, and yet they see fit to promote their aviation industry and their flights by refunding all of the tax.

Therefore, Mr. President, I cannot understand why we in Pennsylvania should handicap ourselves and refuse to make a reduction in the tax.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—27

Berger,	Hays,	Mullin,	Stalsey,
Camel,	Kalman,	Murray,	Stiefel,
Chapman,	Lane,	Rlpp,	Taylor,
Devlin,	Mahady,	Rooney,	Wade,
DiSilvestro,	McCreesh,	Sesler,	Weiner,
Donolow,	McGinnis,	Seyler,	Yatron,
Haluska,	McMenamin,	Silvert,	

#### NAYS—19

Bell,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Wolfe,
Hawbaker,	Mallery,	Stroup,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has



passed the same with amendments in which the concurrence of the House is requested.

**HB 636**—Read at length the third time and agreed to. And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—27

Berger,	Hays,	Mullin,	Staisey,
Camel,	Kalman,	Murray,	Stiefel,
Chapman,	Lane,	Ripp,	Taylor,
Devlin,	Mahady,	Rooney,	Wade,
DiSilvestro,	McCreesh,	Sesler,	Weiner,
Donolow,	McGinnis,	Seyler,	Yatron,
Haluska,	McMenamin,	Silvert,	

## NAYS—19

Bell,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Wolfe,
Hawbaker,	Mallery,	Stroup,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

**HB 662**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 715 and 716**—Mr. WEINER. Mr. President, I request that House Bills Nos. 715 and 716 go over in their order for the reason that we want to obtain the exact amount that this legislation will cost the Commonwealth if these bills are enacted into law. They are now in the last stage and will then go to the Governor's desk for his signature. I hope to have that answer either tomorrow or Wednesday morning, and then I will report to the Members of this Body.

The PRESIDENT. There being no objection, the bills will go over in their order.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 721**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Seyler,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 734**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 744**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 745**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 746**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 747**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 984**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 992**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1005**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1038**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1045**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—36

Berger,	Kessler,	Mullin,	Stevenson,
Camel,	Kromer,	Murray,	Stiefel,
Chapman,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Haluska,	McCreesh,	Seyler,	Weiner,
Hays,	McGinnis,	Silvert,	Wolfe,
Kalman,	McMenamin,	Stalsey,	Yatron,

## NAYS—9

Bell,	Flack,	Keller,	Stroup,
Confair,	Hawbaker,	Propert,	Wade,
Ehrgood,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1130**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stalsey,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,

Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1135**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1137**—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

**HB 1139**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 1149**—Read at length the third time and agreed to.  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1166**—Read at length the third time and agreed to.  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1167**—Read at length the third time and agreed to.  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,

Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING AMENDED

**HB 1184**—Read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. SILVERT, by unanimous consent, offered the following amendment.

Amend Section 1, page 6, line 17, by inserting after "or frozen" the word "uncooked".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SILVERT.

## BILL OVER IN ORDER

**HB 1290**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

GUESTS OF SENATOR HARRY E. SEYLER  
PRESENTED TO SENATE

Mr. SEYLER. Mr. President, during the last few weeks, quite a number of school children from York County have visited this Senate Chamber. This has been so prevalent that last week seemed almost like York County Week in the Senate.

I am glad to tell the gentlemen of the Senate that not only the school children of York County are interested in the operation of their State Government, but many of the adults in York County, likewise. I would like to call to the attention of the President and the Members of the Senate that we have with us today a large group of citizens from York County who are members of the York County Democratic Club. They are here under the leadership of Mr. Ira Keech, who is the President of that Club.

I would like very much if the Chair would recognize this group and welcome them to the Senate. I would call your attention to the fact, Mr. President, that I know in this group there are some close friends of yours, from York County.

The PRESIDENT. Would the members of the York County Democratic Club please rise?

We are very happy to welcome you to the Senate and we do hope that you will find the proceedings interesting.

I recognize two very old friends of mine whom I particularly would like to have rise and take a bow. I know that the proceedings of the Senate are no mystery to them. I wonder whether Mr. Henry Leader and Mr. Luther Yohe would please rise? We are indeed very happy to have you with us in the Senate today.

Mr. BERGER. Mr. President, we are glad to join in welcoming the members of the York County Democratic Club here in the Senate today. I can only say that I trust



there will be some defections by the time they want to leave us.

The PRESIDENT. Thank you, Senator Berger. I doubt whether that will happen.

## SECOND READING CALENDAR

### BILLS OVER IN ORDER

**HB 31**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 87**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

### BILL ON SECOND READING

**HB 171**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**SB 295**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**HB 331**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**HB 430**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 431**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

**SB 439, 441, 442 and 466**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

### BILL ON SECOND READING AMENDED

**HB 485**—The first, second, third, fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. KALMAN offered the following amendment:

Amend Sec. 6, page 8, line 2, by inserting after "leases": The department may also exercise such power wherever it deems the same necessary to prevent damage to pipe lines and other facilities beneath the surface of the earth.

It was agreed to.

The section was agreed to as amended.

The seventh and eighth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. KALMAN.

### BILLS ON SECOND READING

**HB 489 and 490**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 493**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILLS ON SECOND READING

**HB 493, 495, 497, 498, 500, 501, 502, 508 and 552**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### REMAINING BILLS ON SECOND READING OVER IN ORDER

All remaining bills on today's Second Reading Calendar not considered were passed over in their order at the request of Mr. BERGER.

### BILL ON SECOND READING POSTPONED

**SB 23**—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

### BILL REFERRED

**SB 23**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was rereferred to the Committee on Appropriations.

### RECESS

Mr. WEINER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Rules, to be held in the office of the President pro tempore.

The PRESIDENT. Are there any objections?

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I would like to ask the gentleman whether he does not consider it rather late to have a committee meeting?

Mr. WEINER. Mr. President, the gentleman is absolutely correct. It is a little bit late, but I promise that the meeting will not last any longer than three minutes. I will reduce the time from five minutes to three minutes.

Mr. BERGER. Mr. President, that bodes ill for those who might wish to consider the subject matter at the meeting.

The PRESIDENT. With the extra limitation, the Senate will be in recess for a period of three minutes, while the Rules Committee has a meeting in the office of the President pro tempore.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

### RESOLUTION REPORTED FROM COMMITTEE

Mr. LANE, by unanimous consent, from the Committee on Rules, reported without amendment, Senate Resolution, Serial No. 57, entitled:

Senate Committee to Consider Necessary Legislation as Set Forth in The Report of the Governor's Committee on Education.

The PRESIDENT. The resolution will appear on tomorrow's Calendar.

### POINT OF ORDER

Mr. BERGER. Mr. President, before making that decision, I would rise to a point of order.

The PRESIDENT. The gentlemen will state it.

Mr. BERGER. Mr. President, it is my opinion that this question had once been decided in the negative by a majority vote of those present in the Senate. This being the identical question, it is also my opinion that the only reconsideration which can be given to it must be by reconsideration of the vote by which it was defeated.

The PRESIDENT. Unfortunately, this is not the same resolution. This is a similar resolution. Under that, there is no possible way in which it could be referred to the prior vote.

Mr. BERGER. Under this resolution, the question is precisely the same as that in the preceding resolution which was defeated. The fact that they left out the number of people who are to appear on the committee, does not make it a different question.

Mr. LANE. Mr. President, I differ with the gentleman because the text of the resolution is changed considerably. As a matter of fact, we set forth the fact in the resolution that a similar resolution was passed in the House of Representatives a few days ago. In addition to that, Mr. President, we did not set the number of persons who should serve on this committee.

Therefore, I feel that the resolution is in order.

Mr. BERGER. Mr. President, that is certainly begging the question. There is no doubt that the purpose of the resolution is identical and the question is the same as that which was defeated previously in the Senate and which has not been reconsidered.

Mr. WEINER. Mr. President, I must differ with the gentleman on the basis that there is a different question involved. It is inherently different in that in the first resolution, we asked that there be set up a committee of four members from the Republican side and four from the Democratic side to deal with the problem of education. This committee was to be limited to the Senate.

In this resolution we not only recite, but we set forth in detail that the House has passed House Resolution No. 61 which sets up such a committee to deal with this problem. We ask here that we set up a committee, number one, to convene and meet with the Members of the House and consult with them. Secondly, we ask that any number be set up; no specific number. In the resolution, it is our hope that it be bipartisan in nature.

I, therefore, think this is a different question than that which was originally set before this Body. It might be that the verbiage, in many aspects, is similar in the sense of what we are trying to do. However, I think the question is a different one. First, we were asking to set up a committee. This time, we are asking that there be a committee set up to meet with the House Committee that is being set up under a House Resolution which has just been passed. We could not have very well done that under the earlier resolution because there was no House Committee set up. They had not passed the resolution, nor had they even dealt with the problem at the time when we were dealing with it over here.

Therefore, Mr. President, I would respectfully suggest to the Chair that this is a different problem and a different question than that which was before us previously.

Mr. BERGER. Mr. President, whether the resolution prescribes four or whether it prescribes an equal number, the question on the resolution is exactly the same—the question that has been raised.

What the gentleman has just stated relates to the reasons for resubmitting the same question, and not a different question.

I reiterate my point of order that this has been decided in the negative.

Mr. SEYLER. Mr. President, it seems to me that the

purpose of the rule is to see to it that we do not have the same question submitted twice.

In considering whether this is the same question, we must consider whether the reasons for which Members voted on the prevailing side would prevail in this case. I suggest to the Chair that one significant difference, or one reason that might have influenced Members who voted against this resolution originally, is the fact that it was limited to four Members from each side. In other words, a total of eight Members. This has been removed. It is now an open question, and it is quite conceivable that, therefore, you have an important reason why Members might conceivably vote differently on this question than they would on the previous question.

I suggest this is an important and substantive difference. Therefore, there seems to me to be no doubt that the resubmission of the resolution is in order.

Mr. BERGER. Mr. President, at this juncture it occurs to me that the point of order which I have raised has been submitted to the Chair, and I trust that the Chair will apply the same judicial reasoning to the arguments that have been made here that he has been accustomed to prior to his accession to this office.

The PRESIDENT. Thank you.

Mr. LANE. Mr. President, before you hand down a decision, I want to say that I base my position on the premise that the House of Representatives has passed this resolution. Of course, it was a House Resolution, and on that we must agree. However, we, in turn, as a part of government and a part of the legislative government, should, therefore, do something about that. The verbiage of this resolution is changed to a great degree from the one which was defeated.

I feel that our position is sound, but this resolution actually augments the operation of the House of Representatives. I feel that the Chair should favor us with the decision.

The PRESIDENT. The Chair rules that this is a similar resolution, but not identical. Therefore, the Chair's original ruling stands and the resolution will appear on tomorrow's Calendar.

## BILL ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bill was as follows: **HB 1121**

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

## HOUSE MESSAGES

### RESOLUTION RECALLING FROM THE GOVERNOR **HB 369**

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read, considered and concurred in:

In the House of Representatives, May 5, 1961.

Resolved (if the Senate concur), That House Bill No. 369, Printer's No. 1021, be recalled from the Governor for the purpose of amendment.



Ordered, That the Clerk inform the House of Representatives accordingly.

**RESOLUTION RECALLING FROM THE GOVERNOR  
HB 638**

He also presented extract from the Journal of the House of Representatives which was read, considered and concurred in:

In the House of Representatives, May 4, 1961.

Resolved (if the Senate concur), That House Bill No. 638, Printer's No. 694, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

**PERMISSION TO ADD ADDITIONAL SPONSOR  
TO SB 611, 612 AND 613**

Mr. HAYS. Mr. President, last Wednesday I introduced, on behalf of other Senators, three bills growing out of the Governor's Committee on Education Report. At that time, I pointed out that I had hoped and had believed that Senator Shafer desired to be a sponsor of these bills also. However, Senator Shafer, unfortunately, was not present that day and I could not locate him and the bills were introduced without his name as a cosponsor.

Therefore, I would respectfully request that in the case of these three bills, which now carry the numbers of Senate Bill No. 611, Senate Bill No. 612 and Senate Bill No. 613, with the consent of Senator Shafer, if possible, his name be added as an additional sponsor to the three bills in question.

The PRESIDENT. Has Senator Shafer an objection?

Mr. SHAFER. I so request, Mr. President.

The PRESIDENT. Thank you. The request will be granted.

**PETITIONS AND REMONSTRANCES**

Mr. MAHADY. Mr. President, I have before me a clipping from the Pittsburgh Post-Gazette, dated Sunday, May 7, 1961. Because of the lateness of the hour, I would like to make it a part of the record in connection with my remarks thereon.

The heading of the clipping is: "Arbitration Plan Needs Extra Clerks".

The arbitration plan in Pittsburgh, as defined by the County Court, is going to exist for twenty-four days. The County Commissioners have appropriated \$38,000, and they find they will need an additional six clerks in the Prothonotary's Office. In addition to that, they expect more cases because this body raised the jurisdictional amount from \$2,500 to \$5,000. Therefore, the President Judge, Judge Lencher, says they will need a larger number of cases arbitrated in the future.

On several occasions, I have drawn to the attention of this Body the fact that the arbitration method is not only expensive, but it is derogatory to the respect given to the law by the people, because three lawyers come in, the rules of evidence are not kept and, further, because of the time element involved. These are only small factors compared with the disrespect and the loss of face that the law receives.

In this case, they could hire two judges to hear, with-

out juries, throughout the year for the cost of the arbitrators for twenty-four days.

The County Court Judges receive \$18,000 a year. Thirty-eight thousand dollars has been appropriated and now six clerks are needed. If one judge would sit throughout the year and hear cases without a jury, he would cover all of the cases within the jurisdictional amount of arbitration.

The PRESIDENT. At the request of the gentleman from Westmoreland, Senator Mahady, the news article will be spread upon the record.

**ARBITRATION PLAN NEEDS EXTRA CLERKS  
COURT WILL ASK COMMISSIONERS FOR SIX  
ROBERTS' AIDES**

County Court will ask the County Commissioners to give Prothonotary David B. Roberts six more clerks with which to operate the court's compulsory arbitration program next fall.

This was the principal development at a meeting Friday of county court judges with a committee of the Allegheny County Bar Association.

President Judge Benjamin Lencher informed the lawyers that, as previously announced, the court's 24-day arbitration program will begin October 9. He said that the cost of the program will be about \$30,000, mostly in \$50-a-day payments to lawyers who will form the three-member panels which will hear small claims up to \$2,000.

**NEED AT LEAST SIX**

But the court discovered it will have additional expenses, Judge Lencher explained. He said that Joseph Currie, assistant to Prothonotary Roberts, estimated that he will need at least six clerks to operate the arbitration program.

Lencher said Robert's staff must first prepare cases for arbitration, setting up a schedule so that the lawyer's cases do not conflict with other court work.

Next, he said, the staff must arrange for lawyer-arbiters, getting affidavits that they are not involved in any of the cases. Finally, all parties must be notified.

"It's a big job and the clerks are constantly changing the schedules," the judge said.

**OTHER CASES EXPECTED**

Arbitration has become increasingly important because, with the increase in jurisdiction in county court from \$2,500 to \$5,000 in civil damage suits, the court expects the transfer of a large number of cases from Common Pleas Court.

Bar Association officials had pressed for more than one 24-day arbitration session, but judge Lencher said this was prevented because of the lack of funds, the need for time to prepare the list, and because the clerks are now engaged in preparing crowded June and September dockets for non-jury trials.

**ANNOUNCEMENTS BY THE SECRETARY**

The following announcements were read by the Secretary of the Senate:

**COMMITTEE MEETINGS  
TUESDAY, MAY 9, 1961**

Eastern Daylight Saving Time	COMMITTEE	ROOM
9:00 A.M.	CONSTITUTIONAL CHANGES & FEDERAL RELATIONS	302
9:30 A.M.	CORPORATIONS	Senate Caucus Room
9:30 A.M.	ELECTIONS	301
10:00 A.M.	EDUCATION	301

10:30 A.M.	AGRICULTURE	539
10:45 A.M.	HIGHWAYS	542
11:00 A.M.	LOCAL GOVERNMENT	301
11:30 A.M.	MINES AND MINERAL INDUSTRIES	542
12:00 Noon	BANKING	302
DEMOCRATIC CAUCUS	.....12:30 P.M. D.S.T.	
REPUBLICAN CAUCUS	..... 1:00 P.M. D.S.T.	

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, May 9, 1961, at 12:30 p.m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:35 p.m.



## HOUSE OF REPRESENTATIVES

MONDAY, May 8, 1961

The House met at 3 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Almighty God, in the midst of the beauty of the world about us, we turn to Thee in this evening hour to invoke Thy blessing upon this assembly. We thank Thee for Thy providential care over this Nation and this Commonwealth, and especially for Thy guiding hand in the affairs of the past week-end. But, O God, in all of the events of the space age, may we never forget Thee and the fact that Thou art still over all, and dost continue to exercise that control as well as concern. Keep us safely in the hollow of Thy hand: through Christ, our Lord. Amen.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Wednesday, April 12, Monday, April 17 and Tuesday, April 18, 1961? If not, and without objection, the Journals are approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, May 4, 1961, will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. KAMYK, CLARKE and M. H. GOLDSTEIN.  
HOUSE BILL No. 1519.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing that cities of the second class and school districts of the first class A in second class counties shall not be required to segregate a portion of the amount of certain taxes paid.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. PIPER, CURWOOD, ISAACS  
and RUDISILL. HOUSE BILL No. 1520.

An Act amending the "Dog Law of 1921," approved May 11, 1921 (P. L. 522), requiring prosecutions to be brought before the nearest available magistrate, alderman or justice of the peace.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. PRENDERGAST, SCHAAF, GALLAGHER  
and HAMILTON. HOUSE BILL No. 1521.

An Act amending "Fraternal Benefit Societies Act," approved July 17, 1935 (P. L. 1092), further extending the benefits that may be provided by a fraternal benefit society.

Referred to the Committee on Insurance.

By Messrs. TRUSIO, McCANN, GOODRICH  
and WESCOTT. HOUSE BILL No. 1522.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), removing maximum

limitations upon dues assessed on townships by the State Association of Township Supervisors.

Referred to the Committee on Townships.

By Messrs. JENKINS, DONALDSON and STIMMEL.  
HOUSE BILL No. 1523.

An Act amending the "Fire Safety Building Regulation Law," approved April 27, 1927 (P. L. 465), further regulating the installation of fire alarm systems.

Referred to the Committee on State Government.

By Messrs. MILLS and MAXWELL.  
HOUSE BILL No. 1524.

An Act amending the "Nonprofit Corporation Law," approved May 5, 1933 (P. L. 289), making further provisions relating to nonprofit medical, dental and osteopathic service corporations;\*\*\* so as to authorize the furnishing of chiropody services by doctors of chiropody.

Referred to the Committee on Public Health and Sanitation.

By Messrs. MILLS and MAXWELL.  
HOUSE BILL No. 1525.

An Act reenacting and amending the "Nonprofit Medical, Dental and Osteopathic Service Corporation Act," approved June 27, 1939 (P. L. 1125), including in the plan chiropody services and defining "chiropody services" for the purposes of this act only.

Referred to the Committee on Public Health and Sanitation.

By Messrs. A. M. LEE, Mrs. KOOKER,  
Messrs. HAUDENSHIELD and HOLMAN.  
HOUSE BILL No. 1526.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), extending assistance to include hospitalization for certain aged persons; removing certain limitations on the receipt of assistance by aged persons; providing for a new plan for medical assistance for aged persons.

Referred to the Committee on Welfare.

By Mr. WELSH. HOUSE BILL No. 1527.

An Act regulating the practice of public accountancy by requiring registration of public accountants and the examination and issuance of a certificate of certified public accountant to certain public accountants; \* \* \* and imposing penalties.

Referred to the Committee on Rules.

## RESOLUTION INTRODUCED AND REFERRED

By Mr. YETTER. RESOLUTION No. 67.

In the House of Representatives, May 4, 1961.

The Pennsylvania Constitution, Article IX, sections 1 and 2, provides:

"All taxes shall be uniform, upon the same class of subjects, within the territorial limits of the authority levying the tax, . . . but the General Assembly may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity, and real and personal property owned, occupied, and used by any branch, post, or camp of honorably discharged soldiers, sailors, and marines; . . . [Emphasis supplied]

\* \* \*

"All laws exempting property from taxation, other than the property above enumerated, shall be void."

Acting under the authority of Article IX, sections 1 and 2, the General Assembly, by general laws, has exempted valuable real property from local taxation. The evidence suggests that recent absolute and relative increases in the value of real property exempt from local taxation have placed disproportionate burdens upon the owners of property subject to taxation; therefore be it

Resolved, That the Joint State Government Commission, in order to establish the pertinent facts and to facilitate the evaluation of the problems presented by the exemption of certain properties from local taxation, is hereby directed to ascertain:

1. The value of tax-exempt property by the categories prescribed by the Constitution, the laws in local tax revenue consequent upon the exemptions and the increased tax burdens imposed upon the owners of taxable property by virtue of the exemption;

2. The use or uses made of tax-exempt property with a view of facilitating a legislative determination as to what extent the exemptions are, in fact, confined to actual places of religious worship and institutions of purely public charity;

3. The practices which obtain in other comparable states with respect to the exemption of certain types of real estate used for the purposes specified in Article IX, section 1 of the Pennsylvania Constitution; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations to the General Assembly at the Session of 1963.

Referred to the Committee on Rules.

### RESOLUTION CONGRATULATIONS

Messrs. WILLARD, GUTHRIE, HELM and JIM offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 8, 1961.

Mrs. Emma Jane Nixon, Salina's oldest and most respected citizen, exemplifies for all her friends and neighbors the person who is living "the good life and the full life." Born one hundred years ago on May 5, 1861, she continues to participate in her community's activities. She attends the Salina Reformed Church where she has been a member for seventy-seven years, does most of her own housework, and reads her Bible and the daily newspapers. She enjoys the radio and television, and does her own sewing. Her own explanation of her vitality is simple: "I just kept living." "Aunt Jane," as she is affectionately known by her friends in Bell Township, Westmoreland County, will be honored at a family dinner gathering at which children, grandchildren, and great grandchildren, and great-great grandchildren will be present. This woman, who has "just kept living," has done so in such manner as to be an example for all who know her of what can be done with a life served with humility and enthusiasm; therefore be it

Resolved, That the House of Representatives extend their sincerest congratulations to Aunt Jane Nixon of Salina, upon the celebration of her one hundred birthday.

The SPEAKER. For what purpose does the gentleman from Mercer rise?

Mr. WILLARD. To speak on the resolution which has just been passed in this House.

The SPEAKER. The resolution has been passed.

Mr. WILLARD. I know it has, Mr. Speaker, and I wish to thank the House. Is it permissible?

The SPEAKER. The gentleman is in order.

Mr. WILLARD. Mr. Speaker and ladies and gentleman of the House of Representatives, I wish to thank you on behalf of my Aunt Jane Nixon on this resolution you

have just passed and to offer my own personal thanks. She is a very active woman. I attended a luncheon for her last Saturday at Beatty's Inn on Route 22 in Westmoreland County. I know if she were here today she would wish each one of you to live to be 100, provided you had her physical ability and her mental ability which she has today.

Again, I thank you for passing this resolution.

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. REIDENBACH for today because of illness.

Mr. Dougherty for Mr. POLASKI for today.

Mr. Dougherty for Mr. MURRAY for today because of illness.

Mr. Tompkins for Mr. HORST for the week.

Mr. Tompkins for Mr. STITELER for the week.

Mr. Tompkins for Mr. PRICE for the week because of illness.

Mr. Tompkins for Mr. WHITTAKER for the week.

Mr. Tompkins for Mr. ESHBACK for the week because of illness.

Mr. Tompkins for Mr. WALL for the week because of illness.

Mr. Tompkins for Mr. Fox for the week.

Mr. Tompkins for Mr. M. H. GOLDSTEIN for the week.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 483, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 816, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), further regulating the issuance of artificial propagation licenses for fish, bait fish and fish bait and the fees for such licenses providing for the issuance of such licenses for propagation of frogs, tadpoles and turtles and making special provision for live bait dealers licenses and transportation permits.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 844, entitled:

An Act amending the act of July 10, 1957 (P. L. 685), entitled "An act regulating the use of explosives in certain blasting operations requiring examination and licensing of certain explosives detonators and prescribing the fee thereof and conferring powers and imposing duties on the Department of Labor and Industry" increasing certain fees.



And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1181, entitled:

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground anthracite coal mines and the preparation of a modern code relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1241, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), including services of industrial insurance agents within the definition of employment.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1331, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1394, entitled:

An Act amending the act of May 1, 1933 (P. L. 102), entitled "A supplement to the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 762), entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto \* \* \*'" clarifying the responsibilities of the Insurance Commissioner for inspection and examination of the State Workmen's Insurance Fund, changing the period for such inspection and examination and changing the title.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1397, entitled:

An Act making an appropriation to the Department of Public Instruction for payment into The State School Fund of Pennsylvania for assisting public school districts and

state teachers' colleges to comply with required safety standards in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### BILL PASSED OVER

There being no objection Senate bill No. 103, printer's No. 643, was passed over at the request of the SPEAKER.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, is it permissible at this point, before we vote on the first bill, to submit concurrent recall resolutions that have been agreed to, two of them, as well as reports from the Committee on Rules?

The SPEAKER. It will be quite in order.

#### CONCURRENT RESOLUTION

##### RECALLING HOUSE BILL No. 638 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 4, 1961.

Resolved (if the Senate concur), that House bill No. 638, printer's No. 694, entitled "An act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' providing for annual estimates of expenses," be recalled from the Governor for the purpose of amendment.

Ordered, that the clerk present the same to the Senate for concurrence.

#### CONCURRENT RESOLUTION

##### RECALLING HOUSE BILL No. 369 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 5, 1961.

Resolved (if the Senate concur), that House bill No. 369, printer's No. 1021, entitled, "An act requiring employers to pay for medical examination fee where such examination is a condition of employment" be recalled from the Governor for the purpose of amendment.

Ordered, that the clerk present the same to the Senate for concurrence.

#### REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1451, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; \* \* \*," requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries, \* \* \* paid to officers and employes of the Commonwealth domiciled or performing services within that city \* \* \*.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1477, entitled:

An Act amending "Public School Code of 1949" approved March 10, 1949, (P. L. 30), providing that boards of school directors shall employ the type of fuel which is most economical in the area.

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 307, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the purchasing of used supplies of the first class.

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 433, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" prohibiting the purchase of insurance from or through any person employed by the school district in a teaching or administrative capacity.

Mr. McCANN from the Committee on Rules, reported as committed, House resolution No. 60.

Mr. McCANN from the Committee on Rules, reported as committed, House resolution No. 64.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1451, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; \* \* \*," requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries, \* \* \* paid to officers and employees of the Commonwealth domiciled or performing services within that city \* \* \*.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1477, entitled:

An Act amending "Public School Code of 1949" approved March 10, 1949, (P. L. 30), providing that boards of school directors shall employ the type of fuel which is most economical in the area.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 307, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the purchasing of used supplies of the first class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 433, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" prohibiting the purchase of insurance from or through any person em-

ployed by the school district in a teaching or administrative capacity.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### YORK COUNTY DEMOCRATIC CLUB WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the York County Democratic Club. They are the guests of the gentleman from York, Mr. Gailey.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I request permission to move to third reading to call up the first bill for a roll call. I request permission to turn to page 11, Mr. Speaker, I call up House bill No. 123, printer's No. 123.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 123, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—160

Adams,	Foor,	Kramer,	Polen,
Anderson, J. H.	Frascella,	Lawson,	Pursley,
Anderson, S. A.,	Fulmer,	Lee, A. M.,	Reibman,
Arlen,	Gallagher,	Lee, K. B.,	Renwick,
Ashton,	George,	Leonard,	Riley,
Bachman,	Gibb,	Limper,	Rovansek,
Backenstoe,	Gibbons,	Lippincott,	Royer,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Rubin,
Boles,	Goodrich,	Lutty,	Rudisill,
Bossert,	Gramlich,	Magee,	Rutherford,
Bower,	Gremminger,	Manbeck,	Sakulsky,
Bowman,	Gross,	Markley,	Scarcelli,
Branca,	Guesman,	Marsh,	Seltzer,
Breth,	Guthrie,	Maxwell,	Shelton,
Buchanan,	Hamilton,	May,	Shupnik,
Bush,	Hankins,	McCandless,	Slack,
Capano,	Hartley,	McCann,	Snare,
Capitolo,	Heavey,	McCormack,	Stank,
Cianfrani,	Heffner,	McDevitt,	Steckel,
Cioffi,	Helm,	McDonald,	Strausser,
Clarke,	Henzel,	McInroy,	Sullivan, J. A.,
Comer,	Hocker,	McKeever,	Taylor,
Cooley,	Holliday,	McLaughlin,	Thompson,
Crossin,	Holman,	McNally,	Tomascik,
Curwood,	Isaacs,	Meholchick,	Ujohai,
Davis,	Jim,	Merry,	Varner,
Dengler,	Johnson, A. W.,	Miller,	Verona,
Dennison,	Johnson, R. P.,	Mills,	Weidner,
Donaldson,	Jones,	Monroe,	Welsh,
Dougherty,	Kamyk,	Mullen,	Wescott,
Doughten,	Kelser,	Munley,	Willard,
Down,	Kelly,	Musto,	Willaredt,
Edwards,	Kernaghan,	Needham,	Williams, E. S.,
Elvey,	Kessler,	O'Dell,	Wilt,
Eshleman,	King,	O'Donnell, J. A.,	Wood,
Ewing,	Kistler,	Odorisio,	Worley,
Farabaugh,	Knecht,	Ogilvie,	Yetter,
Fetterolf,	Kooker,	Parlante,	Zember,
Filo,	Kornick,	Petrosky,	Zimmerman,
Flynn,	Korns,	Piper,	Andrews,

Speaker



## NAYS—15

Auker, Ellberg, Fineman, Fry,	Galley, Gelfand, Gray, Klein,	Pashley, Perry, Schaaf, Sherman,	Tompkins, Wargo, Williams, A. D.,
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## NOT VOTING—31

Bonner, Cauley, Eshback, Foerster, Fox, Goldstein, M. H., Haudenshield, Horst,	Irvis, Jenkins, Lamb, Long, Wm. Jas., Mihm, Morley, Murphy, Murray,	O'Donnell, J. P., Polaski, Prendergast, Price, Reidenbach, Schuster, Simmons, Stimmel,	Stiteler, Stone, Sullivan, T. F., Trusio, Wall, Walsh, Whittaker,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 231, entitled:

An Act amending the "Anthracite Strip Mining Law" approved June 27, 1947 (P. L. 1096), authorizing cities boroughs and townships to regulate and supervise the use of explosives for blasting.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—78

Anderson, S. A., Arlene, Bachman Boles, Bonner, Branca, Breth, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Ellberg, Farabaugh,	Filo, Fineman, Flynn, Frascella, Galley, Gallagher, Gelfand, Gray, Gremminger, Guesman, Hankins, Hartley, Heavey, Heffner, Jim, Jones, Kamyk, Mullen, Klein, Kornick, Kramer,	Lawson, Lee, K. B., Leonard, Limper, Long, Wm. Jos., Lutty, Marsh, Maxwell, McCormack, McDevitt, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Mullen, Musto, Parlante,	Pashley, Perry, Petrosky, Polen, Reibman, Renwick, Riley, Rovanseck, Rubin, Scarcelli, Schaaf, Shelton, Sherman, Snare, Stank, Taylor, Verona, Welsh, Andrews, Speaker
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## NAYS—87

Anderson, J. H., Ashton, Auker, Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Dennison, Donaldson, Down, Edwards, Elvey, Eshleman, Ewing,	Fulmer, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gross, Guthrie, Helm, Henzel, Hocker, Holliday, Holman, Isaacs, Johnson, A. W., Johnson, R. P., Keiser, Kernaghan,	Kooker, Korns, Lee, A. M., Lippincott, Magee, Manbeck, Markley, McCandless, McCann, McInroy, Miller, Munley, Needham, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, Piper,	Sakulsky, Seltzer, Shupnik, Slack, Steckel, Thompson, Tompkins, Ujobai, Varner, Wargo, Weidner, Wescott, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley,
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Fetterolf,  
Poor,  
Fry,

Kessler,  
King,  
Kistler,

Pursley,  
Royer,  
Rutherford,

Zember,  
Zimmerman,

## NOT VOTING—41

Adams, Cauley, Eshback, Foerster, Fox, Goldstein, M. H., Hamilton, Haudenshield, Horst, Irvis, Jenkins,	Kelly, Knecht, Lamb, Long, Wm. Jas., May, McDonald, Mihm, Morley, Murphy, Murray,	O'Donnell, J. P., Polaski, Prendergast, Price, Reidenbach, Rudisill, Schuster, Simmons, Stimmel, Stiteler,	Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Tomasick, Trusio, Wall, Walsh, Whittaker, Yetter,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 281, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing second class school districts to make additions and revisions to tax duplicates.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—171

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman,	Flynn, Foor, Frascella, Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick,	Korns, Kramer, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Mullen, Munley, Musto, Needham, O'Dell, Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polen,	Pursley, Reibman, Renwick, Riley, Rovanseck, Royer, Rubin, Rutherford, Sakulsky, Scarcelli, Schaaf, Seltzer, Shelton, Sherman, Shupnik, Slack, Snare, Stank, Steckel, Strausser, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varner, Verona, Wargo, Weidner, Welsh, Wescott, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—2

O'Donnell, J. A., Taylor,

## NOT VOTING—33

Cauley,	Jenkins,	O'Donnell, J. P.,	Stimmel,
Eshback,	Knecht,	Polaski,	Stiteler,
Foerster,	Lamb,	Prendergast,	Stone,
Fox,	Long, Wm. Jas.,	Price,	Sullivan, J. A.,
Goldstein, M. H.,	Mihm,	Reidenbach,	Sullivan, T. F.,
Hamilton,	Morley,	Rudisill,	Wall,
Haudenshield,	Murphy,	Schuster,	Walsh,
Horst,	Murray,	Simmons,	Whittaker,
Irvis,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 408, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), permitting expenditures for fire protection from the general township fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—167

Adams,	Foor,	Kramer,	Pursley,
Anderson, J. H.	Frascella,	Lawson,	Reibman,
Anderson, S. A.,	Fry,	Lee, A. M.,	Renwick,
Arlene,	Fulmer,	Lee, K. B.,	Riley,
Ashton,	Gallagher,	Leonard,	Rovansek,
Auker,	Gelfand,	Limper,	Royer,
Bachman,	George,	Lippincott,	Rubin,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Rutherford,
Blair,	Gibbons,	Lutty,	Sakulsky,
Boles,	Goldstein, J. H.,	Magee,	Scarcelli,
Bonner,	Goodrich,	Manbeck,	Seltzer,
Bossert,	Gramlich,	Markley,	Shelton,
Bower,	Gray,	Marsh,	Sherman,
Bowman,	Gremminger,	Maxwell,	Shupnik,
Branca,	Gross,	May,	Slack,
Breth,	Guesman,	McCandless,	Snare,
Buchanan,	Guthrie,	McCann,	Stank,
Bush,	Hankins,	McCormack,	Steckel,
Capano,	Hartley,	McDevitt,	Strausser,
Capitolo,	Heavey,	McDonald,	Sullivan, J. A.,
Clanfrani,	Heffner,	McInroy,	Taylor,
Cioffi,	Helm,	McKeever,	Thompson,
Clarke,	Henzel,	McLaughlin,	Tomasick,
Comer,	Hocker,	McNally,	Ujobai,
Crossin,	Holliday,	Meholchick,	Varner,
Curwood,	Holman,	Merry,	Verona,
Davis,	Isaacs,	Miller,	Wargo,
Dengler,	Jim,	Mills,	Weidner,
Dennison,	Johnson, A. W.,	Monroe,	Welsh,
Donaldson,	Johnson, R. P.,	Mullen,	Wescott,
Dougherty,	Jones,	Munley,	Willard,
Down,	Kamyk,	Musto,	Willaredt,
Edwards,	Keiser,	Needham,	Williams, A. D.,
Elberg,	Kelly,	O'Dell,	Williams, E. S.,
Elvey,	Kernaghan,	Odorliso,	Wilt,
Eshleman,	Kessler,	Ogilvie,	Wood,
Ewing,	King,	Parlante,	Worley,
Farabaugh,	Kistler,	Pashley,	Yetter,
Fetterolf,	Klein,	Perry,	Zember,
Filo,	Knecht,	Petrosky,	Zimmerman,
Fineman,	Kooker,	Piper,	Andrews,
Flynn,	Korns,	Polen,	Speaker

## NAYS—8

Cooley,	Galley,	O'Donnell, J. A.,	Tompkins,
Doughten,	Kornick,	Schaaf,	Trusio,

## NOT VOTING—31

Cauley,	Irvis,	O'Donnell, J. P.,	Stimmel,
Eshback,	Jenkins,	Polaski,	Stiteler,
Foerster,	Lamb,	Prendergast,	Stone,
Fox,	Long, Wm. Jas.,	Price,	Sullivan, T. F.,
Goldstein, M. H.,	Mihm,	Reidenbach,	Wall,
Hamilton,	Morley,	Rudisill,	Walsh,
Haudenshield,	Murphy,	Schuster,	Whittaker,
Horst,	Murray,	Simmons,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 415, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242), providing for payment by the Commonwealth of damages occasioned by a change of width lines or grades of streets designated as State highways in cities of the second class A and third class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—161

Anderson, J. H.,	Frascella,	Korns,	Piper,
Anderson, S. A.,	Fry,	Kramer,	Polen,
Arlene,	Fulmer,	Lawson,	Pursley,
Ashton,	Galley,	Lee, A. M.,	Reibman,
Auker,	Gallagher,	Lee, K. B.,	Riley,
Bachman,	Gelfand,	Leonard,	Rovansek,
Backenstoe,	George,	Lippincott,	Royer,
Blair,	Gibb,	Long, Wm. Jos.,	Rubin,
Boles,	Gibbons,	Lutty,	Rutherford,
Bonner,	Goldstein, J. H.,	Magee,	Sakulsky,
Bossert,	Gramlich,	Manbeck,	Scarcelli,
Bower,	Gray,	Marsh,	Schaaf,
Bowman,	Gremminger,	Maxwell,	Seltzer,
Branca,	Gross,	May,	Shelton,
Breth,	Guesman,	McCandless,	Sherman,
Buchanan,	Guthrie,	McCann,	Shupnik,
Bush,	Hankins,	McCormack,	Slack,
Capano,	Hartley,	McDevitt,	Snare,
Capitolo,	Heavey,	McDonald,	Stank,
Cioffi,	Heffner,	McInroy,	Steckel,
Clarke,	Helm,	McKeever,	Strausser,
Comer,	Henzel,	McLaughlin,	Sullivan, J. A.,
Cooley,	Hocker,	McNally,	Taylor,
Crossin,	Holliday,	Meholchick,	Thompson,
Curwood,	Holman,	Merry,	Tompkins,
Davis,	Isaacs,	Miller,	Trusio,
Dengler,	Jim,	Mills,	Ujobai,
Dennison,	Johnson, A. W.,	Monroe,	Verona,
Donaldson,	Johnson, R. P.,	Mullen,	Wargo,
Dougherty,	Jones,	Munley,	Weidner,
Down,	Kamyk,	Musto,	Welsh,
Edwards,	Keiser,	Needham,	Wescott,
Elberg,	Kelly,	O'Dell,	Willard,
Elvey,	Kernaghan,	O'Donnell, J. A.,	Willaredt,
Eshleman,	Kessler,	Odorliso,	Williams, A. D.,
Ewing,	King,	Ogilvie,	Williams, E. S.,
Farabaugh,	Kistler,	Parlante,	Wood,
Fetterolf,	Flo,	Pashley,	Yetter,
Filo,	Fineman,	Perry,	Zember,
Fineman,	Flynn,	Kornick,	Zimmerman,
Flynn,	Foor,		

## NAYS—5

Clanfrani,	Goodrich,	Renwick,	Worley,
Elberg,			

## NOT VOTING—40

Adams,	Irvis,	Murray,	Stiteler,
Cauley,	Jenkins,	O'Donnell, J. P.,	Stone,



Dennison, <b>Eshback,</b> Foerster, Fox, Goldstein, M. H., Hamilton, Haudenshield, Horst,	Knecht, Lamb, Limper, Long, Wm. Jas., Markley, Mihm, Morley, Murphy,	Polaski, Prendergast, Price, Reldenbach, Rudisill, Schuster, Simmons, Stimmel,	Sullivan, T. F., Tomascik, Varner, Wall, Walsh, Whittaker, Wilt, Andrews, Speaker
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. For what purpose does the gentleman from Berks, Mr. Adams, rise?

Mr. ADAMS. Mr. Speaker, to see whether my vote was recorded. If it is not recorded, I wish to be recorded as voting "aye."

The SPEAKER. The gentleman is not recorded and his remarks will be spread on the record.

The Chair might say if he had not been so busy looking at his calendar to see which bills were over and which bills were not over, he would have voted "aye" on the last bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 926, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for the transportation of explosives and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—79

Anderson, S. A., Arlene, Auker, Bachman, Boles, Branca, Breth, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Filo, Fineman,	Frascella, Galley, Gallagher, Gelfand, Gray, Gremminger, Guesman, Hankins, Hartley, Heavey, Jones, Kamyk, Kelly, Klein, Kornick, Kramer, Lawson, Leonard, Limper, Lutty,	Manbeck, Maxwell, May, McCann, McCormack, McDevitt, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Mullen, Munley, Musto, Needham, Parlante, Pashley, Perry, Petrosky,	Polen, Reibman, Riley, Rubin, Sakulsky, Scarcelli, Schaaf, Shelton, Sherman, Shupnik, Sullivan, J. A., Taylor, Tomascik, Trusio, Verona, Wargo, Welsh, Yetter, Andrews, Speaker
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#### NAYS—95

Adams, Anderson, J. H., Ashton, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler,	Fry, Fulmer, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gross, Guthrie, Heffner, Helm, Henzel,	Kistler, Knecht, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Long, Wm. Jos., Magee, Markley, Marsh, McCandless, McDonald,	Royer, Rutherford, Seltzer, Slack, Snare, Stank, Steckel, Strausser, Thompson, Tompkins, Ujobai, Varnier, Weldner,
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Dennison, Donaldson, Down, Edwards, Ellberg, Elvey, Eshleman, Ewing, Fetterolf, Flynn, Foor,	Hocker, Holliday, Holman, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Kelsner, Kernaghan, Kessler, King,	McInroy, Merry, Miller, O'Dell, O'Donnell, J. A., Odoriso, Ogilvie, Piper, Pursley, Renwick, Rovansek,	Wescott, Willard, Willardt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Zember, Zimmerman,
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#### NOT VOTING—32

Gauley, <b>Eshback,</b> Farabaugh, Foerster, Fox, Goldstein, M. H., Hamilton, Haudenshield,	Horst, Irvis, Jenkins, Lamb, Long, Wm. Jas., Mihm, Morley, Murphy,	Murray, O'Donnell, J. P., Polaski, Prendergast, Price, Reldenbach, Rudisill, Schuster,	Simmons, Stimmel, Stiteler, Stone, Sullivan, T. F., Wall, Walsh, Whittaker,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 932, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for voting for mergers where some of the districts are already merged.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—160

Adams, Anderson, J. H., Anderson, S. A., Arlene, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Ewing, Fetterolf, Filo,	Fineman, Flynn, Foor, Frascella, Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hankins, Hartley, Heavey, Heffner, Helm, Holliday, Holman, Jim, Johnson, R. P., Jones, Kamyk, Kelsner, Kelly, Kessler, King, Klein, Knecht, Kornick, Korns, Kramer,	Lawson, Lee, A. M., Lee, K. B., Leonard, Long, Wm. Jos., Lutty, Magee, Manbeck, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Mullen, Munley, Musto, Needham, O'Dell, O'Donnell, J. A., Odoriso, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polen, Pursley,	Reibman, Renwick, Riley, Rovansek, Royer, Rubin, Rutherford, Sakulsky, Scarcelli, Schaaf, Seltzer, Shelton, Sherman, Shupnik, Slack, Snare, Stank, Strausser, Sullivan, J. A., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varnier, Verona, Wargo, Weldner, Welsh, Wescott, Willard, Willardt, Williams, E. S., Wilt, Wood, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—12

Ashton, Farabaugh, Hocker,	Isaacs, Kernaghan, Kistler,	Kooker, Lippincott, Markley,	Steckel, Williams, A. D., Worley,
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## NOT VOTING—34

Oauley, Eshback, Foerster, Fox, Goldstein, M. H., Hamilton, Haudenschild, Henzel, Horst,	Irvis, Jenkins, Johnson, A. W., Lamb, Limper, Long, Wm. Jas., Mihm, Morley, Murphy,	Murray, O'Donnell, J. P., Polaski, Prendergast, Price, Reidenbach, Rudisill, Schuster,	Simmons, Stimmel, Stiteler, Stone, Sullivan, T. F., Wall, Walsh, Whittaker,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 959, entitled:

An Act amending the act of July 9, 1901 (P. L. 614), entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" providing for service of writs issued for violations of municipal ordinances by any magistrate in cities of the first class by registered or certified mail.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—166

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Auker, Bachman Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Swing,	Flynn, Frascella, Fry, Fulmer, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hankins, Hartley, Heavey, Hefner, Helm, Henzel, Hocker, Holliday, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelsner, Kelly, Kernaghan, Kessler, Kistler, Klein, Knecht,	Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Musto, Needham, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, Parlante, Pashley, Perry,	Pursley, Reibman, Renwick, Riley, Rovasek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Seltzer, Shelton, Sherman, Shupnik, Slack, Snare, Stank, Steckel, Strausser, Sullivan, J. A., Taylor, Thompson, Tomascik, Tompkins, Trusio, Varner, Verona, Wargo, Weidner, Welsh, Wescott, Willard, Willaredt, Williams, E. S., Wilt, Wood, Worley,
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Farabaugh, Fetterolf, Filo, Fineman,	Kooker, Kornick, Korns, Kramer,	Petrosky, Piper, Polen,	Yetter, Zember, Andrews, Speaker
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## NAYS—9

Bowman, Foor, Holman,	Isaacs, King,	McCandless, Schaaf,	Williams, A. D., Zimmerman,
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## NOT VOTING—31

Cauley, Eshback, Foerster, Fox, Goldstein, M. H., Hamilton, Haudenschild, Horst,	Irvis, Jenkins, Lamb, Long, Wm. Jas., McNally, Mihm, Murphy, Murray,	O'Donnell, J. P., Polaski, Prendergast, Price, Reidenbach, Schuster, Simmons, Stimmel,	Stiteler, Stone, Sullivan, T. F., Ujobai, Wall, Walsh, Whittaker,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 808, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for the fiscal period June 1, 1961 to June 30, 1962 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending May 31, 1961.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. GOODRICH. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. A. W. JOHNSON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. GOODRICH, WOOD, Mrs. HENZEL and Mr. DOWN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Section 2, page 31, line 2, by inserting after "open" the following: "and for payments to school districts on account of the equalization guarantee provided in the following paragraph."

Amend Section 2, page 31, by inserting between lines 2 and 3 the following: "The Superintendent of Public Instruction shall calculate reimbursement payments for each school district on account of instruction and on all other accounts which under the provisions of the Public School Code of 1949 require the use of market valuations on the basis of the market valuations certified to the Superintendent of Public Instruction by the State Tax Equalization Board in the year 1960; Provided, however, That if the sum total payments so calculated is less than the sum total paid to a school district on all accounts requiring the use of market valuations for the school year 1959-1960, the total amount paid for the school year 1959-1960 shall constitute the amount due and payable to such school district for the school year 1960-1961, unless the number of teaching units upon which reimbursement for instruction and tuition is based is lower in 1960-1961 than in



1959-1960, in which case the amount due and payable for 1960-1961 shall be reduced by an amount equal to the difference in the number of teaching units multiplied by the reimbursement for the school year 1959-1960 on account of instruction plus tuition divided by the number of teaching units for 1959-1960."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Potter, Mr. Goodrich.

Mr. GOODRICH. Mr. Speaker, the purpose of the amendments are to freeze payments to school districts on the basis of the 1957 market value, and not to freeze the market values as such. The payments are frozen, but the money received by the school districts of 1957 would be frozen to this degree, but districts, because of the 1959 certification that were receiving less than they were as the result of the 1957 or 1958 certification, would receive the same amount of money if the certification resulted in a loss to those districts. But the districts gain under these amendments; the school districts would still gain the reimbursement.

Mr. Speaker, I would point out to the members of the House that the cost of this bill amounts to \$7 million. We are asking that the amendments be approved by all the members of the House. It is purely a temporary measure; it only applies for one year and if, in the meantime, as a result of action on bills coming from the Governor's Committee on Education, if this problem is solved, there would be no further need for this bill.

Therefore I ask that all members vote for the amendment.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

#### CONSTITUTIONAL POINT OF ORDER

Mr. POLEN. Mr. Speaker, I have read the amendments offered by the gentleman from Potter, Mr. Goodrich. and I raise the constitutional question in connection with these amendments in that they violate Article 3, section 15 of the Constitution of Pennsylvania, which reads: "The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the Commonwealth. Interest on the public debt, the public schools and all other appropriations shall be made by separate bills, each embracing but one subject."

Now, Mr. Speaker, this question has been determined by the Supreme Court and also an opinion by the Attorney General. In the opinion of the Attorney General issued on October 3, 1957, the Attorney General said, "If the legislature wants to impose special requirements upon the Department of Military Affairs and the Pennsylvania Aeronautics Commission in the handling of these funds, it must do so by a bill apart from the general appropriation bill." Mr. Speaker, the amendments here today are legislation. We are attempting to legislate. It would be a very proper thing to do by a separate bill, which was done in 1959.

I shall also read from the Supreme Court decision in *Commonwealth v Gregg*, in which the Supreme Court said, "The general appropriations bill shall embrace nothing

but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the Commonwealth." The history and purpose of that section are well known. It was aimed at the objectionable practice of putting a measure of doubtful strength on its own merits into the general appropriations bill in legislative phrase, tacking on as a rider, in order to compel members to vote for it or bring the wheels of government to a stop.

It is very plain that the amendments offered today—

The SPEAKER. The gentleman from Washington, Mr. Polen, raises the constitutional point of order that the amendments offered by Mr. Goodrich to House bill 808, printer's No. 1776, are unconstitutional, violating Article 3, section 15.

The Speaker, under Rule 4, is required to submit to the House the question as to the constitutionality of amendments for its decision, which the Chair now does, and recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, it is very plain from the interpretation by the court and from the ruling of the Attorney General that an amendment such as this tacked on as a rider is unconstitutional. I ask that the House decide that this amendment is unconstitutional.

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, if what we are attempting to do today is unconstitutional, I would say that we have never passed a constitutional general appropriations bill.

#### POINT OF ORDER

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. McCormack, rise?

Mr. McCORMACK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. McCORMACK. Mr. Speaker, if the question before the House is whether or not this amendment is constitutional, then, in the first instance, it is the duty of the Speaker, is it not, under rule 4 to give a decision and then that is not debatable. But, the ruling of the Chair, which is subject to approval by the House is debatable.

The SPEAKER. If the gentleman from Philadelphia is unfamiliar with the meaning and intent of the rule, the rule can be read. When the point of the constitutionality of a bill is raised, the Chair must refer the question to the House for its decision.

Mr. McCORMACK. No ruling by the Chair?

The SPEAKER. That is right. No ruling by the Chair.

Though it is not a rule of the House, the Chair, if privileged to do so, would rule on the question which he cannot do under the rules.

The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, to conclude my opening statement, Mr. Speaker, if the position of the gentleman from Washington is correct, we have never in my time passed a constitutional general appropriations bill. I am having the amendments put before me. For instance, on page 68 of House bill 808, just at random, section 11 is not an appropriation; it is substantive law. It says, "No part of the appropriations made by this act shall be used to pay for hospitals or institutional care or

training at rates in excess of those charged to the general public for the same care and services," and so forth. It provides what the Auditor General shall do on the basis of certified fiscal reports. Then, if you will turn to page 30 of the general appropriation bill, before providing \$272 million for schools by substantive law, you might say, it provides something that the Superintendent of Public Instruction cannot do now; it says that the "Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open."

I say if you would read this appropriations bill from its four corners, all its pages, you will find it is replete with references to things other than appropriations. If what the gentleman from Washington says is true and we take a literal interpretation of the constitutional amendment, there is not much extraneous material that should be stricken out of this bill. Now we are not changing a program feature, which I believe the appellate courts and the Attorney General have referred to. We are merely saying that the school districts under this appropriation shall now receive less money than they did at a particular period of time. We are not changing a program feature at all. All we are doing is, we are spelling out the handling of the appropriations. What we are trying to do is to amend this appropriation bill. We are not saying how an appropriation shall be spent; we are not digressing out of the realm of the appropriation bill. We are saying how this money is to be handled. We are not freezing capitalization. All we are doing is, we are saying how the money is to be handled. So I say that what we are doing here is within the Constitution of Pennsylvania, and, if we are not, you had better send this bill back to committee and let a lot of stuff out of it because the bill is certainly unconstitutional.

Mr. POLEN. Mr. Speaker, there is no doubt in my mind that there have been sections placed in the general appropriation bill in the past which would probably be unconstitutional, but the bill itself was not unconstitutional. There is a difference between the limitation in which way the payment could be made, such as in section 11 which the gentleman refers to, there is a difference between that and legislating. We have on our statute books the ways the values are to be determined, and from the Tax Equalization Board the way they are to be certified and the way the Department of Public Instruction is to make the payments. But in this amendment we are attempting to change that, and it is purely legislation, and I would call to the gentleman's attention that when this was discussed in 1959 it was agreed that the amendment which had been put in was not constitutional and should be taken out and handled by separate legislation.

As far as section 11 is concerned, it did not appear in the general appropriation bill when it came from the budget office. It was put in there at the request of the Auditor General of Pennsylvania, Mr. Charles C. Smith. Since there is a question about it, I will be glad to take it out.

Mr. BOIES. Mr. Speaker, I find myself in very strange company this afternoon, when I am advocating passage

of Republican amendments to a Democratic administration bill. But it must only emphasize, Mr. Speaker, the desperate necessity that I believe calls for the passage of these amendments.

Now I do not know whether they are constitutional or unconstitutional, but I am only asking the members to vote to support the constitutionality of these amendments and let that question be settled later by the court, if necessary, because it seems to me, Mr. Speaker, that this is the only possible chance of amending this bill and controlling an arbitrary and arrogant and capricious board. There has been no other way to control them, Mr. Speaker. Appeals have meant nothing. They have been presented—but I suppose I am getting off the subject. I would like to speak later if the constitutionality is upheld. I would like to speak later on the amendments, Mr. Speaker. All I do is ask all those on both sides of the aisle to support the constitutionality of this measure.

The SPEAKER. The question before the House is the point of order raised by the gentleman from Washington, Mr. Polen, that the amendments to House bill 808, submitted by the gentleman from Potter, Mr. Goodrich, are unconstitutional. Those voting "aye" will vote to sustain the point of order, thereby declaring the amendments unconstitutional. Those voting "no" will vote that the point of order is not well taken and thereby declare that the amendments are constitutional.

Mr. A. W. JOHNSON. I ask our members to vote "no," Mr. Speaker.

Mr. McCANN. Mr. Speaker, I ask the membership to sustain Mr. Polen and vote "aye."

The yeas and nays were required by Messrs. GOODRICH and A. W. JOHNSON and were as follows:

## YEAS—68

Anderson, S. A.,	Galley,	Limper,	Parlante,
Arlene,	Gallagher,	Long, Wm. Jos.,	Pashley,
Auker,	Gelfand,	Lutty,	Perry,
Bachman,	Gray,	Maxwell,	Petrosky,
Branca,	Gremminger,	McCann,	Polen,
Breth,	Guesman,	McCormack,	Riley,
Capitolo,	Hamilton,	McDevitt,	Rubin,
Cianfrani,	Hartley,	McLaughlin,	Rudisill,
Clarke,	Heavey,	Meholchick,	Sakulsky,
Comer,	Irviss,	Mills,	Scarcelli,
Crossin,	Jones,	Monroe,	Schaaf,
Curwood,	Kamyk,	Morley,	Shelton,
Dougherty,	Kelly,	Mullen,	Sherman,
Doughten,	Klein,	Munley,	Stank,
Ellberg,	Kramer,	Musto,	Sullivan, J. A.,
Fineman,	Lawson,	Needham,	Taylor,
Frascella,	Leonard,	O'Donnell, J. A.,	Welsh,

## NAYS—107

Adams,	Flynn,	Knecht,	Royer,
Anderson, J. H.,	Foor,	Kooker,	Rutherford,
Ashton,	Fry,	Kornick,	Seltzer,
Backenstoe,	Fulmer,	Korns,	Shupnik,
Blair,	George,	Lee, A. M.,	Slack,
Boles,	Gibb,	Lee, K. B.,	Snare,
Bonner,	Gibbons,	Lippincott,	Steckel,
Bossert,	Goldstein, J. H.,	Magee,	Strausser,
Bower,	Goodrich,	Manbeck,	Thompson,
Bowman,	Gramlich,	Markley,	Tompkins,
Buchanan,	Gross,	Marsh,	Ujobal,
Bush,	Guthrie,	May,	Varnier,
Capano,	Heffner,	McCandless,	Verona,
Cioffi,	Helm,	McDonald,	Weldner,
Cooley,	Henzel,	McInroy,	Wescott,
Davis,	Hocker,	McKeever,	Willard,
Dengler,	Holliday,	McNally,	Willaredt,
Dennison,	Holman,	Merry,	Williams, A. D.,
Donaldson,	Isaacs,	Miller,	Williams, E. S.,
Down,	Jim,	O'Dell,	Wilt,



Edwards, Elvey, Eshleman, Ewins, Farabaugh, Fetterolf, Filo,	Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler, King, Kistler,	Odorisio, Ogilvie, Piper, Pursley, Reibman, Renwick, Rovansek,	Wood, Worley, Yetter, Zember, Zimmerman, Andrews, <b>Speaker</b>
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## NOT VOTING—31

Cauley, Eshback, Foerster, Fox, Goldstein, M. H., Hankins, Haudenshield, Horst,	Jenkins, Lamb, Long, Wm. Jas., Mihm, Murphy, Murray, O'Donnell, J. P., Polaski,	Prendergast, Price, Reidenbach, Schuster, Simmons, Stimmel, Stiteler, Stone,	Sullivan, T. F., Tomascik, Trusio, Wall, Walsh, Wargo, Whittaker,
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So the question was determined in the negative and the constitutional point of order was not sustained, and the amendments are declared constitutional.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. There are two other amendments, two additional amendments, to be offered.

The SPEAKER. The question before the House is, will the House agree to the amendments that have been submitted.

Mr. McCANN. That is what I want to clear. Mr. Speaker, I am going to suggest to our membership that they adopt the amendments offered by the gentleman from Potter and then, before the bill goes to final passage, that the amendments by Mr. Polen be inserted in the bill and prepared for final passage and vote of the House, tomorrow.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, may I interrogate the sponsor of the amendments, please?

The SPEAKER. Will the gentleman from Potter permit himself to be interrogated?

Mr. GOODRICH. I shall, Mr. Speaker.

Mr. GELFAND. Mr. Speaker, am I correct in my conclusion that this amendment would reestablish an appropriation to local school districts, which as a consequence of the Tax Equalization Board's findings, of about a year or so ago, have lost some appropriations?

Mr. GOODRICH. The amendment would require a payment to school districts not less than they received, based on the 1957 market value, yes.

Mr. GELFAND. Actually, in effect, what this would do is to add approximately \$8 million to the current appropriation bill; is that not correct?

Mr. GOODRICH. It is approximately \$7 million, Mr. Speaker.

Mr. GELFAND. I thank the gentleman.

Mr. Speaker, I rise in opposition to these amendments.

It occurs to me, Mr. Speaker, that the time has come for us to reflect some legislative responsibility. Now what we are starting to do here at this time is play the old game of rub my back and I'll rub your back. We are making an appropriation that sparks of pork-barrel legislation for local school districts in opposition and in contradiction of the laws and statutes of this Commonwealth.

It is known to all of us that the Tax Equalization Board two years ago made a finding based upon the local market

value and assessments of real estate, which made some changes insofar as appropriations to local school districts were concerned.

In order to alleviate a problem that had occurred a couple years ago, this House and the Commonwealth made an appropriation for local school districts because they had committed themselves to budgets which they would not have been able to meet, and it was incumbent upon us at that time to appropriate money to those various school districts to alleviate their problems. But when I voted for that legislation last session, it was in the firm belief that I was helping local communities that were in need. But I thought that the law of this Commonwealth would be observed in the future and that the Tax Equalization Board had reached a conclusion, and I say that that conclusion was attacked a couple years ago and not found to be erroneous, that it would be considered and given the due respect which it was owed, and that the laws of this Commonwealth would be obeyed and adhered to.

Now I see that despite that, despite the fact that we know what we do, that the Tax Equalization Board's findings are meant to be conclusive and determine the appropriations to school districts, we want to again circumvent it, so all of us know that what we do here, by doing such things, is flying right in the face of statutes which have been well recognized in this Commonwealth.

I say the time has come for us to be responsible legislators and to know what we are doing and not just play the game of pork-barrel politics. I am aware that there are problems in local communities, that local school districts may have their problems, but I am also aware that this legislature is supposed to consider this problem in full and do something about it. And I do not think that handling it piecemeal in this fashion and everybody running to the trough of the Commonwealth's finances, the Commonwealth's revenues, to help their little communities does the total Commonwealth any good.

And I beseech you, I beg of you, that before you cast a vote for this type of amendment that you should consider the total Commonwealth and consider that this is a total problem and not a small problem, and not merely be in favor of your own local community, not merely consider only the needs of your own local small area, but consider what it will do for the entire Commonwealth.

I know that what I say here at this time may not be the most popular thing, but when you attach something like this to an appropriation bill, attach something which was not meant to be in the first place, what we do is completely ignore whatever real responsibility we have for this total Commonwealth. What we do when we attach something like this is make some of us completely unable to consider the legislation on its merits. We have a general appropriation bill which is to provide for the various departments of this Commonwealth, as well you all know, but what we are doing now, instead of considering it on the basis of those merits, is merely adding something which we think is going to make political capital for us in our home community.

Now I say the time really has come for us to be real legislators, to recognize what our real responsibility is. If we do not like the statute we have on the books of Pennsylvania, which sets up a Tax Equalization Board

and sets up its functioning, then let us amend that statute and remove the Tax Equalization Board and the formulas by which it works.

But let us not ignore the fact that we have one that has done its duty, that has reached the findings that we as responsible people are to adhere to. We make a sham of ourselves to our own constituents when we pass laws and indicate to our own constituents that the laws are not meant to be considered, and that the laws are not meant to be obeyed. I think we are all worthy of more than that. I think we all owe ourselves as citizens, let alone legislators, the attitude of being responsible to our own community. I think rather than destroying legislation that it meant to serve a worthwhile purpose, we should utilize our thinking heads and our abilities to find ways to do things properly.

And for that reason, and for that reason alone, I oppose this amendment and I request that everybody in the House vote it down.

The SPEAKER. The Chair recognizes, first because he asked for recognition first, the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Mr. Speaker, since I am merely supplementing the remarks made by the previous speaker, Mr. Gelfand. I shall be as brief as the nature of the matter will permit. I do think it is improper and wrong, regardless of our leadership on the minority or the majority side or any other party, to go ahead and prejudiciously support amendments which they believe and know to be illegal and improper. It has also been ascertained and found upon investigation by our Commonwealth that our members of the Tax Equalization Board are members in good standing, of excellent character and reputation, which has been stated on the floor of the House. And I consider it absolutely improper reasoning on the part of one of our previous speakers to have stated that a matter may be arbitrary or capricious, because he was dissatisfied by the certain decision made by the Tax Equalization Board. I, therefore, because of these amendments being illegal and improper, ask the support of the House in voting against these amendments.

Mr. McCORMACK. Mr. Speaker, I would like to get down to more mundane things and interrogate the chairman of the appropriations committee, Mr. Polen.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. McCORMACK. Unfortunately I did not read the amendments by the gentleman from Potter, Mr. Goodrich, but I did hear him say, under interrogation, that as a result of these amendments, there would be an additional \$7 million added to the General Appropriation bill, is that correct?

Mr. POLEN. Mr. Speaker, I could not give the correct amount because I only received the amendments at the time they were offered. The previous amendments that Mr. Goodrich gave me, which I thought were the ones to be adopted, would cost about \$14 million, which is not in the budget. Mr. Goodrich tells me these amendments as now written will only cost \$7 million.

Mr. McCORMACK. Well, where would that money come from?

Mr. POLEN. It would have to be raised by taxation.

Mr. McCORMACK. And yet the majority side is agreeing to these amendments?

Mr. POLEN. I believe they voted that way.

Mr. McCORMACK. Well, we have not voted on them. We are discussing them now.

Mr. POLEN. I think that the amendments previously passed, if I am not mistaken.

The SPEAKER. No, we withdrew the decision. We have only gone so far as the House has declared its opinion that the amendments are constitutional. Now the amendments are still before the House, the House has not as yet agreed to the amendments.

Mr. McCORMACK. Are you in a position to state whether or not the majority party is in favor of raising \$7 million in additional taxation to support this amendment?

Mr. POLEN. Mr. Speaker, I am not in the position to say whether or not they are. I think you could ascertain that from the majority leader.

Mr. McCORMACK. Well, then would you yield to the gentleman from Greene, Mr. McCann?

Mr. POLEN. I will, Mr. Speaker.

The SPEAKER. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. McCORMACK. I am concerned about this \$7 million that we are going to have to raise by taxation and I asked the gentleman from Washington, Mr. Polen, whether or not the majority agrees to support these amendments, knowing that we are going to have to raise \$7 million.

Mr. McCANN. Mr. Speaker, as the gentleman knows, I voted on the constitutional question on the side supporting Mr. Polen. I believe the gentleman is well aware of the vote of this House. I am practical enough to know when I am beaten very soundly, and the vote indicated so.

Mr. McCORMACK. Well, I do not care whether he is right or not, I want to find out.

Mr. McCANN. Mr. Speaker, what I am trying to say to the gentleman, every member of this House has a vote, there are "x" number of members on this side supporting that position and between them and the others who voted is by far a majority.

Mr. McCORMACK. Well, that was just on the constitutionality of it, but now we are getting around to the dollars-and-cents' aspect of it and I am wondering whether or not there is some agreement here about which I do not know.

Mr. McCANN. Mr. Speaker, there is no agreement, but we are well enough informed to know how many members on this side, as indicated in the caucuses, are supporting those amendments and indicated that they will vote that way.

Mr. McCORMACK. Well, will the majority party then support tax legislation to raise this \$7 million?

Mr. McCANN. I would be most pleased if they would support it. I am well aware that it will take all of us.

Mr. McCORMACK. But taxation is going to be necessary to pay for this; is that correct?

Mr. McCANN. Mr. Speaker, I, of course, cannot answer that problem of the amount that it does take under these amendments. As the House has voted, it would add an additional, as was indicated, about \$8 million to the DPI



appropriation to do this very item, if this would be the situation in using that figure. As Mr. Polen indicated, Mr. Speaker, these amendments are somewhat different than the amendments that were offered last week, and I do not know the exact answer. The ones that were offered last week were carefully checked and computed; these are different. How much will they cost? I will take the gentleman's word, who indicated, I believe, \$7 or \$8 million.

Mr. McCORMACK. Well then, in other words, at the present time you do not know exactly what they are going to cost other than what the gentleman from Potter, Mr. Goodrich, has stated, is that correct?

Mr. McCANN. That is correct, sir.

Mr. McCORMACK. Well may I suggest that we lay this on the table to find out, unless there is a particular hurry with adopting these amendments, until such time as we can get the correct and accurate figures.

Mr. McCANN. I will say to the gentleman from Philadelphia—

The SPEAKER. For what purpose does the gentleman from Erie, Mr. Schaaf, rise?

Mr. SCHAAF. Mr. Speaker, I would like to clear the air on this, if the gentleman from Philadelphia would yield one moment.

Mr. McCORMACK. I would be glad to.

Mr. SCHAAF. I would ask the Chair if I am in order to turn inquire of Mr. Polen?

The SPEAKER. If the gentleman from Philadelphia will yield.

Mr. McCORMACK. Yes, Mr. Speaker.

Mr. SCHAAF. Mr. Speaker, I would like to ask the Chair whether or not I would be in order to inquire of the gentleman from Washington, Mr. Polen, as to the nature of the second set of proposed amendments. Do they have a relationship to the amendments under consideration?

The SPEAKER. If there are no objections, the inquiry will be in order.

Mr. POLEN. I would ask the gentleman to repeat the question, Mr. Speaker.

Mr. SCHAAF. Mr. Speaker, I would ask the gentleman whether or not the second set of amendments about which the majority leader spoke here a few minutes ago have any pertinence to the question now under discussion?

Mr. POLEN. Mr. Speaker, the second set of amendments to which I referred are the amendments which are now before the House. The set which was previously given to me was not introduced. As I explained, just at the time of the introduction they were given to me. As to the cost, I would say this—

Mr. SCHAAF. Mr. Speaker, I do not ask the cost. I want to be clear on this. The majority leader mentioned that he was agreeing to these amendments on the basis of the Appropriation Committee chairman having possession of a second set of amendments. Now, I want to know if there are other amendments going to be offered?

Mr. POLEN. Mr. Speaker, I did not get the question originally. Now I do. The amendments that I am going to offer, one of them is correctional, adding one word, the other will strike out section 11 in the general appropriation bill, which was the section referred to by Mr. Johnson as being, "If one was unconstitutional, the other was." So my amendments have nothing to do with the question now before the House.

Mr. SCHAAF. Then it is fair to say, Mr. Speaker, that the gentleman's amendments have nothing to do with reference to the problem of taxation posed by these present amendments under consideration?

Mr. POLEN. That is correct.

Mr. SCHAAF. I thank the gentleman and I thank the gentleman from Philadelphia.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, these amendments that were just offered, then, do they, in effect, juggle the figures so that we now go back to the 1957 findings of the Tax Equalization Board? Do they do that?

Mr. POLEN. Yes. I started to answer that.

Mr. Speaker, the amendments which are now before the House are different from the amendments which I had secured the costs on. What I want to say about these amendments, they are different, and, in hurriedly reviewing them, I would agree that the amount that is given by the gentleman from Potter, Mr. Goodrich, is substantially correct. It could be a little more; it could be a little less; but I think the \$7 million figure could be used. If he would figure \$7 million to \$7.5 million, he would be very well in line.

Mr. McCORMACK. What does the wording in that amendment do to change the present function of the Tax Equalization Board, if anything?

Mr. POLEN. Mr. Speaker, there is nothing in this amendment that changes the function of the Tax Equalization Board. Under normal conditions we would use the 1960 certification based upon the 1959 values. That is the law now.

Mr. McCORMACK. Right.

Mr. POLEN. But what this would say is that if the sum total of payments so calculated is less than the sum total paid to a school district on all accounts requiring the use of market valuations for school year 1959-60, the amount paid for the school year 1959-60 shall constitute the amount due and payable to such school districts for the school year 1960-61, unless the number of teaching units upon which reimbursement is based is lower in 1960 and 1961 than in 1959-61 shall be reduced by an amount equal to the difference in the number of teaching units multiplied by the reimbursement for the school year 1959-60 on account of instruction plus tuition divided by the number of teaching units for 1959-60.

What this does is really use amounts, instead of as in the previous amendments, which I had discussed and studied, where valuations are used alone.

Mr. McCORMACK. How will that affect the city of Philadelphia, Mr. Speaker?

Mr. POLEN. Mr. Speaker, hurriedly, I would say I believe it would not affect the city of Philadelphia in any way.

Mr. McCORMACK. They will not be taking any money away from the city of Philadelphia?

Mr. POLEN. Have you lost any teaching units?

Mr. McCORMACK. I do not have a telephone, I do not know, but the last I heard we did not.

Mr. POLEN. If your teaching units are substantially the same, I do not believe these proposed amendments would have any effect upon the city of Philadelphia's school district.



Mr. McCORMACK. All right, then, Mr. Speaker, I will go back now, if I may, and ask the gentleman from Greene, Mr. McCann, to answer my last question, which he was about to answer.

Mr. McCANN. Mr. Speaker, the gentleman asked me what was the hurry in not laying the amendments on the table.

This House will be in session two days this week, today and tomorrow. This is May 8. This House will be in recess the week of the primary. The next day we return will be May 22, a Monday. The end of the fiscal year occurs on May 31. I have the situation in which the general appropriation bill, which is what we are talking about in its amended form, at one point or another must be placed on the Governor's desk for the first day of June to operate all departments of the government, legislative, judicial and executive. Should the decision be made in the Senate that they would not want to go along, or want to change it, there is only a certain number of legislative days in which a stopgap appropriation would be a mandatory decision of the House and the Senate for it to be placed on the Governor's desk before the first day of June.

If it is agreed one way or another, and the amendment placed in the bill is determined unconstitutional, that decision will come from the Attorney General to the Governor when signing the bill, and the executive, judicial and legislative branches of the government would continue to operate. Therefore, the number of legislative days involved, considering that during the last week of the month Memorial Day is on a Tuesday and it takes five consecutive legislative days for any action, places it in a very binding situation as of Monday, May 22.

Mr. McCORMACK. Now, let me ask you this: Does the Governor have the right to line veto this amendment to the appropriation bill?

Mr. McCANN. I beg your pardon, Mr. Speaker.

Mr. McCORMACK. Does the Governor have the right to line veto this section of the appropriation bill that we are amending?

Mr. McCANN. That, Mr. Speaker, was clearly defined in the Attorney General's opinion and the Supreme Court decision in accordance with which it has been done, and he does have that right.

Mr. McCORMACK. Very well, that is all, thank you.

Mr. SCHAAF. Mr. Speaker, I do not suppose that what I am going to say is going to make a particle of difference in view of the position of the majority leader, but I want it clearly understood that I think these types of amendments are bad amendments, and I would like just a moment to express myself why.

I suspect that up home, if it gets up there, that I am going to be accused of being against the poor farmers and against the poor suburbanites. I represent a city district. To my knowledge and recollection concerning the Tax Equalization Board, it was designed for the distinct and specific purpose of equalizing assessments. I reside, Mr. Speaker, in a county where I have reasonable grounds for believing that, despite the reassessment program, assessments have not been equalized as they should be.

This is the machinery, the Tax Equalization Board is the machinery, which is necessary to complete this job. It is obviously a dynamic thing. It is going to change from year to year. There are going to be changes in market value reflected by the economy of various parts of the

State, but yet these amendments would have us take the valuations, not on market values that exist today, but on what it was in yesteryear. To that extent, Mr. Speaker, I think it is an insult to the legislation currently on our books; I think it is an insult to the members of the Tax Equalization Board. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Boies.

Mr. BOIES. Mr. Speaker, since it has been settled and since the Philadelphia members are taken care of and they are not going to be harmed in any way, I would like to ask the support of these amendments. The reasons therefore, Mr. Speaker, I think could be explained best by my own home community in spite of the assertions that we are selfish and we are not doing our job, and so on and so forth. After all, we are here to represent our constituents and not the city of Philadelphia. The city of Clairton is a third class city, Mr. Speaker, which in the last census has lost some 1,500 residents to the outlying territory and which is a depressed area. Out of 6,000 workers we have 4,000 unemployed. In one business district in a three-block area we have 15 vacant business houses. We have torn down some 20 blocks of business places and slum area in an effort to bring in some other industry in a one-industry town. And yet, in view of all this, our valuation in the city of Clairton in one year was increased \$24 million by the Tax Equalization Board. The assessed valuation was only \$1 million increase. That was the county assessment. The city assessment was only \$283,000. As you all know, the school board has to accept the city assessment. In this case the \$24 million would mean the city of Clairton would have to raise annually \$115,000 extra over and above all taxes now.

We requested a board hearing. We had the board hearing and we got no satisfaction. The case was taken to the Dauphin County Court, Mr. Speaker, and on April 24, 1961, the judge remanded this matter to the Tax Equalization Board of the Commonwealth for further consideration in order that the adjudicatory proceedings may be in accordance with the law, as outlined in his opinion. The judge said the Commonwealth did not present any testimony in either the hearing before the board or on the appeal before us. We received the testimony which was offered by the appellant, the Commonwealth elected not to present any testimony in either the hearing before the board or on the appeal before us. We received the testimony which was offered by the appellant, the Commonwealth elected not to present any testimony but moved for a compulsory non-suit. The testimony before the board was not taken stenographically, as required by the act of June 4, 1945, and the record does not indicate whether the witnesses were sworn or opportunity given for reasonable examination and cross examination of the parties and witnesses. The record of the proceedings before the board is not complete and the adjudication contains no findings of fact based on the testimony nor any conclusions of law. This compels us to remand the matter to the board for further consideration in order that the adjudicatory proceedings may be in accordance with the law as outlined in this opinion.

Mr. Speaker, that is the basis for my accusation that it is an arbitrary, a capricious board. They not only refused to offer evidence in their own hearings, but even before the court. In view of the fact that some 52 percent



of the school districts in the Commonwealth have had their valuations raised without any reason, rhyme or evidence, I feel that I am perfectly justified in making those accusations against the board and I feel that we in these communities will have just as much trouble raising that money by taxation as the State will have. If it is going to cost the State \$7 million to really give us a just decision in this matter, they can raise \$7 million a lot easier than the city of Clairton can raise \$115,000. There is no use in kidding ourselves, we all know if we are going to carry out any part of the Governor's education program, we are going to have to vote for new taxation. We all know that, or we should know that, and we should be prepared to do it if we want to carry out the Governor's program. In doing so, we can do it much more equitably than under this present system where various districts are raised arbitrarily and without any reason or rhyme, or, at least, any explanation or evidence.

I, therefore, ask all members on both sides of the House to support these amendments.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Mullen.

Mr. MULLEN. Mr. Speaker, I oppose the amendments not because there is not any benefit in the amendments for Philadelphia, but because of the crusade we started last week for economy in government here in the House of Representatives.

I do not care whether it is of benefit to Philadelphia or not. All we from Philadelphia would like to get is our fair share of the appropriations. We want nothing more.

We from Philadelphia are primarily interested in economy in government. We do not want any more tax increases to burden our people.

Now, the Republican Party has always been preaching about economy in government, but they do nothing about it. I am here today to take that position. Let us do something about it. It may be a losing cause again, but I think we ought to give it very serious consideration. This amendment will add \$7 million on to deficit financing. We had \$17 million last Thursday, so there is a \$24 million deficit to start with next year.

What are we going to do about this thing? Are we going to draw the line and be sensible about the thing? Are we going to sit down and draw up a tax program to pay for it? I do not think it is fair to any administration to vote continued increases in appropriations and not provide the funds for them.

Now, either the Republican Party is going to practice what it preaches and go out and fight for economy in government, or we from the Philadelphia delegation who have started an economy block in the House will do it for them, and for ourselves and our party, too.

I ask you to vote against the amendments.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Dengler.

Mr. DENGLER. Mr. Speaker, I rise to support these amendments for several reasons.

First of all, the findings of the Tax Equalization Board are predicated on the number of sales in a community. Some of the communities in our Commonwealth have a large turnover of real estate and they can get a fair price, but many communities do not have a turnover of any great degree. I happen to live in a community where we have a rather static population, and I have figures here

which show that in the past biennium, our market values have been increased by approximately \$18 million.

Now our assessments are also rising. Every time a property is sold they raise the assessment on that property. They do not lower it. The ratio of the market values in my particular area are now about 18 to 1, but the assessment ratio between market value and assessments is about 27 percent.

Now, if the Tax Equalization Board figures would reflect the true picture, let us say \$18 million rise, then the assessed valuation should be 27 percent of the \$18 million, or around \$4.5 million, but as of now it is about \$1.5 million. And I think, I do not want to criticize too severely the Tax Equalization Board, but I do believe, as the gentleman from Allegheny, that they are somewhat capricious and arbitrary, because I do not think they take sufficient samplings to find a true picture, a true market value. After all, a statistical concept to have any validity or merit at all, must have a sufficient number of cases and samplings in order to be balanced, and I think there are perfectly good grounds to support these amendments. Thank you.

The SPEAKER. Does the gentleman from Washington, Mr. Flynn, desire to be recognized?

Mr. FLYNN. Mr. Speaker, I would like to have permission to interrogate the gentleman from Allegheny, Mr. Boies.

The SPEAKER. Will the gentleman from Allegheny, Dr. Boies, permit himself to be interrogated?

Mr. BOIES. I shall, Mr. Speaker.

Mr. FLYNN. Mr. Speaker, is it not a fact that the State Tax Equalization Board was created by an act of the Legislature?

Mr. BOIES. That is a fact, as far as I know.

Mr. FLYNN. And is it not a fact, Mr. Speaker, that the State Tax Equalization Board is mandated by law that the provisions of the State tax equalization law must be complied with?

Mr. BOIES. I suppose that they are, Mr. Speaker, but that does not say they are doing it.

Mr. FLYNN. May I ask this, Mr. Speaker, what is the basis for the market value on the real market value as determined by the State Tax Equalization Board, and, in particular, so far as the city of Clairton is concerned? What is the basis and how do you arrive at a market value, may I ask?

Mr. BOIES. Mr. Speaker, I do not know. As far as I can determine, the representatives from the city of Clairton that went to the hearing do not know either, because they would not give them any evidence or answers to the questions. Therefore, I say they are arbitrary.

Mr. FLYNN. Mr. Speaker, my interpretation of the State Tax Equalization Board, so far as arriving at a market value of property in any given municipality in the Commonwealth, is by means of the representatives of the board going to the various counties or to their recorders of deeds, and their transactions in sales of real estate to determine what they consider a fair market value of the property. And I think the thing applies throughout Allegheny County, as it would to Washington County or any other county.

Now, may I ask the gentleman this: What is the ratio of his assessed valuation in his particular city in relation-

ship to the market valuation as determined by the State Tax Equalization Board?

Mr. BOIES. The figure that I have, Mr. Speaker, for the 1957 assessed city valuation as to percentage of market value, is that what you want to know?

Mr. FLYNN. Yes.

Mr. BOIES. It is 48.6 and, in 1958, after they raised it \$24 million in valuation, it was 39.1. Is that what you want to know?

Mr. FLYNN. That is it, Mr. Speaker. I thank the gentleman.

Mr. Speaker, ladies and gentlemen of the House, first of all, I would like to take exception to some of the remarks made by the gentleman from Allegheny County in reference to the members of the board.

We, as a legislative body, are responsible for that board because we are the same legislators who created that board. I would say from experience, that knowing the gentlemen on that board, I cannot agree that they are arbitrary members. One of the members, the chairman of the board, happens to be from Washington County, and I have a lot of respect for him. I think he is a man of honor and integrity. Another member of that board, ladies and gentlemen, happens to be a former member of this House and I have a lot of respect for that gentleman.

The SPEAKER. The Chair is very liberal, but the Chair would note that the remarks of the gentleman now are not exactly relevant to the amendments. The Chair does not want to be arbitrary, but if we get to debating the integrity of various branches of our government we will not get very far.

Mr. FLYNN. Mr. Speaker, let me say this in conclusion, in reference to the amendments.

So far as the board itself is concerned, I think they are merely carrying out the mandates of the law as we created it and we so mandated and instructed them to do.

And I might say this, too, ladies and gentlemen, if we are not in agreement with the provisions and the laws as adopted by this legislature entitled to be carried out by the State Tax Equalization Board, I would like to suggest that perhaps it would be wise if we abolished the Tax Equalization Board altogether.

The SPEAKER. Does the gentleman from Bedford, Mr. Foer, desire to be recognized?

Mr. FOER. I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Bedford.

Mr. FOER. Mr. Speaker, I would like to briefly tell you the situation in Bedford County. We are faced with somewhat the same situation as the gentleman from Allegheny, Mr. Boies. I believe that recently we have been declared a depressed area, but in spite of that our market value has gained, according to the Tax Equalization Board, \$19.062 million, and we stand to lose, unless this amendment is passed, \$135,000 in Bedford County.

Mr. GELFAND. Mr. Speaker, I am fully aware that some districts in Pennsylvania will lose money by virtue of the findings of the Tax Equalization Board. We went through a very lengthy debate on that particular problem last session. Also, as a consequence of the findings of the Tax Equalization Board, the other Chamber raked it over the coals and made all sorts of accusations, but upon examination found that all the Tax Equalization Board did was comply with the law.

What I am saying here today is, if we have laws on the books, if the Tax Equalization Board did comply with the law, it is incumbent upon us to abide by the same also.

If we disagree with the board's findings, we should set up a new way legislatively for it to act. If we feel that cannot be done, then we should rip out the board completely, but to have a board which we have created and then completely ignore the fact that it is doing its statutory duty is a shame on the laws of this Commonwealth.

I would like to ask the majority leader or Mr. Polen a few brief questions.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, My Speaker.

Mr. GELFAND. Mr. Speaker, the appropriation bill on which we are now voting, is there a relationship between that and the revenue estimates made by the administration in its budget message?

Mr. POLEN. Mr. Speaker, there is a relationship. The general appropriation bill, House bill 808, is based upon the recommendations in the budget, tailored as they were in the House with certain adjustments to meet the anticipated revenues shown by the Governor in his budget message.

Mr. GELFAND. Mr. Speaker, in order to meet the cost of this appropriation bill, would all the recommended taxes that the administration laid out before us in the earlier part of the session have to be passed?

Mr. POLEN. Mr. Speaker, all the taxes recommended would have to be passed in addition to the possibly \$7 million to \$7.5 million.

Mr. GELFAND. Does the gentleman know whether or not all those taxes have been passed?

Mr. POLEN. All the taxes recommended by the Governor have been passed by the House; House bill 95 is still in the Senate and has not been passed.

Mr. GELFAND. As a matter of fact, the taxes which are presently on the books, if they met the revenue estimate, would there be enough to meet the appropriation made in this legislation?

Mr. POLEN. The taxes already passed and on the books would be enough to meet the amount contained in House bill 808. However, in the other bills which we call non-preferred, which have not been referred to the Appropriations Committee, if House bill 95 is not passed, there would be a deficiency of \$8 million.

Mr. GELFAND. That deficiency would be in addition to any deficiency which would be required by the amendment we are now making, is that not so?

Mr. POLEN. That is correct.

Mr. GELFAND. Does the gentleman know whether or not the revenues which are presently coming into this Commonwealth are meeting the estimates as made by the administration?

Mr. POLEN. The estimates in this biennium which we are still in are not meeting the amounts estimated by the administration.

Mr. GELFAND. Does the gentleman know how far behind in the estimates we are?

Mr. POLEN. I do not know at this time because of the date on which the corporate net income tax fell due. That normally would fall in April. In this particular year it is falling in May, so until the end of May we will not



be in position to know exactly, but I believe we could get a trend in the latter part of this month.

Mr. GELFAND. Has the gentleman received any recent reports as to revenues of this Commonwealth?

Mr. POLEN. I received a report as of April 1. I received the memorandum as of May 1.

Mr. GELFAND. Can the gentleman advise how far revenues were behind estimates at that time?

Mr. POLEN. They were considerably behind, Mr. Speaker, but as I stated, we cannot actually compare them because the corporate net income tax is falling principally in May rather than in April.

Mr. GELFAND. Will the gentleman kindly advise me of the figure?

Mr. POLEN. What was the question, Mr. Speaker?

Mr. GELFAND. Will the gentleman kindly advise me of the figure he is aware of as to how much we were behind in revenue collections as compared to revenue estimates?

Mr. POLEN. Mr. Speaker, I would have to go to my office and get my data on that. I do not have it here, but I would say again that we cannot really say—

Mr. GELFAND. Mr. Speaker, I did not ask what the gentleman would say; I am asking him for the information.

Mr. POLEN. I do not have the information with me here, Mr. Speaker.

Mr. GELFAND. Mr. Speaker, has the gentleman been reading economic reports of Pennsylvania?

Mr. POLEN. I have read some reports, Mr. Speaker.

Mr. GELFAND. Is corporate income in Pennsylvania as high as would be expected in a prosperous community so as to equal the revenue estimates?

Mr. POLEN. I do not believe, Mr. Speaker, they are.

Mr. GELFAND. Then there is every possibility that the returns of the corporate net income tax will fall behind the estimates?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. GELFAND. I thank the gentleman.

Mr. Speaker, the point of that interrogation was this: That we passed some tax measures upon which this appropriation bill was conditioned, and, in order to meet the appropriations in this bill, the tax measures we passed would have had to bring in the estimates as made by the administration in the early part of this year. However, much to our chagrin and dismay, revenue estimates are millions behind what we had anticipated, and because of that it is highly questionable, without any further additions to this appropriation measure, whether or not we will have adequate funds to meet the demands of this appropriation measure.

Yet, despite that, despite the fact that we know this, we blindly go ahead and consider legislation which would lay upon the backs of the taxpayers of this Commonwealth an additional \$8 million, approximately, and we do this knowing that we are flying right into the face of legislation which is already on the books.

However, I will say this, we show a great disregard for what we should do in the hall of this House. We do not amply consider what we do and, in order to be able to go back to our home communities and say what we have done, we have protected you, we have completely

overshadowed what our whole responsibility is to the Commonwealth and the laws which have been placed upon the statute books of this State.

I am requesting everyone to vote against this amendment, because, if we vote otherwise, we do display that whatever we do here on other days when we pass laws means nothing and they are completely ignored. I think we owe it to ourselves, let alone to our Commonwealth, to show more responsibility.

The SPEAKER. Does the gentleman from Clarion, Mr. Varner, still desire to be recognized?

Mr. VARNER. I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Clarion.

Mr. VARNER. I might suggest, Mr. Speaker, that we could take this up better tomorrow as the first order of business. There might be another 20 or 30 people who might like to talk on this subject, but I think that would probably be vetoed.

I would like to say this: In my county dozens of persons are having a hard time paying their property taxes for school purposes and, unless we get this help, some people, particularly old people who are on fixed incomes are actually going to lose their properties.

For that reason I would ask that you support this amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. GOOD-RICH and A. W. JOHNSON and were as follows:

## YEAS—120

Adams,	Fulmer,	Lee, A. M.,	Rutherford,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Sakulsky,
Ashton,	George,	Lippincott,	Schuster,
Auker,	Gibbons,	Long, Wm. Jos.,	Seltzer,
Bachman,	Goldstein, J. H.,	Magee,	Shupnik,
Backenstoe,	Goodrich,	Manbeck,	Slack,
Blair,	Gramlich,	Markley,	Snare,
Boles,	Gross,	Marsh,	Stank,
Bonner,	Guthrie,	Maxwell,	Steckel,
Bossert,	Hamilton,	May,	Stimmef,
Bower,	Heffner,	McCandless,	Strausser,
Bowman,	Helm,	McDonald,	Tomasick,
Buchanan,	Henzel,	McInroy,	Tompkins,
Bush,	Hocker,	McNally,	Trusio,
Capano,	Holliday,	Meholchick,	Ujobai,
Cioffi,	Holman,	Merry,	Varner,
Cooley,	Isaacs,	Miller,	Verona,
Crossin,	Jim,	Mills,	Wargo,
Curwood,	Johnson, A. W.,	Munley,	Weldner,
Davis,	Johnson, R. P.,	Musto,	Wescott,
Dengler,	Kelser,	Needham,	Willard,
Dennison,	Kernaghan,	O'Dell,	Willaredt,
Down,	Kistler,	Odorisio,	Williams, A. D.,
Edwards,	Kessler,	Ogdlive,	Williams, E. S.,
Elvey,	King,	Piper,	Wood,
Eshleman,	Klein,	Pursley,	Worley,
Farabaugh,	Knecht,	Reibman,	Yetter,
Fetterolf,	Kooker,	Renwick,	Zember,
Filo,	Kornick,	Rovansek,	Zimmerman,
Foor,	Korns,	Rudisill,	Andrews,

Speaker

## NAYS—61

Anderson, S. A.,	Fry,	Kramer,	Pashley,
Arlene,	Galley,	Lawson,	Perry,
Branca,	Gelfand,	Leonard,	Petrosky,
Breth,	Gibb,	Limper,	Polen,
Capitolo,	Gray,	Lutty,	Riley,
Cianfrani,	Gremminger,	McCann,	Rubin,
Clarke,	Guesman,	McCormack,	Scarcelli,
Comer,	Hankins,	McDevitt,	Schaaf,
Donaldson,	Hartley,	McKeever,	Shelton,
Dougherty,	Haudenshield,	McLaughlin,	Sherman,
Doughten,	Heavey,	Monroe,	Sullivan, J. A.,

Eilberg,  
Ewing,  
Fineman,  
Flynn,  
Frascella,

Irvis,  
Jones,  
Kamyk,  
Kelly,

Morley,  
Mullen,  
O'Donnell, J. A.,  
Parlante,

Taylor,  
Thompson,  
Welsh,  
Wilt,

## NOT VOTING—25

Cauley,  
Eshback,  
Foerster,  
Fox,  
Goldstein, M. H.,  
Horst,  
Jenkins,

Lamb,  
Long, Wm. Jas.,  
Mihm,  
Murphy,  
Murray,  
O'Donnell, J. P.,

Polaski,  
Prendergast,  
Price,  
Reidenbach,  
Royer,  
Simmons,

Stiteler,  
Stone,  
Sullivan, T. F.,  
Wall,  
Walsh,  
Whittaker,

So the question was determined in the affirmative and the amendments were agreed to.

## Mr. HELM IN THE CHAIR

On the question,

Will the House agree to the bill on third reading as amended?

Mr. POLEN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 11, page 68, lines 10 to 17 by striking out all of said lines.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins. For what purpose does the gentleman rise?

Mr. TOMPKINS. I would like to interrogate the gentleman from Washington, Mr. Polen, about these proposed amendments.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. TOMPKINS. Mr. Speaker, as I understand these amendments, they strike out that section of the bill which provides that in the case of contracting out for hospital care the rates charged will not be in excess of the prevailing rates for the contracts that are issued?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. I thank the gentleman, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I rise to oppose these amendments for this reason. It developed that there were tremendous abuses taking place in connection with the contracting out of hospital care. As a matter of fact, my recollection is, when this matter was checked when these first went in—I do not remember whether it was in 1957 or 1959 originally—at the request of the then Auditor General, he found that in contracting out hospital care in many cases they were paying as high as 300 percent in excess of the prevailing rates then in existence in the areas where the contracts were being let. In order to overcome those abuses, this section was put in the appropriation bill at that time. Now, if we remove this section, I would like to know if there is going to be separate legislation to protect us in the expenditure of these funds in order to avoid those abuses?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, yes. I think the proper way is to introduce separate legislation as a legislative barrier. Mr. TOMPKINS. Will that be done?

Mr. POLEN. Yes. I will prepare such a bill, Mr. Speaker.

Mr. TOMPKINS. If the bill is put in and passed to eliminate the abuses which were uncovered that prompted this amendment to the appropriation bill last session, then I will agree, perhaps, to these amendments.

I would also like to ask the gentleman this, although the amendments have already been approved, whether or not the gentleman will also agree to put in legislation to provide for the same thing and support legislation to provide for the same thing on the amendments that have just been approved?

Mr. POLEN. Yes, Mr. Speaker, I intend to introduce what is being taken out, I will introduce it in the regular manner in a regular legislative bill.

Mr. TOMPKINS. I thank the gentleman, I have no further opposition to the amendment if they will take steps to correct those abuses.

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. POLEN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 41, line 3, by inserting after "Philadelphia" Warrendale.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, chairman, Room 131-A, Tuesday, May 9, at 10:30 a.m.

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Tuesday, May 9, at 10 a.m.

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Parlante, chairman, Room 131-A, Monday, May 8, after the session.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Tuesday, May 9, at 10 a.m.

ELECTIONS, Mr. Eilberg, chairman, Room 323, Tuesday, May 9, at 10:30 a.m.

FISHERIES, Mr. Jim, chairman, Room 323, Tuesday, May 9, at 9:30 a.m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Tuesday, May 9, at 10 a.m.

LAW and ORDER, Mr. Welsh, chairman, Room 522, Tuesday, May 9, at 9:45 a.m.



MILITARY AFFAIRS, Mr. Needham, chairman, Room 324, Tuesday, May 9, at 10 a.m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521, Tuesday, May 9, at 10:30 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Tuesday, May 9, at 10:30 a. m.

ALL TIMES ARE DAYLIGHT SAVING TIMES

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LIMPER asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I will ask for the bills that are to be amended and the bills that are agreed to be recommitted. There will be no further roll calls today in this House. I request permission to start on page 4.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 48, entitled:

An Act amending the act of April 27, 1927 (P. L. 414), entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and fugitives from justice and habitual criminals \* \* \* making it unlawful to take the fingerprints or photographs of persons in custody who are charged with a violation of "The Vehicle Code" with certain exceptions.

On the question,

Shall the bill pass finally?

### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FINEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, first line of Title, by striking out "a violation" and inserting: "certain violations."

Amend Title, page 2, last line of Title, by striking out all of said line.

Amend Sec. 1 (Sec. 3), page 3, lines 1 to 6, by striking out all of lines 1 to 5, and "of this Commonwealth or" in line 6, and inserting: "which is punishable upon conviction in a summary proceeding unless"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 257, entitled:

An Act prohibiting and making unlawful the employment of professional strikebreakers in place of employees involved in a labor dispute prohibiting and making unlawful recruitment and furnishing of employees to replace employees involved in a labor dispute by a person or agency not directly involved in the labor dispute and the employment of persons so recruited or furnished and repealing certain existing law.

On the question,

Shall the bill pass finally?

### RECONSIDERATION OF VOTE

Mr. Mc CANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GALLAGHER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GALLAGHER asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, line 4 by striking out "an".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 398, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the revocation of operating privilege for operating a motor vehicle while under suspension.

On the question,

Shall the bill pass finally?

### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by inserting after "suspension" or revocation.

Amend Sec. 1 (Sec. 616), page 3, line 2, by inserting after "suspended": or revoked.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1191, entitled:

An Act relating to the conservation of water resources and the protection and regulation of surface and sub-surface waters under certain circumstances prescribing the duties of the Water and Power Resources Board and providing penalties.

On the question,

Shall the bill pass finally?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

#### BILLS ON FINAL PASSAGE POSTPONED

##### TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 203, printer's No. 1339, on page 8, House bill No. 728, printer's No. 1690, House bill No. 1075, printer's No. 1192 and House bill No. 1107, printer's No. 1273, on page 9 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1185, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), further providing for the keeping of records and papers at the county seat.

On the question recurring,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 405), page 2, line 10 by striking out "a person is permitted to remove" and inserting any of

Amend Sec. 1 (Sec. 405), page 2, line 10 by inserting after "papers" are transferred from one place of safe-

keeping to another place for safekeeping, in such buildings as may be erected or appropriated for such purpose at the county seat.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 911, entitled:

A Supplement to the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry \*\*\* exempting certain persons from the provisions of this act and providing penalties" concerning minimum wages providing for a minimum wage for employes in the Commonwealth \*\*\* defining the powers and duties of the Department of Labor and Industry.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 5, page 7, line 3, by inserting after "FIVE" cents.

Amend Sec. 6, page 11, line 8, by inserting after "ten" (10).

Amend Sec. 17, page 24, line 6, by removing the underscoring beneath "(A)."

Amend Sec. 17, page 24, lines 17 to 20; page 25, lines 1 to 3, by removing the underscoring beneath said lines.

Amend Sec. 17, page 25, line 2, by striking out "this" and inserting This.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1297, entitled:

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An act appropriating the moneys in The State Stores Fund" providing for additional kinds of insurance.



On the question,  
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.  
The motion was agreed to.

Agreeably to order,  
The House proceeded to the third reading and consid-eration of House bill No. 1368, entitled:

An Act regulating the manufacture processing sale use transportation storage or possessing of explosives in Penn-sylvania \*\*\*.

On the question,  
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SAKULSKY. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules.  
The motion was agreed to.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills not acted upon be passed over.  
The SPEAKER pro tempore. The Chair hears no ob-jection.

REPORT FROM COMMITTEE

Mr. FILO from the Committee on Motor Vehicles, re-ported as amended, House bill No. 966, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), changing registration fees for motor buses and motor omnibuses operated by mass transporta-tion systems.

RECONSIDERATION OF VOTE ON HOUSE  
BILL NO. 216

Mr. DOUGHERTY. Mr. Speaker, I move that the vote by which House bill No. 216, printer's No. 1861, entitled:

An Act to define license and regulate resident and non-resident auctioneers and apprentice auctioneers in this Commonwealth and revising, consolidating and making the law uniform thereto; creating the State Auctioneers Commission \*\*\* and providing penalties.

was defeated on final passage Thursday, May 4, 1961, be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.  
The SPEAKER. How did the gentleman from Philadel-phia, Mr. Dougherty, vote on the final passage of this bill?

Mr. DOUGHERTY. Mr. Speaker, I voted with the pre-vailing side.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.  
On the question recurring,  
Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.  
The motion was agreed to.

SENATE MESSAGE

TIME OF NEXT MEETING

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

Resolved, (the House of Representatives concurring), that when the Senate adjourns this week, it reconvene Monday, May 22, 1961 at one thirty o'clock p.m., e.s.t., unless sooner recalled by the President Pro Tempore; and when the House of Representatives adjourns this week, it reconvene Monday, May 22, 1961 at three o'clock p.m., e.s.t., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, that the clerk present the same to the House of Representatives for its concurrence.

On the question,  
Will the House concur in the resolution of the Senate?  
It was concurred in.  
Ordered, that the clerk inform the Senate accordingly.

ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 9, 1961 at 10 a.m., e.s.t.

The motion was agreed to, and (at 5:47 p.m., e.s.t.) the House adjourned.





# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, MAY 9, 1961.

No. 49.

## SENATE

TUESDAY, MAY 9, 1961.

The Senate met at 12:30 p. m., Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

### PRAYER

The Chaplain, Rev. KIRK A. HUDSON, Pastor of Highland Presbyterian Church, Lancaster, offered the following prayer:

Let us pray.

O God, Who hast created us and doth sustain us each day, Thou Who art One Who hast shown us the value of law, Thou Who hast given each of us a desire to serve our fellow men, watch over us this afternoon as we consider matters which affect our beloved Commonwealth. Grant us vision and courage. This we ask in Thy name and for Thy sake. Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary of the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### MEMBER OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

May 9, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. R. Womer, Meadowbrook Terrace, Bedford, Bedford County, for reappointment as a member of the Board of Trustees of Somerset State Hospital, until the third Tuesday of January, 1967, and until his successor is appointed and qualified.

David L. Lawrence.

#### MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE COLLEGE

May 9, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Allan K. Grim, R.D. 3, Kutztown, Berks County, for appointment as a member of the Board of Trustees of Kutztown State College, until the third Tuesday of January, 1967, and until his successor shall have been appointed and qualified, vice Elroy P. Master, Robesonia, whose term expired.

David L. Lawrence.

#### MEMBER OF THE BOARD OF TRUSTEES OF FAIRVIEW STATE HOSPITAL

May 9, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank M. Kelley, Gouldsboro, Wayne County, for reappointment as a member of the Board of Trustees of Fairview State Hospital, until the third Tuesday of January, 1967, and until his successor is appointed and qualified.

David L. Lawrence.

#### MEMBER OF THE BOARD OF TRUSTEES OF CONNELLSVILLE STATE HOSPITAL

May 9, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter J. Adams, Jr., 1317 Race Street, Connellsville, Fayette County, for appointment as a member of the Board of Trustees of Connellsville State Hospital, until the third Tuesday of January, 1965, and until his successor is appointed and qualified, vice Anthony L. DeOre, Connellsville, whose term expired.

David L. Lawrence.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 123** and **415**, which were referred to the Committee on Highways.

He also presented for concurrence **HB 281** and **932**, which were referred to the Committee on Education.

He also presented for concurrence **HB 408**, which was referred to the Committee on Local Government.

He also presented for concurrence **HB 959**, which was referred to the Committee on Judiciary General.

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate, entitled: Weekly Adjournment.

#### REPORTS FROM COMMITTEES

Mr. McCREESH, from the Committee on Elections, reported, as committed, **HB 264, 1082 and 1144**.

Mr. MURRAY, from the Committee on Mines and Mineral Industries, reported, as committed, **HB 67**.

Mr. KROMER, from the Committee on Agriculture, reported, as committed, **SB 312 and 589**; as amended, **HB 308**.

Mr. HALUSKA, from the Committee on Local Government, reported, as committed, **SB 448, 462, 569, 616, HB 154, 157, 409, 420, 827, 947, 953, 1091 and 1154**.

Mr. BELL from the Committee on Banking, reported, as committed, **SB 469**.

Mr. SESLER, from the Committee on Banking, reported, as committed, **SB 361, 428 and HB 879**; as amended, **SB 455 and 511**.

Mr. HAYS, from the Committee on Education, reported, as committed, **SB 417, 573, 611 and 613**.

#### PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, I would like to comment that two of the bills which I just reported from committee are bills growing out of the Governor's Committee on Education. If at some later hour or day in this Session, the Senate should decide to set up a special committee for this purpose, I would be happy to recommend to the Lieutenant Governor that these bills be rereferred at that time to that committee.

#### REPORT FROM COMMITTEE

Mr. DEVLIN, from the Committee on Corporations, reported, as committed, **SB 538**.

#### REPORT FROM THE JOINT STATE GOVERNMENT COMMISSION DEALING WITH CIVIL SERVICE: HISTORY AND CONTEMPORARY PRACTICES

Mr. LANE submitted the following communication and report from the Joint State Government Commission.

The communication was read by the Clerk as follows:

#### GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA JOINT STATE GOVERNMENT COMMISSION

P. O. Box 61  
Room 450—Capitol Building  
Harrisburg

May 9, 1961.

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith a Report of the

Joint State Government Commission, Session of 1961, dealing with Civil Service: History and Contemporary Practices.

Copies of this report for members of the Senate have been placed in their post office boxes.

Respectfully submitted,

/s/ Harris G. Breth,  
Chairman.

The PRESIDING OFFICER. This communication will be noted in the Journal and the report will be printed in the Appendix thereto.

#### STUDENTS WELCOMED TO THE SENATE

Mr. McMENAMIN. Mr. President, I would like to call the Chair's attention to the fact that we have students seated in the balcony from Newton Ransom High School, Clark Summit, who are here under the guidance of Mr. William Zeiss, Principal.

I would appreciate it if the Chair would recognize this group.

The PRESIDING OFFICER. We have in our midst, in the gallery, students from Lackawanna County, under the supervision and jurisdiction of Principal Zeiss.

Will the student body please rise in order for the Senate to welcome them?

We trust you will spend part of the afternoon with us and see how your government functions. Thank you for being with us and thank you, Senator McMenamin, for calling the group to our attention.

Mr. WAGNER. Mr. President, under the heading of the business currently at hand, I think I should introduce some folks who came from Senator Ehrgood's District. Senator Ehrgood is absent for an hour because of some other duties, but I believe in the gallery we have the sixth grade students of the Southwest Elementary School. They are accompanied by their teacher, Miss Mary Strickler, and Sheriff Robert Lescher, of Lebanon County. I believe this group would appreciate recognition.

The PRESIDING OFFICER. Will the student body from Lebanon County—the sixth grade—together with their chaperons who were designated by Senator Wagner, please rise so that the Senate may recognize them?

Thank you for joining us this afternoon. We trust you will spend some time with us and see how your Senate operates.

#### RECESS

Mr. SILVERT. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a meeting of the Committee on Finance, to be held on E Floor, in Room 541.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be order.

#### REPORT FROM COMMITTEE

Mr. HAYS from the Committee on Finance, reported, as committed, **SB 473, HB 242, 246 and 1369**; as amended, **SB 529**.



**BILLS INTRODUCED AND REFERRED**

Messrs. SESLER, HALUSKA and SHAFER presented to the Chair **SB 627**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," prohibiting the issuance of temporary registration plates to persons who do not possess a valid operator's card for the current period.

Which was committed to the Committee on Highways.

Mr. SEYLER presented to the Chair **SB 628**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," classifying film, film strips, transparencies, records and tapes as school supplies of the first class.

Which was committed to the Committee on Education.

Messrs. MURRAY, WEINER, KALMAN and LANE presented to the Chair **SB 629**, entitled:

An Act amending the act of May 17, 1956 (P. L. 1609) entitled "Pennsylvania Industrial Development Authority Act," empowering the Authority to purchase first mortgages and to make payments on first mortgages on industrial development projects where necessary to protect loans made by the Authority on industrial development projects and increasing the amount the Authority can contract to loan and decreasing the amount that must be provided by industrial development agencies in the financing of industrial development projects, and removing the limitation as to the amount of Authority loans on industrial development projects where Federal agencies participate in the financing of such projects.

Which was committed to the Committee on State Government.

The PRESIDING OFFICER. In view of the fact that the Lieutenant Governor is now in the Chamber, he will preside at this time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

**BILLS INTRODUCED AND REFERRED**

Messrs. KROMER and PECHAN presented to the Chair **SB 630**, entitled:

An Act requiring the State Treasurer and other State officials to deduct the tax imposed by any political subdivision upon salaries, wages and other compensation paid to officers and employes of the Commonwealth domiciled or performing services within that political subdivision, and to make a return and remit the tax so deducted to the tax collector of such political subdivision.

Which was committed to the Committee on State Government.

Messrs. MULLIN, McCREESH and KALMAN presented to the Chair **SB 631**, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," authorizing the granting of mortgage loans to industrial development agencies and the acquisition of such loans and participations therein subject to limitations.

Which was committed to the Committee on Banking.

Messrs. HALUSKA and MILLER presented to the Chair **SB 632**, entitled:

An Act establishing a separate orphans' court in and for the County of Lawrence.

Which was committed to the Committee on Judicial General.

Messrs. STASEY, STIEFEL, CAMIEL, BELL and VAN SANT presented to the Chair **SB 633**, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rendering certain library service to the blind.

Which was committed to the Committee on Appropriations.

Messrs. CAMIEL and STIEFEL presented to the Chair **SB 634**, entitled:

An Act making an appropriation to the Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

They also presented to the Chair **SB 635**, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. YATRON, SESLER and ROONEY presented to the Chair **SB 636**, entitled:

An Act amending the act of April 27, 1927 (P. L. 465), entitled, as amended, "Fire Safety Building Regulation Law," requiring that the location of fire extinguishers which are obscured from view be marked.

Which was committed to the Committee on Labor and Industry.

Messrs. MURRAY, KALMAN, SEYLER and HAYS presented to the Chair **SB 637**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the reservation of funds for out-of-state travel expenses.

Which was committed to the Committee on Education.

Messrs. WARE and WEINER presented to the Chair **SB 638**, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. McMENAMIN, MADIGAN, CAMIEL and KESSLER presented to the Chair **SB 639**, entitled:

An Act limiting landowner's liability for personal injuries suffered by any person while hunting or fishing upon or who has entered for his own purposes on the landowner's property.

Which was committed to the Committee on Judiciary General.

**REPORTS FROM COMMITTEES**

Mr. VAN SANT, by unanimous consent, from the Committee on Highways, reported, as committed, **HB 392**, **428**, **522**, **663** and **892**; as amended, **HB 517**.

Mr. MAHADY, by unanimous consent, from the Committee on Constitutional Changes and Federal Relations, reported, as committed, **SB 579**.

### BIRTHDAY FELICITATIONS EXTENDED TO SENATOR JOHN J. HALUSKA

Mr. WEINER. Mr. President, I would like to bring to the attention of the Members of the Senate that one of the Members of this body has attained the ripe age of thirty-nine. In due recognition of this fact, I would like to send to Senator Haluska, on behalf of his colleagues, a little remembrance from us to him. When he reads this, he will come to the conclusion that we possibly are right.

On behalf of the Members on this side, and I am sure the entire Senate, I want to wish Senator Haluska a happy birthday.

The PRESIDENT. The President of the Senate is very happy to join in those felicitations, Senator Haluska, and we hope that you will have many more happy birthdays.

Mr. HALUSKA. Mr. President, I wish to thank my Colleagues on both sides for the compliment in wishing me a happy birthday. I would like to read the card. It states on the front: "People consider you a mature gentleman. Inside, where it is signed by a number of my colleagues, It states: "The same as an old man. Happy Birthday!"

I feel that way. Thank you.

The PRESIDENT.: You are welcome, Senator.

### SENATE RESOLUTION

#### CONGRATULATIONS OF THE SENATE EXTENDED TO COMMANDER ALAN B. SHEPARD, JR.

Mr. WARE, by unanimous consent, offered the following resolution (**Serial No. 59**), which was read as follows:

In the Senate, May 9, 1961.

On May 5, 1961, Alan B. Shepard, Jr. become the first American to be hurled one hundred and fifteen miles into space and return. This outstanding achievement is one of the greatest achievements in the history of the universe and marks this brave and unassuming young man as one of the outstanding men in the history of the world.

It is with pride that the Senate of the Commonwealth of Pennsylvania takes this method of extending to Alan B. Shepard, Jr. and his wife, Louise, who hails from Kennett Square in Chester County, Pennsylvania, the sincere best wishes of the Commonwealth of Pennsylvania for the great honor that Alan B. Shepard, Jr. has brought to our great nation. There is nothing that we can add to what he has already done and we can only hope that when Commander and Mrs. Shepard are ready to retire that they will do as another great American has done, come to Pennsylvania to make their home; therefore be it

**RESOLVED**, That the Senate of the Commonwealth of Pennsylvania, hereby commends and congratulates a brave and courageous man Alan B. Shepard, Jr. for his outstanding act. We also commend his wife Louise for her bravery and courage in the ordeal which she endured; and be it further

**RESOLVED**, That a copy of this resolution be sent to Commander and Mrs. Alan B. Shepard, Jr. at their home, Virginia Beach, Virginia.

On the question,

Will the Senate adopt the resolution?

Mr. WARE. Mr. President, I would like to request that a copy of this resolution, if adopted, be sent to the parents of the gentleman involved.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

### CALENDAR

#### THIRD READING CALENDAR

##### BILL ON THIRD READING AND FINAL PASSAGE

**SB 30**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—29

Berger,	Kalman,	Mullin,	Staisey,
Camel,	Lane,	Murray,	Stiefel,
Chapman,	Madigan,	Ripp,	Stroup,
Devlin,	Mahady,	Rooney,	Wade,
DiSilvestro,	McCreesh,	Sesler,	Ware, III,
Donolow,	McGinnis,	Seyler,	Weiner,
Haluska,	McMenamin,	Silvert,	Yatron,
Hays,			

##### NAYS—15

Bell,	Keller,	Pechan,	Van Sant,
Confair,	Kessler,	Propert,	Wagner,
Flack,	Kromer,	Shafer,	Wolfe,
Hawbaker,	Mallery,	Stevenson,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILL OVER IN ORDER TEMPORARILY

**HB 132**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, on behalf of Senator Seyler and myself, I ask unanimous consent to offer amendments at this time. If the amendments are adopted, I ask that the bill go over in its order and appear on tomorrow's Third Reading Calendar.

Mr. BERGER. Mr. President, before reading the amendments, I request that the amendments be laid on the table and that the bill go over temporarily so that we may consider the amendments.

The PRESIDENT. Is there any objection?

Mr. WEINER. I have no objection, Mr. President.

The PRESIDENT. The amendments will be laid on the table and the bill will go over in its order temporarily.

#### BILLS OVER IN ORDER

**HB 171 and 323**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

##### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 326**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,



On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 331**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

## NAYS—1

Mallery,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 489**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 490**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 493**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 495**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## BILL OVER IN ORDER

**SB 497**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 497**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 498**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,

Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 500**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 501**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 502**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution.



On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## BILL OVER IN ORDER

**HB 508**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL RECOMMITTED

**SB 518**—Upon motion of Mr. YATRON, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Agriculture for further study and possible amendment.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 539**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Miller,	Staisey,
Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

## NAYS—1

Sesler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 540**—Read in length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Miller,	Staisey,
Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

## NAYS—1

Sesler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 552**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 715, 716 and 734**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**HB 1139**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 1184 and 1290**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## REPORT FROM COMMITTEE

Mr. LANE, by unanimous consent, from the Committee on Finance, reported, as amended, **SB 575** and **HB 936**.

## SECOND READING CALENDAR

## BILLS ON SECOND READING

**HB 31 and SB 87**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 295, HB 430 and SB 431**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**SB 439**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 441**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON SECOND READING

**SB 442**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

**SB 466**—Upon motion of Mr. ROONEY, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Judiciary General.

## BILL ON SECOND READING

**HB 485**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 493**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**HB 574, 576, 578, 580, 581, 584, 585, 587, 588 and 589**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 637**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 1102**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 1121**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 1179**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SENATE RESOLUTION, SERIAL No. 57,  
CALLED UP

Mr. WEINER, without objection, called up from page 11 of the Calendar, Senate Resolution, Serial No. 57, entitled:

Senate Committee to Consider Necessary Legislation as Set forth in The Report of the Governor's Committee on Education.

On the question,  
Will the Senate adopt the resolution?

## SENATE RESOLUTION, SERIAL No. 57, ADOPTED

Mr. LANE. Mr. President, I move that the Senate do adopt this resolution.

Mr. WEINER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, for reasons which I think are amply sufficient and which have been stated here at length, I would request that my colleagues vote "no" on this resolution and would suggest that the gentlemen on the other side give long and careful consideration before they vote otherwise, inasmuch as I believe that the rules of the Senate have been violated in allowing this question to appear on the Calendar.

Mr. WEINER. Mr. President, I believe the matter about which the gentleman is speaking was disposed of yesterday in this Chamber by a ruling from the Chair.

The PRESIDENT. I have the feeling that I ruled on that matter distinctly yesterday, Senator Weiner.

Mr. WEINER. Therefore, Mr. President, I believe the only matter which is before us now is this resolution.

I want to reiterate that our only purpose for taking up this resolution is because the House has already taken the same step. Their resolution was House Resolution No. 61, asking for a bipartisan approach to the problem of education. I do not want to be redundant, but as I stated here yesterday, the problem of education for the people of Pennsylvania is neither Democratic nor Republican in any aspect. I think we should approach this matter and look at the entire report, as handed down by the Governor's Committee. This committee was also bipartisan in its nature and its composition.

We ask, respectfully, that the gentleman on the other side join us in thrashing out some of these problems. If, in the first instance, they felt that four and four was a harsh or offensive number, then we have taken that out. We will abide by whatever number they say, whether it be two and two or three and four. However, I want to suggest that the reason the number of four was considered earlier was due to the fact that two Members on both sides of the aisle served on the Governor's Education Committee. Also, if at all possible, we would like to add a Member of the Finance Committee and possibly a Member of the Appropriations Committee, or any one of the senior Members on the other side who have served on both of these committees, in order that we may receive their counsel, benefit and advice.

I do not think we are asking for too much. I do not think that we are asking anyone to embarrass themselves or in any way commit themselves. We are merely asking that you serve with us on this committee and advise us which measures we can move immediately and which measures we can hold no hope for. We are asking that you let us know these things at an early stage so that we can take whatever action our responsibility indicates that we should take in this matter.

Mr. BERGER. Mr. President, as Senator Weiner so well said, I do not wish to be redundant in this matter. However, I must observe that this is practically the only time in my recollection when we have offered a numerical advantage to the gentlemen on the other side in the matter of a committee and they have refused the offer. Consequently, Mr. President, I believe they are being over-generous in this matter.



I reiterate my request that my colleagues vote "no" on the resolution.

Mr. LANE. Mr. President, I feel that we on this side are making a proper approach to this major problem of education. I never did feel, nor do I feel, that education was a political question. I firmly believe that once this resolution is adopted, then those who serve on the other side will be very happy that they had that opportunity. As a matter of fact, we hope to do something for all the people of Pennsylvania. It is our responsibility to do the job as soon and as quickly as possible.

I believe this is the proper method and I urge everyone on both sides of the aisle to vote "aye" on the adoption of this very meritorious resolution.

And the question recurring,

Will the Senate agree to the motion?

(During the calling of the roll, the following occurred:)

Mr. KROMER. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were required by Mr. BERGER and were as follows, viz:

#### YEAS—22

Camel,	Lane,	Murray,	Silvert,
Devlin,	Mahady,	Ripp,	Staisey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Haluska,	McGinnis,	Sesler,	Weiner,
Hays,	McMenamin,	Seyler,	Yatron,
Kalman,	Mullin,		

#### NAYS—18

Bell,	Keller,	Propert,	Van Sant,
Berger,	Kessler,	Shafer,	Wagner,
Chapman,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,	Stroup,	Wolfe,
Hawbaker,	Mallery,		

So the question was determined in the affirmative, and the resolution was adopted.

### REASONS FOR VOTE

Mr. MALLERY. Mr. President, in voting on House Bill No. 331, Printer's No. 360, on page 2 of today's Calendar, I was under the impression that the enactment of this bill would delay the settlement of a decedent's estate. I was in error and had I realized the real purport of the bill, I would have voted for it.

The PRESIDENT. The remarks of the gentleman will be voted in the Journal.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

### BILLS INTRODUCED AND REFERRED

Messrs. MAHADY and McCREESH, by unanimous consent, presented to the Chair **SB 640**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for reimbursement for school nurses.

Which was committed to the Committee on Education.

Messrs. KALMAN, RIPP, MURRAY and WEINER, by unanimous consent, presented to the Chair **SB 41**, entitled:

An Act amending the act of April 29, 1937 (P. L. 487), entitled, as amended "The Permanent Registration Act for

Cities of the 2nd Class, Cities of the 2nd Class A, Cities of the 3rd Class, Boroughs, Towns and Townships," changing the method of personal registration and change of enrollment of political party by authorizing electors who are unable to go to their polling places because of illness or physical disability and spouses and dependents of persons in military service of persons in the Merchant Marine religious and welfare groups officially attached to and serving with the Armed Forces civilian Federal personnel overseas and their spouses and dependents to register and to change enrollment of political party by mail and further regulating the time within which certain qualified electors may register.

Which was committed to the Committee on Elections.

### HB 132 CALLED UP

**HB 132**—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Reading Calendar, by Mr. WEINER.

#### BILL ON THIRD READING AMENDED

**HB 132**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I call from the table the amendments which I offered to this bill earlier today.

The PRESIDING OFFICER. There being no objection, the Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 102, page 3, line 9 by inserting after "system": of coordinating the services of all local libraries within the district which by contract become part of the district library center system

Amend Sec. 201, page 5, by inserting between lines 9 and 10: (5) To coordinate a state-wide system of local libraries and to counsel local libraries on minimum standards for number and quality of library staff resources of books and other materials, location of new local libraries, hours and physical facilities. Nothing contained herein shall restrict or limit public libraries in the selection of resources of books and other material not determined from counselling

Amend Sec. 201, page 5, line 10 by striking out "(5)" and inserting: (6)

Amend Sec. 201, page 5, by inserting between lines 17 and 18: (7) To inspect local libraries, district library centers and regional resource centers and require reports in such manner as may be deemed proper

Amend Sec. 201, page 5, line 18 by striking out "(6)" and inserting: (8)

Amend Sec. 201, page 6, line 2 by striking out "(7)" and inserting: (9)

Amend Sec. 201, page 6, line 9 by striking out "(8)" and inserting: (10)

Amend Sec. 201, page 6, line 11 by striking out "(9)" and inserting: (11)

Amend Sec. 201, page 6, line 12 by striking out "(10)" and inserting: (12)

Amend Sec. 201, page 6, line 15 by striking out "(11)" and inserting: (13)

Amend Sec. 201, page 7, line 8 by striking out "(12)" and inserting: (14)

Amend Sec. 201, page 7, line 10 by striking out "(13)" and inserting: (15)

Amend Sec. 201, page 7, lines 11 to 13 by striking out "the" in line 11, all of line 12 and "ters" in line 13 and inserting: libraries

Amend Sec. 201, page 8, line 1, by striking out "(14)" and inserting: (16)

Amend Sec. 211, page 12, line 20 by inserting after "district": system of such district

Amend Sec. 303, page 14, line 15 by inserting after "and": achieves the applicable standards determined by counselling with the State Librarian pursuant to the advice and recommendations of the Advisory Council on Library Development or submits plans as set forth in section 304 of this act leading to the achievement of such standards and

Amend Sec. 303, page 17, line 14 by inserting after "Librarian": and the State Librarian

Amend Sec. 303, page 17, lines 15 to 17 by striking out all of lines 15 and 16 and "sent to the State Library in Harrisburg" in line 17.

Amend Sec. 304, page 24, lines 8 and 9 by striking out "for regional library resource centers."

Amend Sec. 304, page 24, line 10 by striking out "Regional library resource center receiving" and inserting: library desiring to receive

Amend Sec. 304, page 24, line 12 by striking out "State-aid" and inserting: the funds.

Amend Sec. 304, page 24, line 14 by striking out "such" and inserting: a library

Amend Sec. 413, page 34, line 10 by inserting after "municipal": municipal

Amend Sec. 413, page 34, line 12 by striking out "all" and inserting: the

Amend Sec. 413, page 34, line 12 by inserting after "municipality": from the municipality

Amend Sec. 414, page 35, lines 2 and 3 by striking out "to the municipal officers."

Amend Sec. 414, page 35, line 4 by striking out "by a library receiving State-aid."

Amend Sec. 417, page 36, line 14, by inserting after "state-aid": and which meets the minimum standards recommended by the State Librarian as conditions for participation in state-aid

Amend Sec. 417, page 37, line 2 by inserting after "Librarian": and approved by the State Librarian

On the question,

Will the Senate agree to the amendments?

They were agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Messrs. WAGNER, HAYS, WARE and SEYLER, by unanimous consent, offered the following amendments:

Amend Section 204, page 9, by inserting between lines 18 and 19: (5) To promulgate rules and regulations for the approval of plans for the use of State funds

Amend Section 304, page 24, line 13, by inserting after "Librarian": in accordance with rules and regulations approved by the Advisory Council on Library Development

On the question,

Will the Senate agree to the amendments?

They were agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Messrs. HAYS and WARE, by unanimous consent, offered the following amendment:

Amend Sec. 302, page 13, line 19 by inserting after "sources": as may be provided under rules and regulations adopted by the Advisory Council on Library Development

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Messrs. WAGNER, SEYLER, STROUP and WARE, by unanimous consent, offered the following amendment:

Amend Sec. 304, page 24, line 15 by inserting after "Librarian": Libraries qualifying for aid shall have five years to achieve applicable standards. Further extensions of time may be permitted with the approval of the State Librarian acting under regulations made by the Advisory Council

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

## COMMUNICATIONS FROM THE GOVERNOR

### APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor: **SB 173, 346 and 463.**

### BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. STASEY. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 312, 361, 417, 428, 448, 455, 462, 469, 473, 511, 529, 538, 569, 573, 575, 579, 589, 611, 613, 616, HB 67, 154, 157, 242, 246, 264, 308, 392, 409, 420, 428, 517, 522, 663, 827, 879, 892, 936, 947, 953, 1082, 1091, 1144, 1154, and 1369.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

### BIRTHDAY FELICITATIONS EXTENDED TO SENATOR ANTHONY J. DiSILVESTRO, PRESIDENT PRO TEMPORE OF THE SENATE

Mr. WEINER. Mr. President, Monday, May 15, 1961, is the birthday of one of the renowned Members of the Senate, our own President pro tempore. We will not be here on Monday and I feel that the record should show that we have taken note of this occasion; that the Senator is in our thoughts and that we are very happy to join him at an early date to wish him the best. We hope that he has many more birthdays and that he will be among us for quite some time, along with Senator Haluska, who is only celebrating his thirty-ninth birthday.

The Members of the Senate want to send him a little note and a little token of our thoughts about him. Our thoughts are always with him.

The PRESIDING OFFICER. Happy birthday to Senator DiSilvestro.

Mr. DiSILVESTRO. Mr. President, I wish to thank everybody from the bottom of my heart. Thanks very much for the cooperation, and God bless you all.

Mr. BERGER. Mr. President, while joining in the general felicitations, I would like Senator DiSilvestro to know that as a token of my esteem, I want to give him a box of cigars.



The PRESIDING OFFICER. I will give you a pack of cigarettes later, Senator.

### BILLS INTRODUCED AND REFERRED

Messrs. YATRON, SEYLER, MADIGAN, SESLER and KALMAN, by unanimous consent, presented to the Chair **SB 642**, entitled:

An Act amending the act of April 30, 1929 (P. L. 885), entitled "Cooperative Agricultural Stock Association Law," granting additional powers to associations; further providing for the contents of the by-laws or contracts and the composition of the Board of Directors and providing for the vacating and forfeiting of the articles of associations and letters patent issued to such associations.

Which was committed to the Committee on Agriculture.

They also, by unanimous consent, presented to the Chair **SB 643**, entitled:

An Act amending the act of June 12, 1919 (P. L. 466), entitled "Cooperative Agricultural Non-Stock Associations Law," further providing for the contents of the by-laws and contracts and the composition of the board of directors; and providing for the vacating and forfeiting

of the articles of associations and letters patent issued to such associations.

Which was committed to the Committee on Agriculture.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

WEDNESDAY, MAY 10, 1961

COMMITTEE MEETINGS WEDNESDAY, MAY 10, 1961

#### Eastern Daylight

Saving Time	Committee	Room
10:00 A. M.	JUDICIARY GENERAL	535

### ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, May 10, 1961, at 8:30 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:59 p.m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, MAY 9, 1961.

The House met at 10 a.m., Eastern Standard Time.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious Father, the love which Thou hast shown to us and our world finds expression in so many avenues of life; and we bow in reverence before Thee with deep gratitude in our hearts. But, O God, we humbly pray that the grace which we have received may not become a selfish gift; but generate within each one of us such a concern for our fellowmen, that the deeds we bring to maturity may exemplify the indwelling of Thy Spirit within us; and motivate us always to seek the highest good not only for ourselves but also for our world. In Thy dear Name, we pray. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, May 8, 1961 will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. FLYNN, CURWOOD, MILLER and VARNER. HOUSE BILL No. 1528.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), further regulating conditions under which firemen may be called out and assigned to continuous duty.

Referred to the Committee on Cities—Third Class.

By Messrs. WORLEY (By Request), GIBB and YETTER. HOUSE BILL No. 1529.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), requiring approval of the electorate before zoning ordinances are adopted for the first time in a township.

Referred to the Committee on Townships.

By Messrs. FLYNN, FARABAUGH, ISAACS and LIPPINCOTT. HOUSE BILL No. 1530.

An Act providing for the destruction of certain records and papers upon petition in townships of the first class.

Referred to the Committee on Townships.

By Messrs. KESSLER, YETTER, PURSLEY, FLYNN, BUSH and BOWER. HOUSE BILL No. 1531.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing transfer to certain boards of township supervisors without charge or at a nominal fee materials salvaged from State highways and bridges.

Referred to the Committee on State Government.

By Messrs. DENNISON, BRETH, SNARE and MAGEE. HOUSE BILL No. 1532.

An Act relating to electric service; providing conditions under which a supplier of electric service may render or

extend electric service to certain premises; and imposing duties upon the Pennsylvania Public Utility Commission.

Referred to the Committee on Public Utilities and Corporations.

By Messrs. GAILEY and A. M. LEE. HOUSE BILL No. 1533.

An Act to protect the public of the Commonwealth against vendors who misleadingly present their products as having been made by the blind and to prevent misleading use of the word blind in titles of organizations offering products for sale and providing penalties.

Referred to the Committee on Welfare.

By Messrs. MUSTO and MEHOLCHICK. HOUSE BILL No. 1534.

An Act granting ambulances and fire apparatus free passage over all turnpikes and extensions thereof under the supervision and control of the Pennsylvania Turnpike Commission.

Referred to the Committee on Highways.

By Mr. GAILEY. HOUSE BILL No. 1535.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), establishing a Bureau of Standards as an independent administrative board, fixing its powers and duties, and repealing inconsistent acts.

Referred to the Committee on State Government.

By Mr. BRETH. HOUSE BILL No. 1536.

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), placing a limitation on the amount to be approved by the court or by the board for claims or agreements for legal services.

Referred to the Committee on Workmen's Compensation.

By Mr. BRETH. HOUSE BILL No. 1537.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), placing a limitation on the amount to be approved by the court or by the board for claims or agreements for legal services.

Referred to the Committee on Workmen's Compensation.

By Messrs. STANK and PETROSKY. HOUSE BILL No. 1538.

An Act relating to trading stamps; providing for the escheat to the Commonwealth of Pennsylvania of unredeemed trading stamps and the value thereof issued in this Commonwealth, and providing the procedure in connection therewith; \*\*\*.

Referred to the Committee on Ways and Means.

By Messrs. HAMILTON, KLEIN, WARGO, and STIMMEL. HOUSE BILL No. 1539.

An Act amending the act of June 22, 1931 (P. L. 881), entitled "An act prescribing rights and remedies, and the procedure in connection with suits and recovery on bonds conditioned for the payment of material and labor furnished, supplied, or performed in the prosecution of any public work or improvement," changing notice provisions and extending the act to include Federal and State-aided institutions.

Referred to the Committee on State Government.



By Mr. POLEN.

HOUSE BILL No. 1540.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire easements, rights-of-way and other interests in real estate, including the title in fee simple to fifteen parcels of land, with improvements erected thereon and rights connected thereto, for the maintenance of radio communications systems.

Referred to the Committee on State Government.

By Messrs. MAXWELL, BOIES, Mrs. KOOKER  
and Mrs. HENZEL.

HOUSE BILL No. 1541.

An Act relating to the manufacture, sale and possession of drugs, devices and cosmetics, conferring powers on the courts and the Secretary and Department of Health, providing penalties, and for the revocation or suspension of certain licenses, making an appropriation to the Department of Health and repealing certain acts.

Referred to the Committee on Public Health and Sanitation.

## RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. CURWOOD, BRETH and BOWER.

RESOLUTION No. 68.

In the House of Representatives, May 8, 1961.

In the immediate future, public hearings will be conducted by the United States Army Corps of Engineers in conjunction with a preliminary survey and report on the advisability and desirability of a development program for the Susquehanna River watershed. The survey and report being conducted by the Federal Government deal not only with every conceivable phase of flood control but also reforestation, water transport, hydroelectric power, tourism and recreation.

The Susquehanna watershed development program can be of immeasurable value in the economic advancement of our Commonwealth. It is, therefore, imperative that we do everything within our power to cooperate with and assist the Federal Government in this project; therefore, be it

Resolved, That the House of Representatives hereby directs the Joint State Government Commission to conduct a preliminary study of the Susquehanna watershed development program for the purpose of rendering information and assistance to the Federal Government in carrying out this project; and, be it further

Resolved, That the Commission make a report of its findings from such study to the 1963 Session of the General Assembly.

Referred to the Committee on Rules.

By Messrs. CURWOOD and WILLARD.

RESOLUTION No. 69.

In the House of Representatives, May 8, 1961.

It has been the policy of the Pennsylvania Legislature to periodically review and revise the various codes of our Commonwealth in order to keep pace with the times.

"The Game Law" was adopted in 1937, and during the period of twenty-four years which have elapsed since that time, many changes in conditions relating to wild birds and wild animals have occurred, including, but not limited to, plentifulness of various species of game, beneficial or detrimental effects of different birds and animals, changes in feed and cover conditions, and advanced methods of hunting and trapping. Those changes in conditions have required numerous and extensive amendments to "The Game Law." It is also possible that many of the basic premises upon which "The Game Law" was based have so changed through the intervening years that an entirely new approach to the law governing wild birds and wild animals would now be beneficial; therefore, be it

Resolved, That the House of Representatives hereby directs the Joint State Government Commission to review and study "The Game Law" with a view toward modernizing and revising the same; and, be it further

Resolved, That the Commission make a report of its findings and recommendations, with drafts of legislation necessary to carry the recommendations into effect, to the 1963 session of the General Assembly.

Referred to the Committee on Rules.

## REPORTS FROM COMMITTEE

Mr. SCHAFF from the Committee on Fisheries, reported as committed, House bill No. 1032, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) requiring meetings of the Pennsylvania Fish Commission to be open to the public.

Mr. McCANDLESS from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 179, entitled:

An Act amending the act of May 23, 1919 (P. L. 278), entitled "An act supplementary to an act, approved the eleventh day of May, one thousand nine hundred and eleven, entitled 'An act to provide for the appointment of county and city inspectors of weights and measures; \* \* \* providing for the examination of the glassware used for testing milk and cream \* \* \*'" providing that bottles, pipettes and weights used for testing shall comply with the law as to type, and need not be examined and marked individually.

Mr. LUTTY, from the Committee on State Government, reported as committed, House bill No. 386, entitled:

An Act amending the act of June 17, 1913 (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; \* \* \*" changing the date for transmitting returns.

Mr. WARGO from the Committee on Appropriations, reported as committed, House bill No. 758, entitled:

An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority.

Mr. WARGO from the Committee on Appropriations, reported as committed, House bill No. 762, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood purposes.

Mr. WARGO from the Committee on Appropriations, reported as committed, House bill No. 803, entitled:

An Act making an appropriation to the Department of State for the administration of the Municipal Employees Retirement System.

Mr. CROSSIN from the Committee on Military Affairs, reported as committed House bill No. 1096, entitled:

An Act making an appropriation to the Department of Military Affairs to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

Mr. WARGO from the Committee on Appropriations, reported as committed House bill No. 1192, entitled:

An Act amending the "General Appropriation Act of 1959" approved November 12, 1959 (Appropriation Act 38-A), restoring certain amounts appropriated to the De-



partment of Public Instruction and the Department of State which the Legislature deleted and declared its intention to restore.

Mr. J. A. O'DONNELL from the Committee on Fisheries, reported as committed, House bill No. 1257, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing the title of fish warden to water patrol officer.

Mr. EDWARDS from the Committee on Fisheries, reported as committed House bill No. 1258, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An Act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, \* \* \* within the Commonwealth; \* \* \* and prescribing penalties," transferring certain powers and duties from the Pennsylvania Fish Commission to the Department of Revenue, further providing for the licensing and regulation of motor boats, and boats electrically propelled and providing for liability for damages caused by the negligent operation of boats; \* \* \*.

Mr. COOLEY from the Committee on Agriculture and Dairy Industries, reported as committed House bill No. 1294, entitled:

An Act amending the "Meat and Meat Food Products Law", approved May 28, 1915 (P. L. 587), excepting from licensing requirements those persons dealing in or handling only canned meat which does not require refrigeration.

Mr. SHELTON from the Committee on Fisheries, reported as committed House bill No. 1370, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), providing for the issuance of juvenile fishing licenses to persons twelve to fifteen years of age, inclusive and prescribing the fees for such licenses.

Mr. FINEMAN from the Committee on Judiciary, reported as committed, House bill No. 1443, entitled:

An Act repealing section 1210 of "The Administrative Code of 1929," relating to the powers and duties of the Department of Internal Affairs in respect to the Pennsylvania System of Coordinates.

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 1473, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Water and Power Resources Board to sell, lease or otherwise dispose of minerals in or beneath certain streams or bodies of water.

Mrs. S. A. ANDERSON from the Committee on State Government, reported as committed, House bill No. 1483, entitled:

An Act amending the act of June 8, 1907 (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, \* \* \*" authorizing the commission to enter into certain agreements with the Pennsylvania Fish Commission.

Mr. GRAY from the Committee on Elections, reported as committed, House bill No. 1504, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) further regulating the time in which the court of quarter sessions shall appoint election officers of newly created election districts.

Mr. GRAY from the Committee on Elections, reported as committed, House bill No. 1515, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), providing that persons otherwise qualified to vote may vote if their names appear either on the street list posted in the district or on the list accompanying the district register.

Mr. McCANDLESS from the Committee on Agriculture and Dairy Industries, reported as committed Senate bill No. 207, entitled:

An Act amending the act of May 9, 1949 (P. L. 927), entitled "Sheriff's Fee Bill Second to Eighth Class Counties" changing fees mileage and other costs chargeable by sheriffs and making editorial corrections.

Mr. SCHAFF from the Committee on Judiciary, reported as committed, Senate bill No. 223, entitled:

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947," providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

Mr. PERRY from the Committee on State Government, reported as committed, Senate bill No. 336, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3.68 acres more or less of land situate in Indiana Borough Indiana County.

Mr. CURWOOD from the Committee on Fisheries, reported as amended, House bill No. 238, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), providing for the issuing of resident fishing license to persons sixty-five years of age or over and to certain disabled veterans.

Mr. WARGO from the Committee on Appropriations, reported as amended, House bill No. 759, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

Mr. WARGO from the Committee on Appropriations, reported as amended, House bill No. 760, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

Mr. WARGO from the Committee on Appropriations, reported as amended, House bill No. 770, entitled:

An Act making appropriations to the Department of Property and Supplies for the payment of grants to various municipalities or municipal authorities for the Commonwealth's share of expenses and charges in connection with sewage systems expansions.

Mr. GRAY from the Committee on Elections, reported as amended, House bill No. 826, entitled:

An Act amending "The Permanent Registration Act of Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), providing for registration by roving registrars and providing penalties.

Mr. McCANDLESS from the Committee on Agriculture and Dairy Industries, reported as amended, House bill No. 1447, entitled:



An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589), further providing for the tuberculosis and brucellosis tests to be given to cows from which raw milk is sold directly to the consumer.

Mr. RENWICK from the Committee on Motor Vehicles, reported as amended, Senate bill No. 75, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring operators to depress their headlights when following or overtaking another vehicle and providing penalties.

Mrs. S. A. ANDERSON from the Committee on Military Affairs, reported as amended, Senate bill No. 278, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" changing the name of the Italian-American World War Veterans of the United States Incorporated, to conform with its charter.

Mrs. S. A. ANDERSON from the Committee on Military Affairs, reported as amended, Senate bill No. 280, entitled:

An Act amending the act of May 5, 1945 (P. L. 426), entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents . . ." changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

Mrs. S. A. ANDERSON from the Committee on Military Affairs, reported as amended, Senate bill No. 282, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class . . ." changing the name of The Italian-American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

Mrs. S. A. ANDERSON from the Committee on Military Affairs, reported as amended, Senate bill No. 284, entitled:

An Act amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps . . ." changing the name of the Italian-American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

Mrs. S. A. ANDERSON from the Committee on Military Affairs, reported as amended, Senate bill No. 286, entitled:

An Act amending the act of April 8, 1867 (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" correcting the name of the Italian-American World War Veterans of the United States Incorporated to conform with name in its charter.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 179, entitled:

An Act amending the act of May 23, 1919 (P. L. 278), entitled "An act supplementary to an act, approved the eleventh day of May, one thousand nine hundred and eleven, entitled 'An act to provide for the appointment of county and city inspectors of weights and measures; \* \* \*' providing for the examination of the glassware used for testing milk and cream \* \* \*" providing that bottles, pipettes and weights used for testing shall comply with the law as to type, and need not be examined and marked individually.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 386, entitled:

An Act amending the act of June 17, 1913 (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; \* \* \*" changing the date for transmitting returns.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 758, entitled:

An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 762, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 803, entitled:

An Act making an appropriation to the Department of State for the administration of the Municipal Employees Retirement System.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1096, entitled:

An Act making an appropriation to the Department of Military Affairs to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1192, entitled:

An Act amending the "General Appropriation Act of 1959" approved November 12, 1959 (Appropriation Act 38-A), restoring certain amounts appropriated to the Department of Public Instruction and the Department of State which the Legislature deleted and declared its intention to restore.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1257, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing the title of fish warden to water patrol officer.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1258, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An Act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, \* \* \* within the Commonwealth; \* \* \* and prescribing penalties," transferring certain powers and duties from the Pennsylvania Fish Commission to the Department of Revenue, further providing for the licensing and regulation of motor boats, and boats electrically propelled and providing for liability for damages caused by the negligent operation of boats; \* \* \*.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1294, entitled:

An Act amending the "Meat and Meat Food Products Law," approved May 28, 1915 (P. L. 587), excepting from licensing requirements those persons dealing in or handling only canned meat which does not require refrigeration.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1370, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), providing for the issuance of juvenile fishing licenses to persons twelve to fifteen years of age, inclusive and prescribing the fees for such licenses.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1443, entitled:

An Act repealing section 1210 of "The Administrative Code of 1929," relating to the powers and duties of the Department of Public Affairs in respect to the Pennsylvania System of Coordinates.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1473, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Water and Power Resources Board to sell, lease or otherwise dispose of minerals in or beneath certain streams or bodies of water.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1483, entitled:

An Act amending the act of June 8, 1907 (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, \* \* \*" authorizing the commission to enter into certain agreements with the Pennsylvania Fish Commission.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1504, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the time in which the court of quarter sessions shall appoint election officers of newly created election districts.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1515, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), providing that persons otherwise qualified to vote may vote if their names appear either on the street list posted in the district or on the list accompanying the district register.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 207, entitled:

An Act amending the act of May 9, 1949 (P. L. 927), entitled "Sheriff's Fee Bill Second to Eighth Class Counties" changing fees, mileage and other costs chargeable by sheriffs and making editorial corrections.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 223 entitled:

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947" providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 336, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3.68 acres more or less of land situate in Indiana Borough, Indiana County.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.



## BILLS RE-REFERRED

Mr. POLEN from the Committee on Appropriations, returned with the recommendation that it be re-referred to the Committee on Rules, House bill No. 605, entitled:

An Act regulating the payment of wages or compensation for labor or services in certain private employments establishing regular pay days imposing duties upon employers conferring powers and duties upon the Department of Labor and Industry imposing additional powers and duties on the Secretary of Labor and Industry for the civil collection of wages imposing civil and criminal penalties for violations of the act and providing for their collection and disposition.

The SPEAKER. The bill is re-referred to the Committee on Rules.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Utilities and Corporations, House bill No. 1392, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053) requiring public utilities to make certain refunds to patrons when such public utilities realize an excessive return by reason of a labor dispute.

The SPEAKER. The bill is re-referred to the Committee on Public Utilities and Corporations.

## REPORT OF JOINT STATE GOVERNMENT

## DEALING WITH CIVIL SERVICE: HISTORY AND CONTEMPORARY PRACTICES

Mr. BRETH presented the report of the Joint State Government Commission dealing with Civil Service: History and Contemporary Practices.

(For report see appendix)

The SPEAKER. The Chair would advise members of the House who are interested in these matters to at least lightly peruse that report. I think you will find many pages of it very interesting.

## RESOLUTION

## CONGRATULATIONS

Messrs. FINEMAN, McCANN and A. W. JOHNSON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 9, 1961.

On Friday, May 5, 1961, the hearts of the American people were filled with pride as the world received the news of the successful space flight of Alan B. Shepard, Jr. The free world rejoiced and rightly so, for the United States, operating under a free and truly democratic system had achieved something that no other free country can boast of.

The people of the United States and of the Commonwealth of Pennsylvania are proud of Commander Shepard. This scientific achievement which he and the thousands of men and women who made his trip possible overwhelms the imagination. In order to keep America the champion of liberty, we need many more people like Alan Shepard. His achievements are admired by all of us now and for generations to come, his name will always be remembered when our children and grandchildren boast of the great space program that the United States has embarked upon.

Recognizing this, the members of the House of Representatives for ourselves and in the name of all Pennsylvanians hereby:

Resolved, That Alan B. Shepard and every other person connected with his space flight be congratulated on this magnificent achievement; and be it further

Resolved, That we express to them our gratitude for the wonderful feeling of pride which we feel through their efforts; and be it further

Resolved, That a copy of this resolution be forwarded to a truly brave man, Alan B. Shepard, Jr.

## SIXTH GRADE STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the 6th grade class of the South Western Elementary School of Lebanon, who are here with their teacher, Miss Mary Strickler. They are the guests of the gentlemen from Lebanon, Messrs. Seltzer and Manbeck.

## STUDENTS OF MARY THE ETERNAL SCHOOL WELCOMED

The SPEAKER. The Chair also notes the presence in the gallery of 91 students of the St. Mary of The Eternal School of Philadelphia. They are here under the guidance of Mother Mary Emerentia and Sisters Mary Andrew and Mary Bonaventure. The delegation is the guest of the gentlemen from Philadelphia, Messrs. Welsh and Frascella,

## BIRTHDAYS

The SPEAKER. The matter of birthdays is before us.

The gentleman from Delaware, Mr. Dengler, has a birthday and the gentleman from Butler, Mr. McCandless, also the gentleman from Allegheny, Mr. Filo, have birthdays, and, yesterday, Mr. Zember, the gentleman from Berks, had a birthday. In order that Mr. Dengler may not be required to rise and sing in his own praise, the song will be lead by that eminent musician and judge of music, the gentleman from Allegheny, Mr. Filo.

The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I would like to say that the announcement of my birthday is a little premature. My birthday will be on Mother's Day, this coming Sunday, but I would like to sing "Happy Birthday" to all these other gentlemen and I think we will cover them all by singing "gentlemen."

The SPEAKER. Is it true that the lovely lady from Montgomery, Mrs. Henzel, has a birthday?

Will Mr. Dengler,—no, no, no—the gentleman from Allegheny has done such a skillful job that the House will have to eventually decide which one of them shall be our chief choir leader. The gentleman from Allegheny, Mr. Filo, will rise, and can they get together, can they unite?

Mr. FILO. I think we can harmonize, Mr. Speaker. This will be one time we will have harmony on both sides.

Mr. DENGLER. Mr. Speaker, I think that Mr. Filo should come over here and we will have Mrs. Henzel right with us so we can do a better job.

The SPEAKER. The Chair recognizes the lady from Montgomery, Mrs. Henzel.

Mrs. HENZEL. Mr. Speaker, this is probably the happiest day my colleagues have shared with me as a birthday, and probably one of my most miserable because I cannot talk. Therefore, I merely wish to say thanks for your kindness and your felicitations.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. McCandless.

Mr. McCANDLESS. Mr. Speaker, I appreciate this salute to me on my natal day. Like Jack Benny, I have reached my 39th birthday. Also, Like Eddie Cantor, I have five daughters, five grandchildren. I am very happy on this occasion. Thank you all.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Zember.

Mr. ZEMBER. Mr. Speaker, this is my first birthday as a member of the House. I hope it is not my last. I love it, you have been so wonderful to me. Thank you all.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Dengler. He should say a word in his own behalf at this time.

Mr. DENGLER. Mr. Speaker, when I do not legislate, I am a teacher of music in the Upper Darby Schools and I love to hear children sing. I want to thank all of children in the balcony for helping to sing our happy birthday song.

I want you to know that it is always a great pleasure for me to stand before this microphone and wish other people a happy birthday. When they sing for me, I want to thank the gentleman from Allegheny, Mr. Filo, for doing an excellent job. Thank you very much.

#### PERMISSION TO ADDRESS HOUSE

Mr. SHERMAN asked and obtained unanimous consent to address the House.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman, for two minutes.

Mr. SHERMAN. Mr. Speaker, I ask the indulgence of the House on two matters which I consider important, and I ask their special attention to the second matter, after I am through the first.

I speak on behalf of the thousands of students of this Commonwealth. On behalf of the student council of the different colleges and universities in this State, on behalf of our youth who are attending college, on behalf of their parents, many of whom have two and three young men attending and are struggling to make ends meet in having them attend our colleges, I protest the 4 percent sales tax on school books and school supplies.

We spend millions for education and yet we take it back by way of financial support from these students. This I contend is unreasonable.

I am pleased to see that the president of the student council of Temple University and the Philadelphia College of Textile and Science and the various student bodies have protested, along with their fellow students and students throughout the State, and they oppose this tax on school books and school supplies.

I think that House bill 11, introduced by myself, as the main sponsor, along with Mr. Gelfand, Mr. Goldstein, and Mr. Gibb, and other bills of a similar nature, should be considered by the House.

I earnestly ask for favorable action in behalf of our American youth.

Mr. Speaker, the second matter of importance—and I ask both the Republicans and the Democrats alike to listen—I have in my possession a copy of the reciprocity agreement between Pennsylvania and New Jersey and I wish to have it made part of the record so that every

member of this House can read same. I say it is the same agreement we have between Pennsylvania and New Jersey that we have with other States, I think the one exception is New York State. I call special attention to paragraph 4 of this reciprocity agreement whereby we agree that if the action taken by the operator's home State is comparable to that which would have been imposed by the alternate State no further action will be necessary for the alternate State. I say that no State, with which we have any reciprocity agreement, has the right to go ahead and impose a penalty along with our State. I ask that this be made part of the record.

Mr. SHERMAN submitted the following for the record:

#### RECIPROCITY AGREEMENT

The Bureau of Traffic Safety, Department of Revenue, Commonwealth of Pennsylvania, and the Division of Motor Vehicles, Department of Law and Public Safety, of the State of New Jersey, cognizant of the need for uniformity and reciprocity in the administration and enforcement of their respective motor vehicle laws and regulations as related to the out-of-State violations of their respective operators, have determined that an effective agreement, followed by prompt administrative action on the part of both Pennsylvania and New Jersey, will establish a more uniform and positive method of operator control.

Interstate travel is today the rule and not the exception, and Law violations and accidents of many operators occur in more than one State. It is recognized that effective driver control can be accomplished only if there is agreement to maintain uniform procedures of reporting with similar and concurrent actions of suspension by either jurisdiction.

At a meeting in Harrisburg, Pennsylvania, on June 24, 1960, the following articles of agreement were resolved to become effective on August 1, 1960.

1. Immediately upon receipt of conviction for violation of a motor vehicle law by an operator in the alternate State, a copy of the conviction report will be forwarded to the proper authority of the home state of the operator.

2. The home State will, upon receipt of the conviction report, process and take action in the same manner as if the violation had occurred in the home State.

3. When the proper action has been determined, the home State will immediately notify the alternate State, by forwarding a copy of the action taken.

4. It is agreed that if the action taken by the operator's home State is comparable to that which would have been imposed by the alternate State, no further action will be necessary by the alternate State.

5. Items of information to be exchanged will include: conviction reports, notification of suspension and revocation, letters of warning, no action letters, and notification of restoration.

6. For major traffic offenses, such as, driving while under the influence of intoxicating liquor, leaving the scene of an accident, conviction of a crime involving a motor vehicle and fatal accident, the State in which the violation occurred will suspend or revoke the driving privileges of the operator and the home State will, in such instances, also suspend or revoke his driving privileges.

7. An out-of-state operator, who has failed to pay a fine properly imposed by a court of competent jurisdiction of either State, or who has failed to appear for a hearing before such court following notification as provided by law, will



be subject to suspension by the home State.  
For the Commonwealth of Pennsylvania

Charles Dougherty  
Secretary—Department of Revenue  
Date .....

For the State of New Jersey

Ned. J. Parsekian  
Acting Director—  
Division of Motor Vehicles  
Date .....

### BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 966, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) changing registration fees for motor buses and motor omnibuses operated by mass transportation systems.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1451, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes \* \* \*" requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries \* \* \* paid to officers and employes of the Commonwealth domiciled or performing services within that city \* \* \*.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1477, entitled:

An Act amending "Public School Code of 1949", approved March 10, 1949 (P. L. 30) providing that boards of school directors shall employ the type of fuel which is most economical in the area.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

### BILL PASSED OVER

There being no objection

Senate bill No. 103, printer's No. 643

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 307, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the purchasing of used supplies of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 433, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" prohibiting the purchase of insurance from or through any person employed by the school district in a teaching or administrative capacity.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. REIDENBACH for today because of illness.

Mr. Dougherty for Mr. MURRAY for today because of illness.

Mr. Dougherty for Mr. POLASKI for today.

Mr. Dougherty for Mr. WALSH for today because of death in family.

Mr. Dougherty for Mr. MIHM for today because of illness.

Mr. Tompkins for Mr. KNECHT for today because of illness.

Mr. Tompkins for Mr. SLACK for today.

Mr. Tompkins for Mr. BOWMAN for today.

### LEAVES OF ABSENCE WITHDRAWN

Messrs. WHITTAKER and STITELER, previously granted leaves of absence, requested the withdrawal of their names for today.

### PRESIDENT JUDGE BONNELLY WELCOMED

The SPEAKER. The Chair notes the presence in the House of Judge Adrian Bonnelly, a long-time friend of the Chair, the president judge of the municipal court of Philadelphia. I understand just the other day was his 71st birthday.

Philadelphia would not be quite the same without Judge Bonnelly.

### STATEMENT BY SPEAKER

The SPEAKER. The Chair wishes that the members of the House, while the House is in session and while the desk is busily engaged, would not communicate and ask questions of the members of the staff. Frequently it interferes with their activities and, as a matter of fact, it is forbidden by the rules of this House.

Those who want information may ask the majority and minority leaders, or the Chair.

The SPEAKER. What is the pleasure of the majority leader?

Mr. McCANN. Mr. Speaker, I request permission to turn to page 4, bills on final passage. I call up the first bill, House bill 398, printer's No. 1888, for the first roll call of the day.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 398, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the revocation of operating privilege for operating a motor vehicle while under suspension or revocation.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—174

Anderson, J. H.,	Gailey,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Lippincott,	Rubin,
Ashton,	George,	Long, Wm. Jos.,	Ruddall,
Auker,	Gibb,	Lutty,	Rutherford,
Bachman,	Gibbons,	Magee,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Marsh,	Seltzer,
Bossert,	Gray,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Branca,	Gross,	McCandless,	Shupnik,
Breth,	Guesman,	McCann,	Simmons,
Buchanan,	Hankins,	McDevitt,	Snare,
Bush,	Hartley,	McDonald,	Stank,
Capano,	Haudenshield,	McInroy,	Steckel,
Capitolo,	Heavey,	McKeever,	Stimmel,
Cianfrani,	Heffner,	McLaughlin,	Stiteler,
Cioffi,	Helm,	McNally,	Strausser,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Sullivan, T. F.,
Cooley,	Holliday,	Mills,	Taylor,
Crossin,	Irlis,	Monroe,	Thompson,
Curwood,	Jim,	Morley,	Tomasck,
Davis,	Johnson, A. W.,	Mullen,	Tompkins,
Dengler,	Johnson, R. P.,	Munley,	Trusto,
Dennison,	Jones,	Musto,	Ujobai,
Donaldson,	Kamyk,	Needham,	Varner,
Dougherty,	Kelser,	O'Dell,	Verona,
Doughten,	Kelly,	O'Donnell, J. A.,	Wargo,
Down,	Kernaghan,	O'Donnell, J. P.,	Weidner,
Edwards,	Kessler,	Odorisio,	Welsh,
Eilberg,	King,	Ogilvie,	Wescott,
Elvey,	Kistler,	Parlante,	Whittaker,
Eshleman,	Klein,	Pashley,	Willard,
Ewing,	Knecht,	Perry,	Willaredt,
Farabaugh,	Kooker,	Petrosky,	Williams, A. D.,
Filo,	Kornick,	Piper,	Williams, E. S.,
Fineman,	Korns,	Polen,	Wilt,
Flynn,	Kramer,	Prendergast,	Wood,
Foerster,	Lamb,	Pursley,	Zember,
Fracella,	Lawson,	Reisman,	Andrews,
Fry,	Lee, A. M.,	Renwick,	Speaker
Fulmer,	Lee, K. B.,	Riley,	

## NAYS—10

Adams,	Foor,	Merry,	Worley,
Blair,	Guthrie,	Murphy,	Yetter,
Fetterolf,	Isaacs,		

## NOT VOTING—22

Bowman,	Holman,	Murray,	Slack,
Cauley,	Horst,	Polaski,	Stone,
Eshback,	Jenkins,	Price,	Wall,
Fox,	Long, Wm. Jas.,	Reidenbach,	Walsh,
Goldstein, M. H.,	McCormack,	Sakulsky,	Zimmerman,
Hamilton,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 667, entitled:

An Act requiring the Department of Forests and Waters to issue camping permits for camping in State parks and providing for the term and renewal thereof.

On the question,

Shall the bill pass finally?

Mr. MERRY. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER. Will one of the sponsors of this bill permit himself to be interrogated? The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. I shall, Mr. Speaker.

Mr. MERRY. Mr. Speaker, what is the status of this bill now that it has been amended?

Mr. MURPHY. Mr. Speaker, according to printer's No. 1783, which is in our booklets, you will notice on page 2 that in line 1 it has been changed from "shall" to "may" and that on line 2 it says, "but not more than twenty per centum of available camping area and facilities in each park shall be made available for renewal applicants."

Mr. MERRY. I thank the gentleman.

This bill would have something to do with our territory up at Pymatuning. I know we have had many letters all summer from people who wanted to camp, and they have found quite a little fault with the Department of Forests and Waters for ruling otherwise. There was a good reason for ruling otherwise. At Pymatuning Reservoir, which is partly under the jurisdiction of the state of Ohio, Ohio's regulations do not allow all-summer camping or parking of a trailer. If the Pennsylvania side is left open for even 20 per cent and Ohio is completely shut off, we will receive the so-called dregs of this camping scourge that we have up there.

It was my pleasure to take a tour of the Pymatuning area where the Department of Forests and Waters has reclaimed or put in order 10 additional acres for additional camping. From what I saw up there on this tour, you members of the House, if you could see it, would eliminate this bill from today's calendar without even giving it the courtesy of saying "no." When you have cancer, to eliminate 80 percent of it and leave the other 20 percent still does not cure the cancer. I think that our Department of Forests and Waters has the best viewpoint on this and have been in charge of running it in the proper manner for the State.

What we saw is that these people come and put a tent up, or bring in an old trailer, take the wheels off and let it drop in the mud, or put cement blocks under the corners of it and it sits there all summer. They hold drinking parties in it on Saturday night only, and they throw out, from what I saw, an old refrigerator standing on one corner, old oil stoves, bags, screen doors, barrels, rubbish, whiskey bottles, tin cans, all thrown out back of these trailers and camps that stay there all summer.

If you eliminate 80 percent, you still have 20 percent.

I think our department has the right slant on it and you can manage this thing better without interference from the House.

I certainly hope that everyone here will vote against this bill. I thank you.

Mr. TOMPKINS. Mr. Speaker, the gentleman was speaking particularly of Pymatuning Lake. Generally, throughout the State of Pennsylvania we find there have developed what I would term "camping hogs," who will



take their camping facilities in and appropriate a place for the entire summer, thereby blocking out other people who might want to enjoy the privileges of the great outdoors which we have in Pennsylvania. We cannot see any justification for this bill under the regulations which the department now has in force and which it is enforcing. We would prefer to give the people of Pennsylvania the opportunity to get camping sites under the present regulations of the department. Therefore, generally, on this side we are against this bill.

Mr. MURPHY. Mr. Speaker, I would like to call to the attention of the members of the House the fact that this bill will only apply to Pennsylvania residents. We are continuously and constantly in these cherished halls taking away the rights, privileges, restrictions, permits, and so forth, of our Pennsylvania residents. This will give our Pennsylvania residents a break. This is not intended to take the overflow from the Ohio State parks, take people from Maryland and New York into our public parks and our State parks and forests and make permanent campers of them. It will permit, however, the continuance—and I say continuance, because that has been the practice up until the present season. It will permit Pennsylvania residents only to erect a tent, or put their trailer, or make a camp site in one of our State forests or parks. Then each two weeks that Pennsylvania resident may apply for a renewal permit. He may stay four weeks; he may stay six; there are instances where, I will agree, perhaps they would like to stay all summer and keep this one camp site. They must, however, renew their permit, pay their \$5 permit fee, each two weeks. This will give the Pennsylvania camper a break. It will also limit the park facilities to only 20 per cent renewals of campers. That will mean that 80 per cent of the available camping area will be cleared each two weeks and that only 20 percent of the camping area available in the parks can be used for renewal permits.

We have also deleted "shall" from the bill and placed "may" into the bill to give the park director the option. I might say that we have just as much chance of a temporary camp site being cluttered, and so forth, as the gentleman from Crawford mentioned, as we do a permanent camp site, so I think that has very little bearing on the matter.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. Mr. Speaker, would the gentleman from Washington, Mr. Murphy, consent to be interrogated?

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. MURPHY. I shall, Mr. Speaker.

Mr. LAMB. Can the gentleman tell me whether or not this bill would apply to those cabins which the State owns on some of the State lakes?

Mr. MURPHY. No, Mr. Speaker, it cannot apply to the cabins because they are all handled through an application and reservation basis through the Department of Forests and Waters here in Harrisburg on April 1 of each year. Therefore, it cannot apply to those.

Mr. LAMB. Would it apply in the future to those?

Mr. MURPHY. I beg your pardon, Mr. Speaker. I am sorry, I did not hear the gentleman.

Mr. LAMB. Would it apply in the future? It would

not apply this year, but would it possibly apply next year or in the years to come?

Mr. MURPHY. No, Mr. Speaker, it would not apply in the future. This bill does not affect the erected cabins in State parks at all. This pertains to camping sites, not to cabins. They must all be reserved through Harrisburg. Your camping sites are applied for at each particular State park and they are renewed at the State park.

Mr. LAMB. I thank the gentleman, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, the way I understand it, I do not want this question thrown in here that anyone is being denied the chance of having a permanent camp site up at Pymatuning. It is permissible to camp without the limits of the park itself and all up around the rest of the lake, so these people who do want to come and stay all summer can still find a place on Pymatuning Reservoir. The defeat of this bill will not completely shut those people out at all, but, if we leave it the way it is, I think it would be a lot better for all of our parks. We are not trying to hurt anyone, but we are trying to keep the place clean. The very fact is that you have to move every two weeks so someone else can come in and get a spot.

We have put a lot of money in our State parks, and especially in the Pymatuning area, to provide for summer vacations for people without too much money to spend. These folks go in there with tents and old broken down trailers and when they keep those places there they are being selfish. The rest of our folks who want to have a nice vacation of one week or two weeks will be denied that.

I still hope all of you will vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—70

Anderson, S. A.,	Frascella,	Miller,	Scarcelli,
Auker,	Fry,	Mills,	Shelton,
Bachman,	Gray,	Monroe,	Sherman,
Bonner,	Gremminger,	Morley,	Stank,
Bower,	Hankins,	Mullen,	Stone,
Branca,	Hartley,	Munley,	Sullivan, J. A.,
Breth,	Heavey,	Murphy,	Sullivan, T. F.,
Capano,	Jim,	Needham,	Taylor,
Capitolo,	Jones,	O'Donnell, J. A.,	Tomasick,
Cianfrani,	Kelly,	Parlante,	Varnier,
Comer,	Klein,	Pashley,	Verona,
Crossin,	Lawson,	Perry,	Wargo,
Dougherty,	Limper,	Petrosky,	Welsh,
Doughten,	Long, Wm. Jos.,	Polen,	Wilt,
Eilberg,	McCann,	Prendergast,	Yetter,
Farabaugh,	McDevitt,	Riley,	Andrews,
Filo,	McKeever,	Rovansek,	Speaker
Flynn,	McNally,	Rubin,	

#### NAYS—110

Adams,	Gelfand,	Kooker,	Reibman,
Anderson, J. H.,	George,	Kornick,	Renwick,
Ashton,	Gibb,	Korns,	Royer,
Backenstoe,	Gibbons,	Kramer,	Rudisill,
Blair,	Goldstein, J. H.,	Lamb,	Rutherford,
Boles,	Goodrich,	Lee, A. M.,	Schaaf,
Bossert,	Gramlich,	Lee, K. B.,	Schuster,
Buchanan,	Gross,	Leonard,	Seltzer,
Bush,	Guesman,	Lippincott,	Simmons,
Cioffi,	Guthrie,	Lutty,	Snare,
Clarke,	Hamilton,	Magee,	Steckel,
Cooley,	Haudenshield,	Manbeck,	Stimmel,
Curwood,	Heffner,	Markley,	Stiteler,
Davis,	Helm,	Marsh,	Strausser,

Dengler,	Henzel,	May,	Thompson,
Dennison,	Hocker,	McCandless,	Tompkins,
Donaldson,	Holliday,	McInroy,	Ujobai,
Down,	Irvls,	McLaughlin,	Weldner,
Edwards,	Isaacs,	Meholchick,	Wescott,
Elvey,	Johnson, A. W.,	Merry,	Whittaker,
Eshleman,	Johnson, R. P.,	Musto,	Willard,
Fetterolf,	Kamyk,	O'Dell,	Willaredt,
Fineman,	Kelser,	O'Donnell, J. P.,	Williams, A. D.,
Foerster,	Kernaghan,	Odorisio,	Williams, E. S.,
Foor,	Kessler,	Ogilvie,	Wood,
Fulmer,	King,	Piper,	Worley,
Galley,	Kistler,	Pursley,	Zember,
Gallagher,	Knecht,		

## NOT VOTING—26

Arlene,	Holman,	Mihm,	Shupnik,
Bowman,	Horst,	Murray,	Slack,
Cauley,	Jenkins,	Polaski,	Trusio,
Eshback,	Long, Wm. Jas.,	Price,	Wall,
Ewing,	Maxwell,	Reidenbach,	Walsh,
Fox,	McCormack,	Sakulsky,	Zimmerman,
Goldstein, M. H.,	McDonald,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

## ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, I would like permission at this time to inform the House of our plans concerning lunch, since they were inquiring about it.

The SPEAKER. The Chair welcomes the information.

Mr. McCANN. Mr. Speaker, we will very likely vote until about 1:15, daylight saving time, when we will break for lunch and a very short caucus, returning here and trying to finish about 4 p. m. today.

I understand the cafeteria has a good many school children, besides its regular business there, and by going to lunch at that time it will give us an opportunity to then be served.

So I will call up next the general appropriation bill and other bills until we reach that time period.

NEWTON RANSOM HIGH SCHOOL  
GRADUATING CLASS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the graduating class of the Newton Ransom High School of Lackawanna County. They are the guests of the members from Lackawanna, Mr. Edwards, Mrs. Munley, Mr. Needham and Mr. Wargo.

STUDENTS FROM FRANKLIN SCHOOL OF  
CHESTER WELCOMED

The SPEAKER. The Chair also notes the presence in the gallery of students from the Franklin School of Chester, Pennsylvania. They are here under the direction of their teachers, Mr. John Gremminger, son of the gentleman from Delaware, Mr. Gremminger, a member of this House, and of Mrs. LeCompte. They are the guests of the gentleman from Delaware, Mr. Gremminger.

Mr. McCANN. Mr. Speaker, on page 5, bills on final passage, I call up House bill 808, printer's No. 1891.

## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 808, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Com-

monwealth interest on the public debt and for public schools for the fiscal period June 1, 1961 to June 30, 1962 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending May 31, 1961.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, we have now come to the momentous time in every session when we pass the general appropriation bill. That is the bill which everybody in Pennsylvania has their eyes on, from our mental hospitals, our surgical hospitals, our schools and our various departments. They are all eager to know how they fared in this game of give-and-take on this budget.

As usual, this budget reflects the ever-soaring cost of State government, and, of course, is causing great concern all over this State and everybody is wondering where we go from here.

I believe, just for the purposes of the record, I shall want to interrogate the gentleman from Washington, Mr. Polen, on the bill. I might say this for the minority, Mr. Polen has been very, very gracious to us, keeping us informed as to hearings and, I venture, in all the hearings has given us every opportunity to cross-examine and would have rescheduled hearings had we called for any additional information.

It still adds up to this, as far as this General Assembly is concerned, and I realize we have the watch-dog committee setup and we have made some improvements in the facilities that the House has for having the membership informed as to the whys and wherefores of this general appropriation bill but, so far as the minority is concerned, we are naturally in the dark as to whether any one of the programs is adequate or inadequate. I would say that probably goes for the majority party. All we can do is call in the budget secretary and the various department heads and have them tell their stories. We do not know whether they need that much money; we do not know whether they need all of the employees that they have; and we are today, with this bill before us, asked to provide the money to run the Commonwealth.

The best indication of inflation in a budget—and I believe that there is fat in any budget. I do not care how carefully we cross-examine Mr. Baldwin and his staff and the department heads, there must be, and always is, fat in the budget. Why? Because on page 1 of the Governor's budget, in order to balance this particular budget and come anywhere near solvency in the State, Governor Lawrence, in this current biennium, had to lapse \$39 million. That is on page 1 of the Governor's budget. If we had not been able to lapse that \$39 million, you would not be able to have this general appropriation bill on the calendar today, unless you had a new tax item for \$39 million. Why am I pointing that out? Because in 1959 Mr. McCann from his rostrum, said, "You are planning built-in deficits in this Governor's budget and we will have tax deficiencies." That was true, because as a result of the steel strike and the recession we did have to provide 40-some million dollars for the Department of Public Assistance because of the policy of the State that no one shall be in need. That was an item that we did not actually plan on but we had to provide for. It was not our fault that we had a steel strike and had, in effect, to



finance the steel strike. That, of course, is behind us and is not before us today. In addition to these items, which might have been built-in deficits, there was built-in fat to the tune of \$39 million by which our Governor, by the greatest of austerity, I will say that, was able to cut the budget by \$39 million, that is, provide for lapses. I take it that pursuant to this budget which he has issued that there is \$39 million in lapses which will make the balancing of this budget possible.

Let us look at this general appropriation bill today. It totals \$899 million. The Governor's budget calls for \$902 million, and by various readjustments and some substantial reductions it is on our calendar today to the tune of \$899,144,000, plus the cost of the school freeze. Is there in this budget built-in surpluses, or fat, so that at the end of this year the Governor can proudly say, I am lapsing \$12 to \$15 million, or \$20 million, like I did in the '59-'61 biennium, so that I can provide for that freezing clause that you have written into this bill.

Now, I defy Governor Lawrence, when this bill hits his desk, with his right of line veto to veto out of this bill the freeze clause that we have put in. If he is going to do that, he should go line by line down this budget and make his lapses known, reduce his appropriations by his line veto now and leave that freezing clause in there. I do not believe the Governor should make such a terrible political error as to veto that freeze out of the bill that is before us today. Why? Because he can go down every line in his budget and he can cut out here and there to make up for this freeze, I am sure, because he was able to do it to the tune of \$39 million in the budget that we are now living with.

I commend the Governor for being able to put austerity into his several departments so that he could cut down \$39 million. I do not know whether or not any particular services were hampered severely by his cutting out \$39 million. I say in this budget, in order to save the school freeze that we have put into the bill, there is no reason why he cannot leave it in there and at the end of the year come to us and say, I am lapsing X-millions of dollars. We have been saved by good husbandry during the year and we are paying these beleaguered school districts the money they want. That would be the appropriate thing.

If he does veto out of this bill this freeze clause, I would say that it is up to this House to bring that bill back here and try to pass the freeze clause over his veto. It is that important to the school districts of Pennsylvania. I say you can balance this budget without any new taxes, leaving that freeze in there, and by careful planning, watching spending, and doing the things you did in '59 and '61, by cutting \$39 million out of the budget as indicated on page 1.

I would like to interrogate the chairman of the Appropriations Committee on just a few of the items. We are going to support this bill on the Republican side. We do not know too much about the bill. To repeat, Mr. Polen has been very fair. We could have cross-examined for two days, but I do not think we would have found out anything because we have such meager equipment to go into the several departments and find out whether they need all the employes or whether they do not.

I appreciate the House letting me go a little astray here, but this is all part of the appropriation picture. When we Republicans were in power, Duff raised the

State payroll by 4,400; Fine raised it by 6,300; Leader raised it by 2,600; and now Governor Lawrence, according to the Philadelphia Bulletin, has increased the State payroll in 27 months by 8,900 persons. I do not know whether or not they need the 8,900 employes. I grant you we have added some extra ones here around the General Assembly. Maybe we are just as much to blame as the Governor. But it all reflects itself in this increased budget for which we have to continually provide the money.

Now, will Mr. Polen permit himself to be interrogated?

#### Mr. HELM IN THE CHAIR

Mr. A. W. JOHNSON. Mr. Speaker, the statement issued by your office indicates that this bill totals, not counting the freeze clause now, \$899,144,626; is that correct?

Mr. POLEN. Mr. Speaker, that was correct in a previous print, but in a later print we added a couple of items for the courts which slightly raised that to \$899,153,088.

Mr. A. W. JOHNSON. Now, the Governor's budget on page 1, in the comparative financial statement, the estimated revenue for this year on existing taxes would be \$971,384,000, that is the figure in the budget, is it not?

Mr. POLEN. That is correct.

Mr. A. W. JOHNSON. Then our members who are voting for this appropriation bill, namely, \$899 million, can go back to their constituents and say that when they voted for this general appropriation bill there were enough taxes on the books to provide for the general appropriation bill?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. A. W. JOHNSON. Now then, with respect to the balance of the appropriations yet to come according to the Governor's budget, the total being \$991 million, that would be approximately \$95.5 million more money, is it anticipated that existing taxes plus the new taxes put on in January will equal that sum of money so we can clear the budget providing, of course, the two percent denial of commission bill passes the Senate, is that correct?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. A. W. JOHNSON. And there has not been any change in that?

Mr. POLEN. There has not.

Mr. A. W. JOHNSON. Would you say that the Governor's revenue estimates are based on relatively normal realistic prosperity, or extreme prosperity, or are they conservative estimates of the revenue for the coming year?

Mr. POLEN. The Governor's estimates of revenue are based on what we realistically expect to happen during the next fiscal period of 13 months. They are not optimistic. I would not say they are down in the dumps. I think it is a very real appraisal of what we could expect to receive in revenues.

Mr. A. W. JOHNSON. Thank you.

Now, another question. One of our members has received a letter from one of the State hospitals enclosing a copy of a letter they had written to Governor Lawrence, wherein they are disturbed about the appropriation to this particular State surgical hospital.

Now we notice in examining the budget—and we on the Republican side have always favored a line budget—and looking at State surgical hospitals, you have budgeted

for them \$11,233,172, which I believe is the general appropriation figure. Why did you not set out with particularity what the budget would be for each one of these surgical hospitals?

Mr. POLEN. Mr. Speaker, we have not, in the past general appropriation bill, or the last couple of bills made line-to-line designations for the hospitals, or for anything else. I think in the last 1959-61 biennium the only thing that we gave line by line was for the State colleges. The purpose of that, of course, is to prevent the situation which we have been placed in in the past, where money was available in the total amount for the hospitals, but some particular hospital would need additional money, others would not use the money, and the result was that we had deficiencies and lapses. The present policy we are following is that the hospitals make quarterly requests for the amount of money that is necessary to run that particular institution. They are approved and allocated by the budget office that keeps in very close touch with the situation, and the result could be that if additional money is needed for a certain hospital and other hospitals are running under, then that money can be allocated and there will be no hold-up in the operations of the hospital or institution. The line-by-line budget is something that was done many years ago, but in modern-day accounting methods and the way we move today, I believe the present system is far superior, and I might state, Mr. Speaker, that even the State colleges that asked for it, and we gave it to them in 1959, did not ask for it this year for the very reason I have raised. The flexibility is here in this present budget and in this type of lump-sum appropriations. If the gentleman will refer to the budget, he will see that the suggested allocation is given in there. Of course, that is not law. That simply is based on the request of the particular hospital as finally prepared by the budget bureau.

Mr. A. W. JOHNSON. Then this particular hospital that has written to the Governor and whined about their inadequate budget allocation, if they need more money, the Governor would be at liberty to give them more money if one of the other hospitals was not spending as much money, is that right?

Mr. POLEN. Mr. Speaker, that is correct. The budget secretary would appraise the needs of the particular hospitals for either increases where they were running under and he would allocate very properly that money. In fact, it is being done at the present time.

Mr. A. W. JOHNSON. Mr. Speaker, our information is a little different. We understand, now we may be wrong, that the heads of these institutions would much prefer the line budget so they would know that we, the legislature, have mandated them a certain amount of money and they will not have to come to the secretary of the administration with their hat in hand, begging for their budget. There is a timidity on the part of these department heads to put their foot down and say, "We want a line budget." That is our information. Are we wrong or right in that information?

Mr. POLEN. Mr. Speaker, in the Appropriations Committee, we have not received a single request for a line-by-line budget. I have talked to administrators of various hospitals and institutions and they are more than satisfied with the present method and approve of it for the

very reasons I have stated, the flexibility it gives them in operation.

Mr. A. W. JOHNSON. Then the members on our side, if they vote for this budget without a line appropriation to the Warren State Hospital, can say to the people in Warren County and other counties, this is the way you wanted it and we voted for it with the full assurance that we were doing the right thing by not giving you a line budget in the appropriation bill.

Mr. POLEN. Mr. Speaker, I am confident that in so doing you will be doing what is proper and what is correct, and you can certainly tell the people of your various communities that you have done so.

Mr. A. W. JOHNSON. Now another question about some of the larger items.

The money to run the public assistance program I notice is \$120,250,000 for 13 months, and it is about the same as one-half the amount spent for public assistance during the current two-year period. Do you expect that times are going to be so bad during this coming fiscal year under the new administration that you are going to need \$120,250,000 for relief, which is a very high level?

Mr. POLEN. Mr. Speaker, we feel that the amount that the gentleman mentioned is the correct amount, as near as can be projected. Of course, in a matter of this kind—public assistance—I think it is impossible for anyone to adequately estimate what will be needed. However, I will say this budget is based on an average caseload of 385,542. As of April 15, 1961, the caseload was 451,000, which as you see is considerably higher than the average that we were using. However, our projection indicates that it will drop to average, or perhaps 387,154, during the 1961-62 fiscal year, and that by June 1962, at the end of the fiscal year, it will be down to 333,000. Those are the best estimates we can make, based upon all the factors that enter into the making of such estimates. I personally believe, after thorough examination, and I might state that as recently as last Tuesday, I again went over these figures with the Department of Public Welfare and with the budget secretary and we feel at this time that the amount requested will be required and we hope it will be adequate.

Mr. A. W. JOHNSON. Is it possible, Mr. Speaker, that in this era of the new frontier, and things like that, that maybe by the end of the year the Governor might even in this fund, because of the great era that is to come, find money for this freezing clause, for the school districts out of this appropriation?

Mr. POLEN. Mr. Speaker, anything that I could say would only be a guess, but I will say that I hope it will be possible the amount required for public assistance would drop so drastically that we would have many millions of dollars left for that and other purposes.

Mr. A. W. JOHNSON. Now, let us get on with the education budget.

The amount for support of the public schools is set out in the budget, in the general appropriation bill, as \$270 million, I think, on page 31, House bill 808 . . .

Mr. POLEN. On page 31, now what was the question?

Mr. A. W. JOHNSON. The figure \$272,300,000, that money takes care of the instructional cost of pupil education and the estimated increase in teaching units and there



is no increase to the school districts other than taking care of the mandated increases in the increasing of teaching units. Is that correct?

Mr. POLEN. That is correct.

Mr. A. W. JOHNSON. At a bare minimum?

Mr. POLEN. That is correct.

Mr. A. W. JOHNSON. Now, if we pass anything further with respect to the Governor's Committee on Education, such as implementing him by raising the minimum salary of school teachers from \$3,600 to \$4,200 and putting in some of the other recommendations which are obviously increases, do you have any estimate how much this figure of \$272,300,000 would have to be increased?

Mr. POLEN. Mr. Speaker, the increasing of the teachers' salaries alone, of course, would not entail any additional expenses to the Commonwealth unless it was implemented by legislation to increase the subsidies. On the question as to what the cost would be, I could only say that all I know it would be would be the amount that was mentioned in the Governor's report which for this fiscal year would be \$34 million.

Mr. A. W. JOHNSON. All right. Let us get to another item. Now, in January, we lapsed \$50 million of the retirement money. I understand that you released the bill from the Appropriation Committee this morning, seeking to pay or authorize the payment now of that \$50 million. Is that correct?

Mr. POLEN. Yes, Mr. Speaker, we reported the bill from committee this morning that reinstates the appropriation to the amount . . .

Mr. A. W. JOHNSON. Mr. Speaker, a further question: From what I can glean from the budget, the total amount of the retirement money in the '59 and '61 biennium budget was \$69,860,000. Now we lapsed \$50 million. Has the \$19 million, or if that sum is not correct, maybe it is more than that, has that amount ever been paid?

Mr. POLEN. Mr. Speaker, all of it has not been paid but by the end of the fiscal year, this biennium, the amount, other than the \$50 million which we are re-instituting, will have been paid into the fund. The \$50 million will remain after the passage of this bill, reinstating it, is in the budget as a deficiency.

Mr. A. W. JOHNSON. Is this \$50 million in this budget? Is that in this deficiency appropriation figure? Where does the \$50 million appear? Is it in the \$991 million total budget of the Governor?

Mr. POLEN. Mr. Speaker, it is in the deficiency. It is in the deficit.

Mr. A. W. JOHNSON. It is in the deficit?

Mr. POLEN. That is correct.

Mr. A. W. JOHNSON. That amount is over and above in addition to the \$991 million which is the total?

Yes, I can see the Governor's—it says deficiency and additional appropriation.

Mr. POLEN. That is correct.

Mr. A. W. JOHNSON. That includes it?

Mr. POLEN. That is correct.

Mr. A. W. JOHNSON. When you pass that bill from \$50 million it will be paid off sometime during the coming fiscal year. Is that correct?

Mr. POLEN. It is anticipated if the revenues come up to our estimates that it will be entirely paid during the fiscal year. In fact, we are striving to get it on that basis.

Mr. A. W. JOHNSON. Then, in addition, this budget calls for the current year, the current fiscal year, for the appropriation of \$34,552,000?

Mr. Speaker, the question may be dry and may be not too interesting but we do, and we should have in the record these matters so that the members, after the session is over and they get back home and people ask them, what did you do about this, unless it is in the record where they can find it, they are at a loss to tell their constituents and the various school people just what has taken place.

I ask another question: This budget calls for \$34,552,000 for the school employees retirement fund. First question, is that for last year and you are paying it now, next year, or is that the estimate putting it on a full basis for the fiscal year starting July 1, 1961, ending June 30, 1962?

Mr. POLEN. Mr. Speaker, that is for the fiscal year starting June 1, 1961, and ending June 30, 1962.

Mr. A. W. JOHNSON. Then, if we appropriate that \$34 million into the School Teachers' Retirement Fund, the plan would be during this coming year to not only pay up the \$40 million that was lapsed but this \$34,552,000 as well. Is that correct?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. A. W. JOHNSON. And the same thing would be true of the State Employees' Retirement Fund. You have in this budget \$13,994,868 for that item and that is for this coming fiscal year?

Mr. POLEN. That is correct.

Mr. A. W. JOHNSON. You are trying to put it on a current basis. Is that correct?

Mr. POLEN. That is correct.

Mr. A. W. JOHNSON. We do not notice any figure on this budget for the deficiency of interest to the fund by reason of your not having been able to put that money into the fund. Where is that deficiency of interest bill?

Mr. POLEN. Mr. Speaker, it is not anticipated that there will be any bill necessary for interest deficiency, that the fund will become current and if the interest does not reach the 4 percent, the difference can be prorated over a few years to take care of it. In other words, we feel it will not be necessary in the future, possibly never, to have a deficiency again as long as we have maintained the 4 percent rate.

Mr. A. W. JOHNSON. Mr. Speaker, if you have not put any money into the fund for the last two or three years, how would the money be there to pay any interest at all? Isn't the fund out this interest on this money for the last couple of years?

Mr. POLEN. Mr. Speaker, the interest guaranteed is only on the share of the money that is paid in by the employees and that, of course, has been done. The Commonwealth makes up the difference between the amount earned and the four percent which in the past, has been very bad, but, under the new fiscal policy which the boards adopted and the financial advisors put into effect, we are approaching right now, but we do not have, the four percent, and it is anticipated in the future that we will exceed the four percent.

Mr. A. W. JOHNSON. Now, Mr. Polen, another question on the overall budget and then I am through. If you would take the budget figures for the current period and divide it by two, you will get a certain figure, around

\$80-some million, I believe, and then if you will take this budget and reduce it to 12 months and then subtract it from the budget of one-half of the current biennium, it comes out around \$50 million. Of course, I realize that the school appropriation is on a 12-month basis, so actually if you were to compute it, this budget for one year is anywhere from \$70 to \$90 million more than the budget for one year that we are living with right now. Is that figure about right?

Mr. POLEN. I could not say that it is exactly right but you are within the area. I think it is correct.

Mr. A. W. JOHNSON. So there is a substantial increase in the budget?

Mr. POLEN. It is due to various factors. This is one of the large items.

Mr. A. W. JOHNSON. So that for this year, there is that much increase in the cost of running the Government and that compares with \$170 million increase in Governor Lawrence's budget for the first two years. It has been running about \$80 or \$90 million a year, the increase?

Mr. POLEN. Mr. Speaker, it has been brought out in this House a number of times recently, when the legislature demands certain things to be done, those items are still controlled by the executive over them because we approve and pledge ourselves to pay them and we have to do it. Now, in the largest increases, if you go over it carefully item by item, you will find they are in the areas that I have mentioned, and another thing that accounts for a lot of the increase, that in the Welfare Department, as the gentleman well knows, and I think he favors the program, is that we are opening a large number of new institutions which employ thousands of people which require more people and, in many instances, highly paid people. That is taking care of the mental health program and the handicapped. In those areas you will find the large increases. Now, as to the general governmental operations, the increases are very minor.

Mr. A. W. JOHNSON. Mr. Speaker, do you have any figure as to the additional State employees that this budget provides for? We have a figure of around 900. Is that approximately correct?

Mr. POLEN. I would say that is approximately correct. I do have it by the different programs that we analyzed in the budget requests as to the number of programs, and you will recall at the hearings that in each case we asked each department how many new employees. I did not add them up, but I do believe the figures given by the gentleman are substantially correct. It is less than a thousand.

Mr. A. W. JOHNSON. And would we be correct in saying that there are about 50 new and expanded programs mentioned in the budget with an annual cost of between \$35 and \$40 million?

Mr. POLEN. Mr. Speaker, I do not believe that would be correct.

Mr. A. W. JOHNSON. What would be correct? How many new and expanded programs are there in this budget?

Mr. POLEN. I have not made a recapitulation on that basis but I do have the programs here which we have gone over but, just one minute, and I will give you an estimate.

Mr. POLEN. I would say that the new programs are probably \$2 or \$3 million.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. Speaker, by way of summary, maybe by way of repetition, we on this side intend to support this bill. We think the bill is significant in that it does provide huge sums of money for new and expanded programs and the additional employees that I mentioned, and, as the gentleman from Washington, Mr. Polen, has admitted, there is no additional money in this budget for our schools.

I know the Governor thought that maybe President Kennedy would bail him out through a Federal-aid program. Maybe that may still be possible; I do not know. But the truth is that this budget, as his budget for '59 and '61, did not provide anything new for the schools. Now when, in 1959 and 1961, we voted for the sales tax, we were supposed to have a \$28 million increase in school subsidies, which we did not get. This would have been over and above the existing subsidies for our schools. But, if that is the way the Governor wants to run it, I think the people of this State who are for education are watching this budget, are watching the spiralling increase in the cost of education to the taxpayers back home. I believe the people should know and realize that this budget does not have a dime in it for any increase at all for the schools, even though we have been heaping upon the schools, year after year, new requirements.

I am glad that we can provide adequately for all these services in Pennsylvania. It is too bad that we are now at the tail end of a session, when we would like to be able to say that we are going to have a short business-like session, that we still have in our laps a school program without a dime in the budget for it, without any plans to raise the money, with the other side having been hit over the head with some very bad taxes which will no doubt hurt them politically back home. It is too bad that this budget, instead of \$90 million for other things, did not have that money in there for the schools and let some of the other stuff go, so that for the last two months of this session we could devote ourselves to education and spend \$30 or \$40 million, which is all that it would take to do an adequate job. But no, we cannot do that, we are going to spend all this money. After the Governor signs the bill he is going to say to us, you short-changed our schools, dig up some money and pass some bills. I say it is a frightful burden that is being put on this session of the General Assembly, and I want it in the record that we do not like it at all. But we are going to vote for this bill even though it is lopsided in many ways and short changes many of the things we would like to see taken care of.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, we have before us today House bill 808, which is to provide for the necessary expenses of the Commonwealth in running the State government.

I do not know how many people have studied the budget; how many people have studied the bill; but I want to say that I have studied them for many months. I have had conference after conference; I have gone into detail in many things that might not look correct in the start, but which, when we analyzed them, we found they were proper.

It has been my policy, as chairman of the House Ap-



propriations Committee, to consider every single bill on its merit, and I have given the same consideration to the minority as I have to the majority. After our budget hearings, I asked the members of the House Appropriations Committee to give me any suggestions they might have as to any cuts that could be made, as to any additions or changes that we should make. I received no formal request, but I will say, that in some cases, the minority leader, Mr. Johnson, discussed a couple items with me and I agreed with him and I made those changes.

We have been continually studying this budget. We have checked it; we have kept in touch with expenditures; we have kept in close touch with the budget office and we have kept in close touch with the departments. I have many times reviewed it, again and again. My opinion is that this is the tightest budget in the history of Pennsylvania. We talk about the '59-'61 budgets. I want to say that was for a two-year period. It could not be estimated as close. There were many factors that entered into it that do not enter into this budget. We have even taken into consideration the positions that the time will elapse before they are filled, for a full complement, and for those who resign and the time that they are filled. In fact, this is a very, very close budget.

I want to say this: I hope that there will be \$39 million that might be lapsed. I want to say also, when we talk of the \$39 million in the '59, '61 biennium, we are talking of a two-year period, while this budget is for a 13-month period.

I do not believe it will be possible to lapse that amount of money, but I hope it will. But I want to give the assurance to this House that if it is possible to do so, the Governor of the Commonwealth has issued orders repeatedly, and it is being enforced by the budget office, that not a single unnecessary position will be filled, that economy will be practiced throughout the Commonwealth. And I do believe that a sincere effort has been made to do that. I feel confident that the Governor will exercise the same supervision, and the budget secretary will, that they have in the past, and if there is any money that can be saved, I want to assure this House that money will be saved. I hope it will be possible, when we come back here in the next fiscal session, that we will be able to lapse money.

I want to say that I can agree with much of what the gentleman from McKean, the minority leader, Mr. Johnson, said. However, in the matter of increases in this budget, I do call to your attention that the great increase is in mental health and in the authority rentals. I do not think you will find any great expansion in anything else. The new programs, as I have said, are a matter of \$2 or \$3 million.

I want to say to the members of the House, as I have in the past, I have tried to do a good job, to bring out a bill that will take care of the necessary expenses of this Commonwealth in a very proper manner. So far as the schools are concerned, I think it is a matter for this House to determine. At any time that legislation was introduced or was to be considered to provide the additional money for the schools, we all know the one answer: we are going to have to provide the taxes to take care of it. Personally, I believe that we should adequately finance education in Pennsylvania, and I am one who

has voted for the taxes to take care of the appropriations. I will cooperate with any member of this House to bring about a program of education, and the financing of it, in line with the Governor's recommendation or any other sound recommendation.

I ask the members of this House to support House bill 808, which will finance this Commonwealth in the 13-month fiscal period.

The SPEAKER pro tempore. Before recognizing the next gentleman the Chair would like to commend the gentleman from McKean, Mr. Johnson, and the gentleman from Washington, Mr. Polen, for the very able debate and interrogation on the budget. I think that in my experience it is one of the finest debates and interrogations I have ever heard on any budget that we have ever adopted in this legislature.

I think the members have been very attentive and are to be commended for their interest in this very important subject.

The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Briefly, Mr. Speaker, I ask the members, in looking over this budget and allowing the various items for all things mentioned in the budget, to give careful consideration to the view entertained by the Attorney General of the State of Pennsylvania and sustain the Tax Equalization Board and disallow the \$7 million or \$8 million in this budget. I think it is unlawful, improper, and should be disallowed.

Mr. MULLEN. Mr. Speaker, I am not standing up here today to oppose the general appropriation bill, but I certainly disagree to a certain extent with my friend, Mr. Polen, and I heartily disagree with Mr. Johnson.

First of all, in my opinion, I do not think the budget is in balance, or anywhere near in balance. I think that with the additional mandated increases which we have imposed, I would say conservatively that our budget for this year will be out of balance by \$25 million, and I would think that for next year, considering the mandated increases that have already been put on in prior sessions, together with the mandated increases that we have put on in the last couple days, we should be out of balance by \$40 million to \$60 million.

When we get down to the question of education, we must consider that in this general appropriation bill almost half of the appropriation bill is devoted to education—almost a half-billion dollars.

When you look at this education program, considering all appropriations, both the general construction bills and the General State Authority bill, I think the people of Pennsylvania will realize fully that we have done more for education probably than any other State in the Union.

Now just let us look at some of the figures. We will start out with the General State Authority appropriation. In section 8, we appropriate \$333 million to the Department of Public Instruction. In section 13, we appropriate \$41,950,000 for State-aided colleges and universities. Last week we passed a general construction bill that called for an authorization of \$1.3 billion. Now today we are allotting them a half-billion dollars. For this coming year it means that for education alone, we are either approving for actual expenditure or authorizing \$2.175 billion for education alone. Boy, that is a lot of money. I say to any

member of this Assembly today who disputes this figure, let him stand up and show me where I am incorrect.

Now you say in the general construction authority, they are not going to spend that amount of money, or authorize it, let us say. That is incorrect, because last year they spent their authorization, or the amount we had allocated them by over \$100 billion. This year they already have on the boards allocations for \$1.3 billion which we authorized them, or voted for, last week.

There we have \$2.175 billion for education. How much more can the Commonwealth stand in the way of taxation to support a program of this kind?

Out of this \$2.175 billion, actually only \$500 million of that is being taken by current appropriations. The rest of it is going to be financed, as we have in the past, with deficit financing. I do not think the people of Pennsylvania or the educators have anything to cry about. I think they are well taken care of. Two billion dollars for education, a half billion for the rest of the State. That is a lot of money, that is all I can say.

The SPEAKER pro tempore. For what purpose does the gentleman from Berks, Mr. Piper, rise?

Mr. PIPER. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. PIPER. Mr. Speaker, on page 40, line 11, Wernersville State Hospital, can you tell me how much they asked for?

Mr. POLEN. Mr. Speaker, I do not have the budget requests here. I could get them for the gentleman, but the requests, of course, are made to the budget office and the amount shown in the budget which I have here is the amount allocated by the Governor's office budget secretary. I do not have that figure here.

Mr. PIPER. Mr. Speaker, can you tell me whether or not any money was lapsed from the Wernersville State Hospital or the Hamburg State School and Hospital last biennium?

Mr. POLEN. Mr. Speaker, I do not again have the list of the lapses for the State hospitals. Money was lapsed from certain of the State hospitals, I believe.

Mr. PIPER. Mr. Speaker, could you tell me what amount these hospitals will be allowed in the present appropriation.

Mr. POLEN. Yes, Mr. Speaker, I can give you the allocation. What particular State hospital?

Mr. PIPER. Wernersville.

Mr. POLEN. Warrenville?

Mr. PIPER. Wernersville, Berks County.

Mr. POLEN. The allocation for the Wernersville State Hospital as proposed is \$3,433,312 as compared with 1960-61, \$2,903,447, and in 1959-60 actually \$2,680,273.

Mr. PIPER. Thank you. Now for the Hamburg State School and Hospital, their appropriation?

Mr. POLEN. The Hamburg State School and Hospital, in 1959-60, the actual figure was \$948,185; in 1960-61, it was \$1,786,850, and recommended in 1961-62, is \$2,037,283.

Mr. PIPER. I thank the gentleman. I am very much interested in our mental health hospitals and our Ham-

burg State School and Hospital. I feel that we have many people who cannot get in these hospitals because of inadequate services; there is not room for them. For this reason I would not like to see money left in any one of them, or any of these hospitals in the State of Pennsylvania. Thank you.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I believe the gentleman in his general summation of the budget made a statement to the effect that there is a considerable increase in the budget for the mental hospitals. Can the gentleman give me the dollars-and-cents figure of the increase?

Mr. POLEN. For the mental hospitals, Mr. Speaker?

Mr. TOMPKINS. Yes, Mr. Speaker.

Mr. POLEN. You wanted the amount of the increase?

Mr. TOMPKINS. Yes, the amount of the increase to mental hospitals.

Mr. POLEN. Well, the mental health services for one year, for one-half of the '59-'61 biennium, one year which we will compare, was \$84,778,236. That compares to the 13-month period of \$101,520,884 which, without adjustment for the 13-month period, is an increase of approximately \$16 million.

Mr. TOMPKINS. Mr. Speaker, I have read in the papers in the last couple days that the Governor is going to increase the bed capacity in these hospitals by 1,300 beds. Am I right in that?

Mr. POLEN. I read the article, yes.

Mr. TOMPKINS. Are those 1,300 beds included in this increased appropriation?

Mr. POLEN. They are, Mr. Speaker.

Mr. TOMPKINS. How much additional personnel will it take to man that number of beds?

Mr. POLEN. Mr. Speaker, again, I do not have the budget request which shows the additional personnel required. I am going to review this. It might be that I have it in some of these other notes.

I could only give it to you for the entire program; 558 new positions are recommended, 530 of these new positions will be needed to operate new facilities.

Mr. TOMPKINS. 558 recommended—530 required.

Mr. POLEN. 530 for new facilities.

Mr. TOMPKINS. Mr. Speaker, I am not trying to eliminate this appropriation. I am trying to get some information here to find out where we stand.

Let me ask this question first: Is this additional 530 required available?

Mr. POLEN. Mr. Speaker, that would be a hard question to answer, but I would say that the Department of Welfare has had their recruitment program in effect and a training program in effect, and we feel certain that when the facilities are available, the necessary employees will be available.

Mr. TOMPKINS. Am I right in my recollection that during last summer or early last fall, the salaries of the employees in these institutions were increased?

Mr. POLEN. That is correct, some of them, not all of them. But they were increased.



Mr. TOMPKINS. There were some increases in there?

Mr. POLEN. That is correct.

Mr. TOMPKINS. Am I correct in my recollection that either the Budget Office, or the Governor's Office, issued statements to the effect that the money for those increases was found from the personnel that had been provided for in the '59-'61 budget, but which personnel they had not been able to recruit and, therefore, because of the fact that they were unable to recruit that personnel, the money allocated for that purpose was used for the purpose of making these increases?

Mr. POLEN. Mr. Speaker, it is correct that in certain fields the personnel required was not recruited and certain moneys were used to take care of necessary increases to hold existing personnel.

Mr. TOMPKINS. Has the personnel, recommended in the '59-'61 budget as yet been recruited?

Mr. POLEN. I do not believe they have been entirely recruited, but they are approaching the point where we feel now that our recruitment program is paying off, and that if we get the training program the **Secretary of Public Welfare** has requested, she will be able to have the necessary personnel to handle all the institutions.

Mr. TOMPKINS. Do you know how much shortage there is in the '59-'61 recruitment?

Mr. POLEN. Mr. Speaker, I could not say.

Mr. TOMPKINS. How many of the 530 required to man these are included among the number that you were unable to recruit in the present biennium?

Mr. POLEN. The 530 will be entirely new employees.

Mr. TOMPKINS. But none of them has been hired as yet?

Mr. POLEN. No, sir.

Mr. TOMPKINS. And you do not know how many of that number are available for that purpose?

Mr. POLEN. Their recruitment program indicates they will be available, the recruitment and training program.

Mr. TOMPKINS. Have all the beds that were provided for in the '59-'61 budget been put into use and are they manned?

Mr. POLEN. Where the facilities have been completed. All the facilities have not been completed. We have some that go into effect—I believe we have one that is going to be in effect in July or August.

Mr. TOMPKINS. The ones that have been completed and for which beds have been furnished, are they now in use?

Mr. POLEN. I understand they are completely in use.

Mr. TOMPKINS. I thank the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I am going to vote for this bill. In fact, I boasted in here, with regard to being a responsible legislator, which I try to consider myself, I could hardly afford not to vote for it. I am very greatly concerned about the entire tone of the appropriations bill, and I am voting for the bill with my tongue in my cheek and with a very great reluctance.

I am very much concerned, Mr. Speaker, with the effect of this appropriation bill and the taxes that we have passed to make up these appropriations. They will affect unemployment, business, and the economy climate in this State.

Let me summarize briefly. We have talked here, and I have heard many talks here, about legislative responsibility. We have already passed in this House authorization for \$300 million highway bonds that over the next five years have to be paid with tax money. We have already passed, last week, a general school state authority bill that raises that general state school authority ceiling by \$300 million, with an extra \$10 million going in for technical schools. Now that has to be paid mostly with tax money, except possibly where it is used for building dormitories, and I believe that comes under the General State Authority in our State collegiate institutions. All this has to be paid for out of future taxes. And I would ask you people, where are you going to get the money? What taxes are you going to levy in the years to come to raise this money? On that \$300 million of the General State School Authority there are going to be more mergers, there are going to be more jointures. Probably that is in the right direction if kept within bounds. But the buildings of these mergers and jointures, these new school buildings, I feel have gotten away out of bounds. We are furnishing athletic fields, gymnasiums, and that sort of thing, far beyond in many instances, I think, what is absolutely necessary to give the children in those districts a good fundamental public school education. And yet we have done nothing about it.

We have also on the books, bills to raise the General State Authority \$243 million, I believe, or somewhere in that vicinity. That money is going to have to be paid for out of future taxation.

I wonder, Mr. Speaker, if we are going to try to attract new industry into this State, how this new industry is going to look at this picture. To come into this State with all this increased taxation that we are going to have to levy within the next 8 to 10 years, which bonds will have to be paid off over a period of possibly 20 years or 25 years, and we have to raise that money every session to pay it off, and pay the interest on those bonds, and it amounts to considerable millions of dollars every year, how are they going to consider this picture? I think, and I still say, Mr. Speaker, and members of the House, the most pressing problem we have in this State today is the unemployment problem. We have three large segments of our Pennsylvania industry that are in very bad straits. The steel industry is in pretty bad straits. Many of them who are classified as being employed are only employed half-time, maybe three-fourths of the time, so the percentage of full employment in the steel industry would be very low, in comparison to what it was, five, six, or seven years ago.

We have the railroad industry which is in very bad straits, and I know wherefor I am speaking, for that affects my local district which I represent. In that particular district we still have 6,500 on the idle payroll, unemployed, due to the change over in the railroad industry and the general slackening of the economy all over Pennsylvania.

You people who live in the anthracite and bituminous coal regions know only too well what has happened to your mining industry. And we are getting no relief from the national Administration, neither under the Republican nor the Democratic. The foreign fuel oil has come into the eastern seaboard and taken up the coal mines and the coal miners have had to be laid off.

So I say, Mr. Speaker, it is with a great deal of reluctance that I am voting for this bill—and with my tongue in my cheek. If I had had my way, and possibly it is well that I did not, and maybe here I am sticking my neck out, I would have taken the '59 budget and held it line for line with the appropriation that we made in '59 for the 12-month period, with some possible exceptions, for instance, to take care of the mandated school salaries for teachers and also for the increased public assistance rolls.

Here again, Mr. Speaker, let me say something. We are financing illegitimate children in this State until it has become pretty near a State disgrace. It has risen very nearly to the point where we are financing prostitution in this State. When mother after mother can give birth to children and then go in and get financial assistance for them, public assistance, in many cases where the fathers of those children are living in the same house, and we have done nothing about that.

I would say that if I would have had the time, if I would have the clerical help, if I would have had my way, possibly I would have tried to hold this budget line for line to what it was in '59, except for those fallacies.

I am greatly disturbed, Mr. Speaker, as to what this budget and these appropriations and the taxes that we have passed are going to affect, and how they are going to affect, I am afraid, seriously, the unemployment situation in this State. We are not going forward in increasing our financial or economic structures in this State. For instance, we passed a bill that will accelerate taxes, and it has already been enacted into law by 80 percent and that is payable in April of each year. I have talked with men who are very seriously concerned and directly interested in trying to attract new industry into this State and expand existing industry, especially small industry and they tell me there is no question in their minds whatsoever that that particular acceleration bill will hurt, will very seriously hurt, and act as a deterrent to attracting new industry into our State and helping the unemployment situation.

Mr. Speaker, with these remarks I will conclude. I just wanted to state my personal viewpoint on the entire matter in a general way. Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Unlike the gentleman from Blair, Mr. Auker, I am going to vote against this bill. I do not think that I should vote for something with my tongue in my cheek when I am really opposed to it.

It is my belief that someone here should register a protest and, if no one else will do it, I will do so.

It is always most interesting to me to observe people fight straw men. You create a straw dummy and then you set out to knock it down. So the remarks of the minority leader, Mr. Johnson, appeared to me, because what he did was indicate that this budget probably has a lot of fat in it because the administration wanted it so and, as a consequence, the Governor, at some stage of the game, may be able to lapse a lot of appropriations, and things which are not included in the budget at the present time and, therefore, be included because there will be plenty of money for them.

I attended many of the Appropriation Committee hear-

ings, as did many other members of this legislature. We endeavored to listen very, very closely and we interrogated some of the members of the Governor's cabinet in an effort to find out where the increases were in this budget and what could be done about them. The fact that we were unable to do something and the fact that we were unable to make intelligent cuts in their requests for appropriations I do not believe is the fault of them, but it is the fault of us.

I believe that the executive, in consultation with the members of this administration, has the right to request information from the various departments and determine for itself what the apparent needs of those departments are. Then it is incumbent upon the legislative body, if it feels that these requests are too great, to make the effort to remove the fat that lies in those requests.

However, this body, in its wisdom, felt unwilling to do so, and because of that the various requests made by these departments are here before us today for either approval or disapproval. So that in itself I do not think indicates a great deal of fat, but what I do deplore is the fact that we by ourselves make additions to this budget and we put in a little pork-barrel fat and accuse the executive of doing the thing that we do ourselves.

The difficulty with this budget, and probably with the budgets that will come hereafter, is the fact that we mandate increases and, because the executive department includes those increases when it makes its requests for appropriations, we thereafter blame the executive for including what we forced the executive to request. Therefore, I believe, lies the fault. That is why I think that a protest must be registered here and now, because we in this body are doing what we complain the executive does. We make additions to the requirements and the needs of this Commonwealth. We legislate and we thereby require additional funds and revenues and, after we legislate these requirements, we thereafter propose to blame someone else for it.

This budget we know, because we discussed it fully yesterday, has at least \$7.5 million within it for which there has been no request, which has not been requested by the administration and which was not included in the request for revenues of this administration.

In addition to that factor, we know that the revenue estimates are falling behind that which the administration made when it made its initial budgetary requests and made these suggested appropriations. And yet, despite these things, we here and now are going, as Mr. Auker says, to vote for this budget that we know is bad and possibly includes things that we cannot pay for, and probably, also, will require additional taxes or levies.

There is probably much more that I could say, but I am also sure that the men are getting quite impatient, but I do believe this, that a protest must be registered and, if no one else is willing to do so, I am going to vote against this bill as a demonstrative indication that someone in this legislature has thought there is fat in here that could have been eliminated by us.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.



The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. A. M. LEE. Mr. Speaker, will the gentleman inform me as to whether or not there is any provision in this general appropriation bill for the participation of the State of Pennsylvania in any Federal program of medical care for the aged?

Mr. POLEN. I presume, Mr. Speaker, the gentleman is referring to the implementation of the Kerr-Mills bill, is that correct?

Mr. POLEN. That provision is not in this budget.

Mr. A. M. LEE. Mr. Speaker, will the gentleman inform me as to whether the omission of such funds from this bill represents the definitive answer by the Lawrence administration or whether or not we are going to come under Kerr-Mills?

Mr. POLEN. Mr. Speaker, it does not.

Mr. A. M. LEE. Is it not true, Mr. Speaker, that in the event we are to participate under Kerr-Mills we will have to appropriate the money for the purpose of medical care for the aged?

Mr. POLEN. Mr. Speaker, the entire hospital question has not been settled. The hospital bill has not been introduced. Various plans have been presented to the Appropriation Committee, to the executive department and to the welfare department concerning implementation of Kerr-Mills and the purchase of care and various other programs. They are all being studied and evaluated and in the very near future we will, of necessity, make a decision as to what will be best for Pennsylvania in order to obtain the necessary Federal funds and finance the cost of the Commonwealth's share.

Mr. A. M. LEE. Is it not true, Mr. Speaker, that in order to qualify under Kerr-Mills, the funds must be expended by the State of Pennsylvania?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. A. M. LEE. So that under the hospital bill those funds are appropriated to the hospital, and is it not true that they should be included in the general appropriation bill as representing an obligation of the Commonwealth for which there can be reimbursement?

Mr. POLEN. Mr. Speaker, in the past the appropriations have been made to the Department of Welfare and allocations made for the nonprofit hospitals. If we would implement Kerr-Mills, of course, the matching money would come from the Department of Welfare out of that appropriation.

Mr. A. M. LEE. Out of what appropriation, Mr. Speaker?

Mr. POLEN. Out of the appropriation from the Department of Welfare.

Mr. A. M. LEE. But the gentleman informed me that there were no such funds in this particular bill and this bill contains the appropriation to the Department of Welfare.

Mr. POLEN. That is correct, Mr. Speaker, but funds could be used from the Federal monies that come in and are paid out by the Commonwealth of Pennsylvania.

Mr. A. M. LEE. But, nonetheless, as far as the hospital funds, as I understand the figures, there are about \$5 million out of this \$14 million annual figure for hospitals that would qualify under the medical-care program. There

also are additional funds which are expended through the appropriation in here to the State-owned general hospitals which also would qualify for Federal funds, but, over and above that, there may be additional funds that would be required and the question I have is they are not included in this particular bill?

Mr. POLEN. There is no specific provision for them, Mr. Speaker, but the appropriation made to the Department of Welfare, of course, could be used to match the funds that would be made available under Kerr-Mills.

Mr. A. M. LEE. But it is my understanding that the appropriation in this bill for the Department of Welfare was justified item by item. You have indicated in the prior interrogation that in connection with that it was justified on bases that did not include a program of medical care for the aged?

Mr. POLEN. Mr. Speaker, there has been recent Federal legislation that will make additional Federal moneys available to Pennsylvania under the Department of Public Assistance, which could be used to pay the Commonwealth's share of the funds necessary for the implementation of the Kerr-Mills bill.

Mr. A. M. LEE. But, nonetheless, if the general appropriation bill does not appropriate the money for that particular purpose, among others, it is possible for the funds to be spent in that way?

Mr. POLEN. Yes, it would be perfectly legal to do that, because the appropriation is made to the Department of Welfare. The Federal money that is received is also appropriated to the Department of Welfare.

Mr. A. M. LEE. Mr. Speaker, the gentleman has said in answer to interrogation that this problem is being studied by the administration and by the Department of Welfare. Can he give us any indication as to how much longer it has to be studied?

Mr. POLEN. I think, Mr. Speaker, I stated that of necessity the decision would have to be made in the very near future. We hope that when we return after the recess we will have everything in shape so we can introduce the proper legislation to implement it and that we will then know what it will cost and how we will finance it.

I might say that the bill for appropriations for the hospitals has not been introduced. We have purposely held it back until we see what the situation will be and at that time, when it is determined, the necessary legislation will be introduced.

Mr. A. M. LEE. Do I take the answer of the gentleman, Mr. Speaker, to indicate that the decision of the administration as to implementing Kerr-Mills will be a favorable one?

Mr. POLEN. Mr. Speaker, I could not speak for the administration, but I can give my opinion that it will be a favorable one.

Mr. A. M. LEE. I thank the gentleman, Mr. Speaker.

Mr. Speaker, I would like to make a few brief remarks on this particular subject.

The Kerr-Mills amendments to the Social Security bill were passed in August of 1960 and, apparently, this whole problem has been under survey and study by the Department of Public Welfare since that time. Under date of September 29, 1960, the Secretary of Public Welfare, Mrs. Horting, issued a press release in which she gave all the full and complete details as to exactly what the

Commonwealth of Pennsylvania had to do in order to implement those amendments to the Social Security legislation, and here we are, seven or eight months later, and still no decision has been reached. I certainly think it is about time that somebody made some decision on this particular subject.

We see press releases, we see pictures in the paper of the Governor down in Washington pleading for additional Federal funds for the Commonwealth of Pennsylvania, and here is a program which has been on the books for a long period of time, with which everyone is familiar, all the figures are available as to what this proposal and that proposal will do, yet he goes there, asks for additional funds, and he will not take advantage of funds which are presently available for the purpose of giving additional help to the medically needy aged in the State of Pennsylvania. I think it is wrong for the Governor to keep stalling on this particular problem.

Let me make one thing clear, Mr. Speaker. In this business of medical care for the aged, there is a controversy as to whether it should be financed under Social Security by enforced contributions deducted from pay checks, and so forth, or whether it should be financed under the general tax revenue.

Now, the implementation under the Kerr-Mills amendments have nothing on earth to do with that particular controversy, because the Kerr-Mills amendments are now on the books; this money is now available.

#### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Gelfand, rise?

Mr. GELFAND. I rise to a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GELFAND. Mr. Speaker, is this not the general appropriation bill we are debating?

The SPEAKER pro tempore. The Chair has tried to be very liberal in allowing the members to discuss anything that pertains to the appropriation bill and would like to caution the gentleman from Philadelphia, Mr. Lee, that he should be speaking on the general appropriation bill.

Mr. GELFAND. I thank the Speaker.

Mr. A. M. LEE. I thought I was, Mr. Speaker, because—

Mr. GELFAND. Does the question of medical aid for the aged come under the general appropriation bill?

Mr. A. M. LEE. The Chairman of the Appropriations Committee, Mr. Speaker, did indicate that funds appropriated by this particular legislation could be utilized for this purpose if other enabling legislation were passed, so I think it is within the purview of the general appropriations bill. Let me say I only have a few more remarks to make.

I was making the point that implementation of the Kerr-Mills amendments has nothing to do with the controversy over whether it should be under Social Security or financed in some other way.

These funds, these Federal funds, are now available, and I certainly feel that the State administration should move immediately to implement those things, because it will be for the benefit of our medically needy aged, our hospitals and, also, for the benefit of the paying patients in the hospitals who now are paying higher

hospital bills because they must bear the cost of this indigent care at the present time.

So with those remarks, Mr. Speaker, I also am going to vote for this general appropriation bill, and I think that, in view of the comments of the gentleman from Philadelphia, Mr. Gelfand, and in view of my comments, we may find the political parties reversed in the city of Philadelphia, because apparently there is a strong economy bloc that is thrown up down there, and I guess after my remarks on this particular bill they will have me down as a wild-eyed spender.

Thank you very kindly.

Mr. DOUGHERTY. Mr. Speaker, I would just like to say that I disagree with my colleague from Philadelphia, Mr. Gelfand, and ask the members of this House to vote for this bill.

Mr. POLEN. Mr. Speaker, in connection with the discussion of the gentleman from Philadelphia, Mr. Lee, I might say that presently the Department of Public Welfare is taking advantage of the Federal funds available under existing law.

As to implementing them in this particular session, I might call his attention to the fact that if we did so it would require State matching money which is not available without the imposition of additional taxes. We have no tax base on which to pass any appropriations in this fiscal year without additional taxes. For that reason, the delay is due to the fact that I do not believe we could pass any taxes even if we had them implemented.

I want to say that we are going to make a decision and it is going to be a decision, I think, that will do the most for the indigent of Pennsylvania, but I want to say at the same time that under our present system we are taking care of the medically indigent in Pennsylvania.

Mr. A. M. LEE. I just say in reply to the gentleman that we could do a lot more for the aged in Pennsylvania if we had one dollar of Federal money for every dollar of State money that is now being spent.

Mr. GELFAND. I am not going to make a long speech, or anything like that. I just want to say that it is not a question of an economy bloc at all; it is a question of legislative responsibility. I am not asking people to vote either for or against this bill, but what I am saying is that there should be some protest against legislative irresponsibility and I intend to voice that protest. If we did not have the amendment we added yesterday, I would probably have voted for this general appropriation bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—184

Adams,	Fry,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gayley,	Leonard,	Royansek,
Arlene,	Gallagher,	Limper,	Royer,
Ashton,	George,	Lippincott,	Rubin,
Auker,	Gibb,	Long, Wm. Jos.,	Rudisill,
Bachman,	Gibbons,	Lutty,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schaaf,
Boles,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Seltzer,
Bossert,	Gremminger,	Maxwell,	Shelton,
Bower,	Gross,	McCandless,	Sherman,
Branca,	Guesman,	McCann,	Shupnik,
Breth,	Guthrie,	McCormack,	Simmons,
Buchanan,	Hamilton,	McDevitt,	Snare,



Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Capitolo,	Haudensfield,	McKeever,	Stimmel,
Clanfrani,	Heavey,	McLaughlin,	Stiteler,
Cloff,	Heffner,	McNally,	Stone,
Clarke,	Helm,	Meholchick,	Strausser,
Comer,	Henzel,	Merry,	Sullivan, J. A.,
Cooley,	Hocker,	Miller,	Sullivan, T. F.,
Crossin,	Holliday,	Mills,	Taylor,
Curwood,	Holman,	Monroe,	Thompson,
Davis,	Irvie,	Morley,	Tomasck,
Dengler,	Isaacs,	Mullen,	Tompkins,
Dennison,	Jim,	Munley,	Trusio,
Donaldson,	Johnson, A. W.,	Murphy,	Ujobal,
Dougherty,	Johnson, R. P.,	Musto,	Varner,
Doughten,	Jones,	Needham,	Verona,
Down,	Kamyk,	O'Dell,	Wargo,
Edwards,	Keiser,	O'Donnell, J. A.,	Weidner,
Ellberg,	Kelly,	O'Donnell, J. P.,	Welsh,
Elvey,	Kernaghan,	Odorisio,	Wescott,
Eshleman,	Kessler,	Ogilvie,	Whittaker,
Ewing,	King,	Parlante,	Willard,
Farabaugh,	Kistler,	Pashley,	Willaredt,
Fetterolf,	Klein,	Perry,	Williams, E. S.,
Filo,	Kooker,	Petrosky,	Wilt,
Fineman,	Kornick,	Piper,	Wood,
Flynn,	Korns,	Polen,	Worley,
Foerster,	Kramer,	Prendergast,	Yetter,
Foor,	Lamb,	Pursley,	Zember,
Frascella,	Lawson,	Reibman,	Andrews,

Speaker

### NAYS—2

Gelfand, Williams, A. D.,

### NOT VOTING—20

Bowman,	Horst,	Mihm,	Sakulsky,
Cauley,	Jenkins,	Murray,	Slack,
Eshback,	Knecht,	Polaski,	Wall,
Fox,	Long, Wm. Jas.,	Price,	Walsh,
Goldstein, M. H.,	May,	Reidenbach,	Zimmerman,

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

### DEMOCRATIC CAUCUS

Mr. McCANN. It is now a quarter of two. I am going to ask for a recess for one hour for the purpose of lunch. I say to the Democratic members that as soon as they eat we would like to have a caucus for about 20 or 25 minutes. Please bring your calendars to the caucus room. We have some amendments to discuss on some bills.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to give the Republican plans.

Mr. Speaker, we have caucused on quite a large number of bills on the calendar. We, therefore, see no reason for a caucus on the Republican side, and so the Republican members can utilize the time of the recess for lunch.

The SPEAKER pro tempore. The Chair will declare a one-hour recess as soon as we have cleared the desk and taken reports from committees.

### REPORTS FROM COMMITTEE

Mr. WORLEY from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 300, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), requiring informations to be brought before the nearest available magistrate or justice of the peace.

Mr. DONALDSON from the Committee on State Gov-

ernment, reported as committed, Senate bill No. 486, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Act" prescribing the effective date of taxes levied for the first time by any political subdivision limiting appeals by taxpayers to such first tax levies.

Mr. AUKER from the Committee on Judiciary, reported as amended, House bill No. 1460, entitled:

An Act authorizing the judge of the court of common pleas of any county of the third, fourth, fifth, sixth, seventh or eighth class to direct that recorded maps, plats or plans be reproduced; requiring the recorder of deeds to preserve originals of maps, plats or plans so reproduced; and providing for payment of costs by the county.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 300, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), requiring informations to be brought before the nearest available magistrate or justice of the peace.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 486, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Act," prescribing the effective date of taxes levied for the first time by any political subdivision limiting appeals by taxpayers to such first tax levies.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 147.

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), further regulating notice given to delinquent taxables.

HOUSE BILL No. 328.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), redesignating the burgess as the mayor.

HOUSE BILL No. 359.

An Act authorizing cities to authorize or provide for the destruction or killing of unowned pigeons by humane means.

HOUSE BILL No. 453.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of oil or gas in State parks.

## HOUSE BILL No. 454.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), waiving the requirement of competitive bidding for contracts and leases for mining or removal of minerals under State forest land when the Commonwealth owns only a fractional interest in such minerals.

## HOUSE BILL No. 480.

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789), by continuing the provisions of section 211.1 in effect for a further period.

## HOUSE BILL No. 507.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), changing the method of computing service increments to be paid from the pension fund to employees of the police force after retirement.

## HOUSE BILL No. 662.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled, "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class \* \* \*" changing the method of computing service increments to be paid from the pension fund to employees of the bureau of fire after retirement.

## HOUSE BILL No. 721.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing the appointment of educational specialists in lieu of assistant county superintendents.

## HOUSE BILL No. 744.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), authorizing the establishment and maintenance of certain places used and maintained for the collection, storage and disposal of certain goods and materials to be licensed.

## HOUSE BILL No. 745.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), authorizing the licensing of junk dealers, junk yards and scrap yards.

## HOUSE BILL No. 746.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), authorizing the regulation and licensing of junk dealers, junk yards and scrap yards.

## HOUSE BILL No. 747.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing the establishment and maintenance of places used and maintained for the collection, storage and disposal of certain goods and materials to be licensed.

## HOUSE BILL No. 984.

A Supplement to the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities \* \* \*" providing a period during which certain persons may join the pension fund created under the act.

## HOUSE BILL No. 992.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), conforming provisions

relating to preparation of the State budget to correspond with the fiscal year.

## HOUSE BILL No. 1005.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), giving State Colleges powers to cooperate with and accept grants and assistance to prosecute research projects and programs.

## HOUSE BILL No. 1038.

An Act authorizing the Department of Property and Supplies to sell and convey all of its right title and interest that it may have in a tract of land in the borough of Canonsburg, Washington County, Pennsylvania.

## HOUSE BILL No. 1045.

An Act amending the act of June 12, 1923 (P. L. 692), entitled as amended, "An act fixing the salary of city commissioners of Philadelphia formerly known as county commissioners in counties of the first class" increasing annual salaries of city commissioners of Philadelphia.

## HOUSE BILL No. 1130.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to lease under certain conditions real property now under the jurisdiction of the Department of Public Welfare and located at the Dixmont State Hospital, Allegheny County.

## HOUSE BILL No. 1135.

An Act authorizing the Department of Property and Supplies to sell and convey land situate in the borough of Polk, Venango County, Pennsylvania, with the approval of the Governor.

## HOUSE BILL No. 1137.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Public Welfare to sell and convey certain lots or tract of ground with improvements thereon in Millcreek Township, Erie County.

## HOUSE BILL No. 1149.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township, Snyder County, Pennsylvania.

## HOUSE BILL No. 1166.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire ninety acres of land more or less in Canaan Township, Wayne County, for use of Farview State Hospital.

## HOUSE BILL No. 1167.

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain retired major-generals.

With the information that the Senate has passed the same without amendment.

## SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bills returned for concurrence Nos. 635 and 636.

## SENATE MESSAGE

## CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate being introduced, informed



that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 5, 1961.

Resolved (if the Senate concur), that House bill No. 369, printer's No. 1021, entitled, "An act requiring employers to pay for medical examination fee where such examination is a condition of employment" be recalled from the Governor for the purpose of amendment.

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 4, 1961.

Resolved (if the Senate concur), that House bill No. 638, printer's No. 694, entitled, "An act amending the act of March 10, 1949 (P. L. 30), entitled, 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto,' providing for annual estimates of expenses," be recalled from the Governor for the purpose of amendment.

### BILLS INTRODUCED AND REFERRED

By Messrs. SNARE and FINEMAN.

HOUSE BILL No. 1542.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 1.565 acres more or less of land situate in Smithfield Township, Huntingdon County.

Referred to the Committee on State Government.

By Messrs. ESHLEMAN, CIOFFI, RUTHERFORD and MURPHY.

HOUSE BILL No. 1543.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the procurement of ballots.

Referred to the Committee on Elections.

By Mr. FRY.

HOUSE BILL No. 1544.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), regulating the election of township supervisors and filling of vacancies in the office of township supervisor, and providing for minority representation.

Referred to the Committee on Townships.

By Messrs. NEEDHAM, WARGO and EDWARDS.

HOUSE BILL No. 1545.

An Act authorizing the transfer of real property in the City of Scranton, Lackawanna County from the Department of Highways to the Department of Public Welfare for use of Clarks Summit State Hospital.

Referred to the Committee on State Government.

By Mr. HELM and Mrs. REIBMAN.

HOUSE BILL No. 1546.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing an alternative method for establishing area technical schools.

Referred to the Committee on Education.

By Messrs. GROSS, J. H. ANDERSON, ADAMS and CAPITOLO.

HOUSE BILL No. 1547.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting display of the seal of the Commonwealth or any facsimile thereof by certain persons.

Referred to the Committee on Judiciary.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 106.

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the fifth, sixth, seventh and eighth class . . ." requiring the creation of a county retirement system in counties of the fifth class.

Referred to the Committee on Counties.

SENATE BILL No. 306.

An Act amending the act of July 8, 1957 (P. L. 759), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

Referred to the Committee on Education.

SENATE BILL No. 401.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" authorizing increase in the number of meetings for which supervisors may be paid without the prior approval of the auditors further providing for the attendance of supervisors or employees at road meetings and conventions imposing duties on township secretaries, changing the time which may be expended by auditors in the completion of audits authorizing managers to attend meetings of county associations of township officers authorizing supervisors to exercise general powers further providing for the parties who may protest a change in zoning and providing for review of township ordinances and regulations adversely affecting public utility service.

Referred to the Committee on Townships.

SENATE BILL No. 407.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to grant an easement over certain land situate in the City of Philadelphia County of Philadelphia.

Referred to the Committee on State Government.

SENATE BILL No. 427.

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" authorizing purchase or investment of bonds notes and obligations issued assumed or guaranteed by the Inter-American Development Bank.

Referred to the Committee on Insurance.

## SENATE BILL No. 459.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" fixing the limitations on appropriations which may be made for agricultural extension work.

Referred to the Committee on Counties.

## SENATE BILL No. 481.

An Act providing for and fixing the fees and mileage for witnesses attending a coroner's inquest imposing duties on coroners and repealing inconsistent legislation.

Referred to the Committee on State Government.

## SENATE BILL No. 520.

An Act amending the act of May 27, 1957 (P. L. 203), entitled as amended "An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge of the Allegheny River near Freeport Armstrong County and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages" naming the bridge The Donald R. Lobaugh Bridge.

Referred to the Committee on Highways.

## SENATE BILL No. 528.

An Act requiring funeral directors to notify the voters registration commission upon the burial of any person over twenty-one years of age and providing penalties.

Referred to the Committee on State Government.

## SENATE BILL No. 530.

An Act amending the act of June 20, 1947 (P. L. 733), entitled as amended "An Act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property . . ." authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

Referred to the Committee on Judiciary.

## SENATE BILL No. 542.

An Act amending the act of June 11, 1947 (P. L. 565), entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation.

Referred to the Committee on Military Affairs.

## SENATE BILL No. 553.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to grant to Upper St Clair Township Allegheny County its successors or assigns a right of way for the purpose of constructing installing and maintaining a sanitary sewer system over property of the Commonwealth of Pennsylvania known as the Mayview State Hospital Property.

Referred to the Committee on State Government.

## SENATE RESOLUTION REFERRED

Senate Resolution Serial No. 117.

Referred to the Committee on Rules.

## RECESS

The SPEAKER pro tempore. Without objection, the Chair declares a recess of one hour.

The Chair hears none.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

## BILLS INTRODUCED AND REFERRED

By Messrs. SCHAAF and O'DELL.

HOUSE BILL No. 1548.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the membership of the Pennsylvania Fish Commission by providing for the appointment of three experienced boatsmen; providing for the appointment of an assistant executive director and requiring their meetings to be open to the public and authorizing it to enter into certain agreements with the Navigation Commission for the Delaware River.

Referred to the Committee on State Government.

By Messrs. SHUPNICK, CROSSIN, NEEDHAM and WARGO.

HOUSE BILL No. 1549.

An Act amending "The Military Code of 1949," approved May 27, 1949 (P. L. 1903), discontinuing restricted use of funds realized from sale of armories and providing for expenditure of remaining balance in such restricted funds.

Referred to the Committee on Military Affairs.

By Messrs. GOODRICH, FLYNN, COOLEY and DONALDSON.

HOUSE BILL No. 1550.

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382), further prescribing the purposes for which Authorities may be created.

Referred to the Committee on State Government.

Mr. McCANN. Mr. Speaker, we are ready to start voting on bills. On page six, Mr. Speaker, bills on final passage, I call up House bill 942, printer's number 1784.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 942, entitled:

An Act amending the act of March 20, 1810 (P. L. 208), entitled "An act to amend and consolidate with its Supplements the Act entitled 'An act for the recovery of debts and demands not exceeding one hundred dollars \*\*\*' providing for service of writs issued for violations of municipal ordinances by any justice or in cities of the first class by any magistrate by registered or certified mail.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—175

Adams,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Galley,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gallagher,	Leonard,	Rubin,
Arlene,	Gelfand,	Limper,	Rudisill,
Ashton,	George,	Lippincott,	Rutherford,
Auker,	Gibb,	Long, Wm. Jos.,	Scarcell,
Bachman,	Gibbons,	Magee,	Seltzer,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Shelton,
Boles,	Goodrich,	Markley,	Sherman,
Bonner,	Gramlich,	Maxwell,	Shupnik,
Bossert,	Gray,	May,	Simmons,
Bower,	Gremminger,	McCandless,	Snare,
Buchanan,	Gross,	McCann,	Stank,
Bush,	Guesman,	McCormack,	Steckel,



Capano, Capitolo, Cianfrani, Cloff, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Frascella, Fry,	Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavy, Heffner, Helm, Henzel, Hocker, Holliday, Irlis, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Musto, Needham, O'Dell, O'Donnell, J. A., Odorisio, Oglivie, Parlante, Pashley, Perry, Petrosky, Polen, Prendergast, Pursley, Reibman, Renwick, Riley,	Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wargo, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, E. S., Wilt, Wood, Worley, Yetter, Zemmer, Zimmerman, Andrews, Speaker
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## NAYS—6

Blair, Isaacs,	Murphy, Piper,	Schaaf,	Williams, A. D.,
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## NOT VOTING—25

Bowman, Branca, Breth, Cauley, Eshback, Fox, Goldstein, M. H.,	Holman, Horst, Jenkins, Knecht, Long, Wm. Jas., Lutty,	Marsh, Mihm, Murray, O'Donnell, J. P., Polaski, Price,	Reidenbach, Sakulsky, Schuster, Slack, Wall, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 944, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further defining "professional employe" and "teacher" to include manager of school food services.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mrs. REIBMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mrs. REIBMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

On the question,

Will the House agree to the motion?

The SPEAKER. For what purpose does the gentleman from Westmoreland rise?

Mr. MAXWELL. Mr. Speaker, I rise to oppose recommitment of this bill.

The SPEAKER. The gentleman is in order. He can speak on the matter of recommitting.

Mr. MAXWELL. Mr. Speaker, there is no logical reason to recommit this bill. This bill is on the preferred list of the PSEA. The teachers of this State want this bill and have gone on record for it, and no one has taken time to study this bill, except certain individuals who automatically said it was a bad bill.

The SPEAKER. Including the Speaker.

Mr. MAXWELL. Mr. Speaker, would you care to debate the bill?

The SPEAKER. I would not care to debate the bill with such an able opponent as the gentleman from Westmoreland.

Mr. MAXWELL. I would like to have a roll call on this, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman from Centre, Mr. Fulmer, rise?

Mr. FULMER. Mr. Speaker, I would like to speak in favor of the motion to recommit.

The SPEAKER. The gentleman is in order.

Mr. FULMER. Mr. Speaker, it appears to me, after studying this bill, that we would do well to recommit this to the Committee on Education not only for further study, but for the possibility of correcting the language in the bill so that even the Speaker would think it made sense.

The SPEAKER. Does the gentleman insist upon his motion for a roll call?

Mr. MAXWELL. Mr. Speaker if it is the will of this House that they want to recommit it without a roll call, that is all right with me.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 990, entitled:

An Act amending the "Liquor Code" approved April 13, 1951 (P. L. 90), prescribing the prices at which malt and brewed beverages may be sold by distributors and importing distributors and fixing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—126

Adams, Anderson, S. A., Arlene, Auker, Bachman, Backenstoe, Boles, Bonner, Bower, Bush, Capano, Capitolo, Cianfrani, Cloff, Clarke, Comer, Crossin, Curwood, Dengler,	Gallagher, Gelfand, Gibbons, Gray, Gremminger, Guesman, Hanks, Hartley, Haudenshield, Heavy, Heffner, Henzel, Holliday, Irlis, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones,	Leonard, Limper, Lippincott, Long, Wm. Jos., Manbeck, Markley, Maxwell, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Miller, Mills, Monroe, Morley,	Pursley, Renwick, Riley, Rovanssek, Royer, Rubin, Rudisill, Scarcelll, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Stank, Steckel, Stone, Sullivan, J. A., Sullivan, T. F.,
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Dennison, Dougherty, Doughten, Elberg, Elvey, Ewing, Farabaugh, Fllo, Fineman, Flynn, Frascella, Fry, Fulmer,	Kamyk, Kelly, Kernaghan, King, Kistler, Klein, Kooker, Kornick, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Mullen, Munley, Murphy, Musto, Needham, Odoristo, Parlante, Pashley, Perry, Petrosky, Piper, Polen,	Taylor, Tomasck, Varner, Wargo, Weidner, Welsh, Whittaker, Willard, Williams, E. S., Yetter, Zember, Andrews, Speaker
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## NAYS—50

Anderson, J. H. Ashton, Blair, Bossert, Buchanan, Cooley, Davis, Donaldson, Down, Edwards, Eshleman, Fetterolf, Foor,	Galley, George, Gibb, Goldstein, J. H., Goodrich, Gramlich, Gross, Guthrie, Helm, Hocker, Kelser, Kessler, Korns,	Magee, May, McCandless, McInroy, Merry, O'Dell, O'Donnell, J. A., Ogilvie, Prendergast, Reibman, Rutherford, Snare,	Strausser, Thompson, Tompkins, Trusio, Ujobai, Verona, Wescott, Willaredt, Williams, A. D., Wilt, Wood, Worley,
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## NOT VOTING—30

Bowman, Branca, Breth, Cauley, Eshback, Foerster, Fox, Goldstein, M. H.,	Hamilton, Holman, Horst, Jenkins, Knecht, Long, Wm. Jas., Lutty, Marsh,	Mihm, Murray, O'Donnell, J. P., Polaski, Price, Reidenbach, Sakulsky,	Seltzer, Slack, Stimmel, Stiteler, Wall, Walsh, Zimmerman,
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The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 732, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), authorizing county associations of townships supervisors, auditors, assessors and tax collectors to hold quarterly conventions making the holding of conventions permissive instead of mandatory and increasing the amount payable by counties for expenses of the conventions of such associations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman Backenstoe, Blair, Bonner, Bossert, Bower, Branca, Buchanan, Bush,	Fulmer, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremmlinger, Guesman, Guthrie, Hamilton,	Limper, Lippincott, Long, Wm. Jos., Magee, Manbeck, Markley, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald McInroy,	Rovansek, Royer, Rubin, Rutherford, Scarcelli, Schuster, Seltzer, Shelton, Sherman, Simmons, Snare, Stank, Steckel, Stimmel,
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Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Fllo, Flynn, Foor, Frascella, Fry,	Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Holliday, Irvia, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kornick, Korns, Kramer, Lawson, Lee, A. M., Lee, K. B., Leonard,	McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. P., Odoristo, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polen, Prendergast, Pursley, Reibman, Renwick, Riley,	Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobai, Varner, Verona, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—13

Auker, Boies, Fineman, Galley,	Gross, Hocker, Kamyk,	Kooker, Lamb, O'Donnell, J. A.,	Schaaf, Shupnik, Williams, A. D.,
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## NOT VOTING—25

Bowman, Breth, Cauley, Eshback, Foerster, Fox, Goldstein, M. H.,	Holman, Horst, Jenkins, Knecht, Long, Wm. Jas., Lutty,	Marsh, Mihm, Murray, Perry, Polaski, Price,	Reidenbach, Rudisill, Sakulsky, Slack, Wall, Walsh,
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The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1116, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing indebtedness of school districts and insured deposits to be used in lieu of bonds or securities which are required to be deposited by school depositories.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—181

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boies, Bonner, Bossert,	Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremmlinger, Gross, Guesman,	Leonard, Limper, Lippincott, Long, Wm. Jos., Magee, Manbeck, Markley, Maxwell, May, McCandless, McCann, McCormack,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik,
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Bower,	Guthrie,	McDevitt,	Simmons,
Branca,	Hamilton,	McDonald,	Snare,
Buchanan,	Hankins,	McInroy,	Stank,
Bush,	Hartley,	McKeever,	Steckel,
Capano,	Haudenshield,	McLaughlin,	Stimmel,
Capitolo,	Heavey,	McNally,	Stiteler,
Cianfrani,	Heffner,	Meholchick,	Stone,
Cioffi,	Helm,	Merry,	Strausser,
Clarke,	Henzel,	Miller,	Sullivan, J. A.,
Comer,	Hocker,	Mills,	Sullivan, T. F.,
Cooley,	Holliday,	Monroe,	Taylor,
Crossin,	Irvls,	Morley,	Thompson,
Curwood,	Isaacs,	Mullen,	Tomasck,
Davis,	Jim,	Munley,	Tompkins,
Dengler,	Johnson, A. W.,	Murphy,	Trusio,
Dennison,	Johnson, R. P.,	Musto,	Ujobai,
Donaldson,	Jones,	Needham,	Varner,
Dougherty,	Kamyk,	O'Dell,	Verona,
Doughten,	Keiser,	O'Donnell, J. A.,	Wargo,
Down,	Kelly,	O'Donnell, J. P.,	Weidner,
Edwards,	Kernaghan,	Odorisio,	Welsh,
Eilberg,	Kessler,	Ogilvie,	Wescott,
Elvey,	King,	Parlante,	Whittaker,
Eshleman,	Kistler,	Pashley,	Willard,
Ewing,	Klein,	Perry,	Willaredt,
Farabaugh,	Kooker,	Petrosky,	Williams, A. D.,
Fetterolf,	Kornick,	Piper,	Williams, E. S.,
Filo,	Korns,	Polen,	Wilt,
Fineman,	Kramer,	Prendergast,	Wood,
Flynn,	Lamb,	Pursley,	Worley,
Foor,	Lawson,	Reibman,	Yetter,
Frascella,	Lee, A. M.,	Renwick,	Zember,
Fry,	Lee, K. B.,	Riley,	Andrews,
Fulmer,			Speaker

NAYS—0

NOT VOTING—25

Bowman,	Goldstein, M. H.,	Lutty,	Reidenbach,
Breth,	Holman,	Marsh,	Sakulsky,
Cauley,	Horst,	Mihm,	Slack,
Eshback,	Jenkins,	Murray,	Wall,
Foerster,	Knecht,	Polaski,	Walsh,
Fox,	Long, Wm. Jas.,	Price,	Zimmerman,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1142, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), authorizing the reassessment of after built property in townships and imposing liability for township taxes upon the owners thereof.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Mr. Speaker, may I interrogate the sponsor of the bill?

The SPEAKER. Will the gentleman from Bucks Mr. Williams, permit himself to be interrogated?

Mr. A. D. WILLIAMS, Jr. I shall, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia Mr. Sherman will proceed.

Mr. SHERMAN. Mr. Speaker, am I correct that this bill provides that a reassessment of property can be made after an assessment has already been made for the current year?

Mr. A. D. WILLIAMS, Jr. Yes, Mr. Speaker. This means

that where property has been assessed as vacant land and a house or a building is constructed thereon, the township can then come in and reassess that property as improved property.

Mr. SHERMAN. Mr. Speaker, am I correct that either as a GI or an ordinary purchaser if I buy a property from an owner, builder, or otherwise, and then, without my knowledge, some major improvement has been made in the property, and then at the end of the year, or thereabouts, or three or four months later I can be reassessed for the major improvements from the beginning of that month until the end of the year?

Mr. A. D. WILLIAMS, Jr. If I understand the gentleman's question correctly, it is true that an improvement, a major improvement, could be assessed from the time it is reassessed and a tax levied from that time until the end of the year.

If I may go a step further, this is only just because it is increasing the tax only on improvements that have been placed upon the property. I would like to point out that this is the present law for first class townships, it is the present law for school districts throughout the Commonwealth of Pennsylvania, except, I think, in cities of the first class, and we have just recently passed a bill making this the law in boroughs. That bill is now before the other house. This just brings the law on second class townships in conformity with the school district law, the borough law and the first class township law.

Mr. SHERMAN. Mr. Speaker, may I speak very, very briefly on the bill?

The SPEAKER. The gentleman is in order.

Mr. SHERMAN. Mr. Speaker, I think this is bad legislation. I do not know where it is the law. I know it is not the law at the present time in large cities and, I presume in other communities. It is unfair either to the GI or an innocent purchaser where property is not recorded as having a major improvement or the building as having been done. For example if I buy a property in August, or September from a builder and no major improvement is recorded as far as the recorder of deeds or the department of records is concerned, and then, lo and behold, four or five months later I will get a bill for improvements that may have been incurred on the property either in June or July, or prior to the purchase of that property, for the rest of the year, I consider it a severe hardship. I am an innocent purchaser. I purchased the property either through the GI or an ordinary purchaser.

#### BILL RECOMMENDED

Mr. SHERMAN. Mr. Speaker, I move that this bill be recommended to the Committee on Townships.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. The question is on the motion to recommend.

Mr. SCHAAF. Well, Mr. Speaker, then I would speak in favor of the motion to recommend.

I speak in favor of that motion for two reasons: Number one, as I read this legislation it uses the terminology "major improvement," at one point, and then "any con-

struction of a building or buildings." I am concerned about the possibility as sometimes occurs, that a person will extensively remodel an existing building, increasing its value, and which in the course of an ordinary assessment or reassessment would result in a change of assessment. If that is excluded, and, as I read the language of this bill, it is excluded, the legislation is unfair.

I would make a second point, Mr. Speaker, in favor of the motion to recommit. Irrespective of what has been done by this legislature for other municipalities and political subdivisions I think it warrants us to seriously consider the advisability of such legislation as this.

Mr. Speaker, I would then second the motion of the gentleman from Philadelphia.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. A. D. Williams, Jr.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker as I understand it, this bill came from the committee on townships, I would assume that that committee has functioned as it always functions and has considered this bill very carefully. And I would hope that the majority of the members would vote against this motion so that we can pass upon this legislation.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. SHERMAN and SCHAAF and were as follows:

#### YEAS—97

Anderson, S. A.,	Gelfand,	McCandless,	Prendergast,
Arlene,	George,	McCann,	Riley,
Bachman	Gray,	McCormack,	Rubin,
Boles,	Gremminger,	McDevitt,	Rudisill,
Bonner,	Guesman,	McDonald,	Scarcelli,
Branca,	Hamilton,	McKeever,	Schaaf,
Breth,	Hankins,	McLaughlin,	Shelton,
Capitolo,	Hartley,	Meholchick,	Sherman,
Cianfrani,	Heavey,	Merry,	Shupnik,
Clarke,	Irlis,	Mills,	Stank,
Comer,	Jones,	Monroe,	Stone,
Cooley,	Kamyk,	Morley,	Sullivan, J. A.,
Crossin,	Kelly,	Mullen,	Sullivan, T. F.,
Curwood,	Klein,	Munley,	Taylor,
Dougherty,	Kornick,	Musto,	Tomasck,
Doughten,	Kramer,	Needham,	Trusio,
Ewing,	Lamb,	O'Dell,	Varnier,
Filo,	Lawson,	O'Donnell, J. A.,	Verona,
Fineman,	Leonard,	O'Donnell, J. P.,	Wargo,
Foerster,	Limper,	Parlante,	Welsh,
Foor,	Long, Wm. Jos.,	Pashley,	Yetter,
Frascella,	Lutty,	Perry,	Zimmerman,
Fry,	Magee,	Petrosky,	Andrews,
Fulmer,	Manbeck,	Polen,	Speaker
Galley,	Maxwell,		

#### NAYS—87

Adams,	Gallagher,	Kooker,	Seitzer,
Anderson, J. H.	Gibbons,	Korns,	Simmons,
Ashton,	Goldstein, J. H.,	Lee, A. M.,	Snare,
Auker,	Goodrich,	Lee, K. B.,	Steckel,
Backenstoe,	Gramlich,	Lippincott,	Stimmel,
Blair,	Gross,	Markley,	Stiteler,
Bossert,	Guthrie,	Marsh,	Strausser,
Bower,	Haudenshield,	May,	Thompson,
Buchanan,	Heffner,	McInroy,	Tompkins,
Bush,	Helm,	McNally,	Ujohal,
Capano,	Henzel,	Miller,	Weidner,
Davis,	Hocker,	Murphy,	Wescott,
Dengler,	Hollday,	Odorisio,	Whittaker,
Dennison,	Isaacs,	Ogilvie,	Willard,
Donaldson,	Jim,	Piper,	Willaredt,
Down,	Johnson, A. W.,	Pursley,	Williams, A. D.,
Edwards,	Johnson, R. P.,	Reibman,	Williams, E. S.,
Elvey,	Kelser,	Renwick,	Wilt,
Eshleman,	Kernaghan,	Rovansek,	Wood,
Farabaugh,	Kessler,	Royer,	Worley,
Fetterolf,	King,	Rutherford,	Yetter,
Flynn,	Kistler,	Schuster,	Zember,

#### NOT VOTING—22

Bowman,	Gibb,	Long, Wm. Jas.,	Reidenbach,
Cauley,	Goldstein, M. H.,	Mihm,	Sakulsky,
Cioffi,	Holman,	Murray,	Slack,
Eilberg,	Horst,	Polaski,	Wall,
Eshback,	Jenkins,	Price,	Walsh,
Fox,	Knecht,		

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1150, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), further regulating the exercise of eminent domain.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—177

Adams,	George,	Lippincott,	Royer,
Arlene,	Gibbons,	Long, Wm. Jos.,	Rubin,
Ashton,	Goldstein, J. H.,	Lutty,	Rudisill,
Bachman	Goodrich,	Magee,	Rutherford,
Backenstoe,	Gramlich,	Manbeck,	Scarcelli,
Blair,	Gray,	Markley,	Schuster,
Boles,	Gremminger,	Marsh,	Seltzer,
Bonner,	Gross,	Maxwell,	Shelton,
Bossert,	Guesman,	May,	Sherman,
Bower,	Guthrie,	McCandless,	Shupnik,
Branca,	Hamilton,	McCann,	Simmons,
Breth,	Hankins,	McDevitt,	Snare,
Buchanan,	Hartley,	McDonald,	Stank,
Bush,	Haudenshield,	McInroy,	Steckel,
Capano,	Heavey,	McKeever,	Stimmel,
Capitolo,	Heffner,	McLaughlin,	Stiteler,
Cianfrani,	Helm,	McNally,	Stone,
Cioffi,	Henzel,	Meholchick,	Strausser,
Clarke,	Hocker,	Merry,	Sullivan, J. A.,
Comer,	Hollday,	Miller,	Sullivan, T. F.,
Cooley,	Irlis,	Mills,	Taylor,
Crossin,	Isaacs,	Monroe,	Thompson,
Curwood,	Jim,	Morley,	Tomasck,
Davis,	Johnson, A. W.,	Mullen,	Tompkins,
Dengler,	Johnson, R. P.,	Munley,	Trusio,
Dennison,	Jones,	Murphy,	Ujohal,
Donaldson,	Kamyk,	Musto,	Varnier,
Dougherty,	Kelser,	Needham,	Verona,
Doughten,	Kelly,	O'Dell,	Wargo,
Down,	Kernaghan,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kessler,	Odorisio,	Welsh,
Elvey,	King,	Ogilvie,	Wescott,
Eshleman,	Kistler,	Parlante,	Whittaker,
Ewing,	Klein,	Pashley,	Willard,
Farabaugh,	Kooker,	Perry,	Willaredt,
Fetterolf,	Kornick,	Petrosky,	Williams, A. D.,
Filo,	Korns,	Piper,	Williams, E. S.,
Flynn,	Kramer,	Polen,	Wilt,
Foerster,	Lamb,	Prendergast,	Wood,
Foor,	Lawson,	Pursley,	Worley,
Frascella,	Lee, A. M.,	Reibman,	Yetter,
Fry,	Lee, K. B.,	Renwick,	Zember,
Fulmer,	Leonard,	Riley,	Zimmerman,
Gallagher,	Limper,	Rovansek,	Andrews,
Gelfand,			Speaker

#### NAYS—5

Auker,	Galley,	O'Donnell, J. P.,	Schaaf,
Edwards,			

#### NOT VOTING—24

Anderson, J. H.	Fox,	Knecht,	Price,
Anderson, S. A.,	Gibb,	Long, Wm. Jas.,	Reidenbach,
Bowman,	Goldstein, M. H.,	McCormack,	Sakulsky,
Cauley,	Holman,	Mihm,	Slack,
Eshback,	Horst,	Murray,	Wall,
Fineman,	Jenkins,	Polaski,	Walsh,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair has a number of bills to be signed and would ask the gentleman from Armstrong to preside.

Mr. HELM IN THE CHAIR

### FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair would like to present to the House a former member of the House and a former Secretary of Agriculture from Lebanon County, the Honorable Miles Horst. Will the gentleman please rise in his place?

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, from page 16, I call up House bill 1186, printer's number 1350.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1186, entitled:

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary, medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania \* \* \*" extending the provisions thereof to members of the Delaware River Port Authority Police.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—181

Adams,	Fulmer,	Lee, A. M.,	Royer,
Anderson, J. H.,	Galley,	Limper,	Rubin,
Arlene,	Gallagher,	Lippincott,	Rudisill,
Ashton,	Gelfand,	Long, Wm. Jos.,	Rutherford,
Auker,	George,	Lutty,	Scarcell,
Bachman,	Gibbons,	Mages,	Schaafer,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schuster,
Blair,	Goodrich,	Markley,	Seltzer,
Boles,	Gramlich,	Marsh,	Shelton,
Bonner,	Gray,	Maxwell,	Sherman,
Bossert,	Gremminger,	May,	Shupnik,
Bower,	Gross,	McCann,	Simmons,
Branca,	Guesman,	McCormack,	Snare,
Breth,	Guthrie,	McDonald,	Stank,
Buchanan,	Hamilton,	McInroy,	Steckel,
Bush,	Hankins,	McKeever,	Stimmel,
Capano,	Hartley,	McLaughlin,	Stiteler,
Capitolo,	Haudenshield,	McNally,	Stone,
Cianfrani,	Heavey,	Meholchick,	Strausser,
Cioffi,	Heffner,	Merry,	Sullivan, J. A.,
Clarke,	Helm,	Miller,	Sullivan, T. F.,
Comer,	Henzel,	Mills,	Taylor,
Cooley,	Hocker,	Monroe,	Thompson,
Crossin,	Holliday,	Morley,	Tomasck,
Curwood,	Irvie,	Mullen,	Tompkins,
Davis,	Isaacs,	Munley,	Trusio,
Dengler,	Jim,	Murphy,	Ujobal,
Dennison,	Johnson, A. W.,	Musto,	Varnier,
Donaldson,	Johnson, R. P.,	Needham,	Verona,
Dougherty,	Jones,	O'Dell,	Wargo,
Doughten,	Kamyk,	O'Donnell, J. A.,	Weldner,

Down,  
Edwards,  
Ellberg,  
Elvey,  
Eshleman,  
Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Flynn,  
Foerster,  
Foor,  
Frascella,  
Fry,

Kelser,  
Kelly,  
Kernaghan,  
Kessler,  
King,  
Kistler,  
Klein,  
Kooker,  
Kornick,  
Korns,  
Kramer,  
Lamb,  
Lawson,  
Lee, K. B.,

Odoristo,  
Oglivie,  
Parlante,  
Pashley,  
Perry,  
Petrosky,  
Piper,  
Polen,  
Prendergast,  
Pursley,  
Reibman,  
Renwick,  
Riley,  
Rovanseck,  
Welsh,  
Wescott,  
Whittaker,  
Willard,  
Willaredt,  
Williams, A. D.,  
Williams, E. S.,  
Wilt,  
Wood,  
Worley,  
Yetter,  
Zemmer,  
Zimmerman,  
Andrews,  
Speaker

#### NAYS—0

#### NOT VOTING—25

Anderson, S. A.,	Holman,	McCandless,	Price,
Bowman,	Horst,	McDevitt,	Reidenbach,
Cauley,	Jenkins,	Mihm,	Sakulsky,
Eshback,	Knecht,	Murray,	Slack,
Fox,	Leonard,	O'Donnell, J. P.,	Wall,
Gibb,	Long, Wm. Jas.,	Polaski,	Walsh,
Goldstein, M. H.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1213, entitled:

An Act amending the "Minor Judiciary Fee Bill" approved January 7, 1952 (P. L. 1841), fixing a fee for issuing search warrants.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—179

Adams,	Gallagher,	Limper,	Rubin,
Anderson, J. H.,	Gelfand,	Lippincott,	Rudisill,
Arlene,	George,	Long, Wm. Jos.,	Rutherford,
Ashton,	Gibbons,	Lutty,	Scarcell,
Auker,	Goldstein, J. H.,	Mages,	Schaafer,
Bachman,	Goodrich,	Manbeck,	Schuster,
Backenstoe,	Gramlich,	Markley,	Seltzer,
Blair,	Gray,	Marsh,	Shelton,
Boles,	Gremminger,	Maxwell,	Sherman,
Bonner,	Gross,	May,	Shupnik,
Bossert,	Guesman,	McCandless,	Simmons,
Bower,	Guthrie,	McCann,	Snare,
Branca,	Hamilton,	McDonald,	Stank,
Breth,	Hankins,	McInroy,	Steckel,
Buchanan,	Hartley,	McKeever,	Stimmel,
Capano,	Haudenshield,	McLaughlin,	Stiteler,
Capitolo,	Heavey,	McNally,	Stone,
Cianfrani,	Heffner,	Meholchick,	Strausser,
Cioffi,	Helm,	Merry,	Sullivan, J. A.,
Clarke,	Henzel,	Miller,	Sullivan, T. F.,
Comer,	Hocker,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,
Curwood,	Irvie,	Morley,	Tomasck,
Davis,	Isaacs,	Munley,	Tompkins,
Dengler,	Jim,	Murphy,	Trusio,
Dennison,	Johnson, A. W.,	Musto,	Ujobal,
Donaldson,	Johnson, R. P.,	Needham,	Varnier,
Dougherty,	Jones,	O'Dell,	Verona,
Down,	Kamyk,	O'Donnell, J. A.,	Wargo,
Edwards,	Kelser,	O'Donnell, J. P.,	Weldner,
Ellberg,	Kelly,	Odoristo,	Welsh,

Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Frascella, Fry, Fulmer, Galley,	Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polen, Prendergast, Pursley, Reibman, Renwick, Riley, Rovansek, Royer,	Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—4

Bush,	Crossin,	Doughten,	McCormack,
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## NOT VOTING—23

Anderson, S. A., Bowman, Cauley, Eshback, Fox, Gibb,	Goldstein, M. H., Holman, Horst, Jenkins, Knecht, Long, Wm. Jas.,	McDevitt, Mihm, Mullen, Murray, Polaski, Price,	Reidenbach, Sakulsky, Slack, Wall, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1217, entitled:

An Act amending the act of May 1, 1907 (P. L. 137), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts of oyer and terminer and general jail delivery and courts of quarter session of the peace of this Commonwealth \* \* \*" increasing the compensation of official stenographers for copies of stenographic notes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—142

Adams, Anderson, J. H., Ariene, Bachman, Backenstoe, Blair, Boles, Bonner, Bower, Branca, Breth, Buchanan, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshleman,	Gallagher, George, Goldstein, J. H., Gramlich, Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavy, Helm, Henzel, Irviss, Jim, Johnson, A. W., Jones, Kamyk, Kelly, Kessler, Kistler, Klein, Kooker, Kornick, Kramer, Lamb,	Maxwell, May, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Piper, Polen, Prendergast,	Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujbal, Varner, Verona, Wargo, Weidner, Welsh, Wescott, Willard, Willaredt,
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Ewing, Farabaugh, Filo, Flynn, Foerster, Frascella, Fry, Galley,	Lawson, Lee, A. M., Lee, K. B., Leonard, Long, Wm. Jos., Lutty, Markley, Marsh,	Pursley, Reibman, Riley, Rovansek, Rubin, Rudisill, Scarcelll,	Williams, A. D., Williams, E. S., Wilt, Wood, Yetter, Zember, Andrews, Speaker
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## NAYS—37

Ashton, Auker, Bossert, Bush, Cianfrani, Dengler, Doughten, Elvey, Fetterolf, Foor,	Fulmer, Gibbons, Goodrich, Gross, Haffner, Hocker, Holliday, Isaacs, Johnson, R. P., Merry,	Kelser, Kernaghan, King, Korns, Lippincott, Magee, Manbeck, McCandless, Merry,	Odorisio, Ogilvie, Renwick, Royer, Rutherford, Stiteler, Strausser, Whittaker, Worley,
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## NOT VOTING—27

Anderson, S. A., Bowman, Cauley, Eshback, Fineman, Fox, Gelfand,	Gibb, Goldstein, M. H., Holman, Horst, Jenkins, Knecht, Limper,	Long, Wm. Jas., McDevitt, Mihm, Miller, Murray, Polaski, Price,	Reidenbach, Sakulsky, Slack, Wall, Walsh, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and considerations of House bill No. 1225, entitled:

An Act amending "The Vehicle Code" approved April 29, 1953, (P. L. 58), further providing for the use of operators' licenses prior to the license period.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—181

Adams, Anderson, J. H., Anderson, S. A., Ariene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson,	Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavy, Heffner, Helm, Henzel, Hocker, Holliday, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R. P.,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Markley, Marsh, Maxwell, McCandless, McCann, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell,	Royer, Rubin, Rudisill, Rutherford, Scarcelll, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujbal, Varner, Verona, Wargo,
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Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Frascella,	Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polen, Prendergast, Pursley, Reibman, Renwick, Riley, Rovanseck,	Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—1

Manbeck,

## NOT VOTING—24

Bowman, Cauley, Eshback, Fox, Gibb, Goldstein, M. H.,	Holman, Horst, Jenkins, Knecht, Long, Wm. Jas., McCormack,	McDevitt, Miller, Mihm, Murray, Perry, Polaski,	Price, Reidenbach, Sakulsky, Slack, Wall, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1254, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" authorizing investment in certain obligations secured by a mortgage and by the assignment of moneys due under a lease.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—179

Adams, Anderson, J. H., Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson,	Fulmer, Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Hollday, Iris, Isaacs, Jim, Johnson, A. W., Johnson, R. P.,	Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham,	Royer, Rubin, Rudisill, Rutherford, Scarcelli, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona,
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Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Frascella, Fry,	Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polen, Prendergast, Pursley, Reibman, Renwick, Riley, Rovanseck,	Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—27

Arlene, Boies, Bowman, Cauley, Eshback, Fox, Gibb,	Goldstein, M. H., Goodrich, Holman, Horst, Jenkins, Knecht, Kramer,	Long, Wm. Jas., McDevitt, Mihm, Miller, Murray, Polaski, Price,	Reidenbach, Rudisill, Sakulsky, Slack, Wall, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 190, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled, "The Borough Code" authorizing disturbing the peace to be defined and penalized and providing for disposition of such penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—158

Adams, Anderson, J. H., Anderson, S. A., Arlene, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Donaldson, Dougherty, Down, Edwards, Elberg,	Fulmer, George, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gremminger, Gross, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Hollday, Iris, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler,	Limper, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. P., Ogilvie, Parlante,	Royer, Rubin, Rudisill, Rutherford, Scarcelli, Schuster, Seltzer, Shelton, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wargo, Weidner, Wescott, Whittaker,
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Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Frascella,	King, Kistler, Klein, Kooker, Kornick, Korns, Lawson, Lee, A. M., Lee, K. B., Leonard,	Pashley, Perry, Petrosky, Piper, Polen, Pursley, Renwick, Riley, Rovanseck,	Willard, Willaredt, Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman,
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## NAYS—21

Ashton, Cianfrani, Doughten, Fineman, Fry, Galley,	Gallagher, Gelfand, Gray, Guesman, Lamb,	Lippincott, McCormack, O'Donnell, J. A., Prendergast, Reibman,	Schaaf, Sherman, Welsh, Williams, A. D., Andrews, Speaker
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## NOT VOTING—27

Boles, Bowman, Cauley, Dennison, Eshback, Fox, Gibb,	Goldstein, M. H., Holman, Horst, Jenkins, Knecht, Kramer, Long, Wm. Jas.,	McDevitt, Mihm, Miller, Murray, Odorisio, Polaski, Price,	Reidenbach, Sakulsky, Shupnik, Slack, Wall, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 239, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 400, entitled:

An Act amending the act of May 31, 1911 (P. L. 468), entitled "Sproul Highway Law" by permitting a contractor to deposit certain securities with the Secretary of Highways as an alternative to the payment by the Secretary of Highways of interest on amounts withheld pending satisfactory completion of a contract.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—182

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton,	Fry, Fulmer, Galley, Gallagher, Gelfand,	Limper, Lippincott, Long, Wm. Jos., Lutty, Magee,	Royer, Rubin, Rudisill, Rutherford, Scarcelli,
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Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Frascella,	George, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Irvis, Isaacs, Jin, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lawson, Lee, A. M., Lee, K. B.,	Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Oglvie, Parlante, Pashley, Perry, Petrosky, Piper, Polen, Prendergast, Pursley, Reibman, Renwick, Riley, Rovanseck,	Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujohai, Varner, Verona, Wargo, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—24

Bowman, Cauley, Eshback, Fox, Gibb, Goldstein, M. H.,	Holman, Horst, Jenkins, Knecht, Lamb, Leonard,	Long, Wm. Jas., McDevitt, Mihm, Miller, Murray, Polaski,	Price, Reidenbach, Sakulsky, Slack, Wall, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with the information that the House of Representatives has passed the same without amendment.

The SPEAKER pro tempore. Does the gentleman from Berks, Mr. Adams, desire to be recognized?

For what purpose does the gentleman rise?

Mr. ADAMS. Mr. Speaker, how is a member supposed to get the attention of the Chair when he wants to speak in opposition to a recommittal motion?

The SPEAKER pro tempore. The Chair would say that the gentleman should stand up and address the Chair.

Mr. ADAMS. Well, I understood we should flick our switch. I was working that switch back and forth strenuously. I wanted to speak against it.

The SPEAKER pro tempore. There is nothing wrong with doing that, too.

Mr. ADAMS. I wanted to voice opposition to recommittal of Senate bill 239 and I did not have the opportunity. So I would like to have it on the record.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the records of the House.

Mr. McCANDLESS. I did not vote on House bill 1186, and I would like to have it on the record that I would have voted "aye." I was out at the telephone.



The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

# SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

### HOUSE BILL No. 55.

An Act Amending the act of June 3, 1937 (P. L. 1333), entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts, county boards of elections, county commissioners imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" requiring county election boards to submit additional reports with respect to registered electors and making the reports available.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 9, by striking out after the word "annual" the following words: "not later than ten days prior to each primary municipal and general election," and inserting in lieu thereof the following: "not more than thirty days nor less than ten days prior to each primary municipal and general election."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—180

Adams,	Frascella,	Lawson,	Renwick,
Anderson, J. H.,	Fry,	Lee, A. M.,	Riley,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Rovansek,
Arlene,	Galley,	Leonard,	Royer,
Ashton,	Gallagher,	Limper,	Rubin,
Auker,	Gelfand,	Lippincott,	Rudisill,
Bachman,	George,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibbons,	Lutty,	Scarcelli,
Blair,	Goldstein, J. H.,	Magee,	Schaaf,
Boles,	Goodrich,	Manbeck,	Schuster,
Bonner,	Gramlich,	Markley,	Seltzer,
Bossert,	Gray,	Marsh,	Shelton,
Bower,	Gremminger,	Maxwell,	Sherman,
Branca,	Gross,	May,	Shupnik,
Breth,	Guesman,	McCandless,	Simmons,
Buchanan,	Guthrie,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDonald,	Steckel,
Capitolo,	Hartley,	McInroy,	Stiteler,
Cianfrani,	Haudenshield,	McKeever,	Stone,
Ciom,	Heavey,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heffner,	McNally,	Sullivan, T. F.,
Comer,	Helm,	Meholchick,	Taylor,
Cooley,	Henzel,	Merry,	Thompson,
Crossin,	Hocker,	Mills,	Tomasick,
Curwood,	Holliday,	Monroe,	Tompkins,
Davis,	Irvie,	Morley,	Trumble,
Dengler,	Isaacs,	Mullen,	Ujobal,
Dennison,	Jim,	Munley,	Varner,
Donaldson,	Johnson, A. W.,	Murphy,	Verona,
Dougherty,	Johnson, R. P.,	Musto,	Wargo,

Doughten,  
Down,  
Edwards,  
Ellberg,  
Elvey,  
Ehleman,  
Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Flynn,  
Foerster,  
Foor,  
Jones,  
Kamyk,  
Kelser,  
Kelly,  
Kernaghan,  
Kessler,  
King,  
Kistler,  
Klein,  
Kooker,  
Kornick,  
Korns,  
Kramer,  
Lamb,

Needham,  
O'Dell,  
O'Donnell, J. A.,  
Odorislo,  
Ogilvie,  
Parlante,  
Pashley,  
Perry,  
Petrosky,  
Piper,  
Polen,  
Prendergast,  
Pursley,  
Reibman,

Weldner,  
Welsh,  
Wescott,  
Whittaker,  
Willard,  
Willaredt,  
Williams, A. D.,  
Williams, E. S.,  
Wilt,  
Wood,  
Worley,  
Yetter,  
Zember,  
Zimmerman,

### NAYS—0

### NOT VOTING—26

Bowman,  
Cauley,  
Eshback,  
Fox,  
Gibb,  
Goldstein, M. H.,  
Holman,

Horst,  
Jenkins,  
Knecht,  
Long, Wm. Jas.,  
McDevitt,  
Mihm,  
Miller,

Murray,  
O'Donnell, J. P.,  
Polaski,  
Price,  
Reidenbach,  
Sakulsky,

Slack,  
Stimmel,  
Strausser,  
Wall,  
Walsh,  
Andrews,

Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

# SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

### HOUSE BILL No. 678.

An Act Amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation" extending the provisions of the act to authorize the sealing of abandoned coal mines and filing voids in abandoned coal mines and making money heretofore appropriated available for those purposes.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 2, page 2, line 18, by inserting after the word "welfare" the following: "preference shall be given to the sealing of those abandoned coal mines and the filling of those voids that are in close proximity to operating mines to buildings or to public highways.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. HEFFNER. Mr. Speaker, am I in order to speak on the motion?

The SPEAKER pro tempore. The gentleman is in order and will proceed.

Mr. HEFFNER. Mr. Speaker, I am a little surprised—

The SPEAKER pro tempore. The gentleman is privileged to speak on the motion as it pertains to the amendments that have been inserted by the Senate in House bill 678, printer's No. 1741. The gentleman may proceed.

Mr. HEFFNER. Mr. Speaker, I am surprised that this bill is before us at this particular time. I thought we were going to get some additional information on it. I hate to say at this particular time that I think that we ought to concur in the amendments placed by the Senate, but I would take that position today, that we concur in those amendments which were placed in by my Senator, along with some other Senators from our region. I would have much preferred that this bill be held over until we had it straightened out, but since it is before us, I ask all members of the House to concur in the amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Crossin.

Mr. CROSSIN. Mr. Speaker.

The SPEAKER pro tempore. The Chair apologizes. Is the gentleman through?

Mr. HEFFNER. No, Mr. Speaker, rather than have this controversy, I would rather have it held over until next week until we straighten this out. I think it can be straightened out, if it is all right with the majority side.

The SPEAKER pro tempore. We have a motion before the House.

The Chair recognizes the gentleman from Luzerne, Mr. Crossin.

Mr. CROSSIN. Mr. Speaker, since this gentleman is one of the sponsors on the bill, we will be more than glad to let it go over until he gets the additional information.

The SPEAKER pro tempore. For what purpose does the gentleman from Cumberland, Mr. Kistler, rise?

Mr. KISTLER. To inquire what bill is before the House.

The SPEAKER pro tempore. There is no bill before the House. We are voting on concurrence in Senate amendments on House bill 678, printer's No. 1741.

Mr. KISTLER. Thank you.

Mr. McCANN. Mr. Speaker, we will be glad to abide by the request. We have checked this very carefully and our present position is to nonconcur.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill, Mr. Heffner.

Mr. HEFFNER. Mr. Speaker, if the gentleman from Greene, Mr. McCann, will bear with me, he may be perfectly right, but I am not quite certain at this particular time. I only understand that the amendments put in by the Senate may be objectionable on the Federal level.

Mr. McCANN. Mr. Speaker, we will pass it over. I wish the gentleman would check because it does not comply with the Federal law and the money cannot be used.

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that House bill No. 678 be placed on the final passage postponed calendar.

The motion was agreed to.

#### HOUSE RESOLUTION No. 64

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 64 on page 23 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 1, 1961.

Whereas The Commonwealth of Pennsylvania has entered into compacts with other states or is negotiating proposed compacts and

Whereas The Commonwealth has arranged or is contem-

plating arranging a wide range of reciprocity agreements with other states and

Whereas There is a lack of definite information concerning compacts already negotiated or in the process of negotiation and

Whereas There is a lack of definite information concerning both existing reciprocity agreements with other states as well as reciprocity agreements that are contemplated therefore be it

Resolved That the Joint State Government Commission be directed to compile and submit to the General Assembly a report showing

Compacts that have been established

Compacts that are contemplated

Reciprocity agreements that have been concluded

Reciprocity agreements that are contemplated by various branches of our State Government

Present methods employed in ratifying compacts and reciprocity agreements with other states

#### BILL ON FINAL PASSAGE POSTPONED

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1172, printer's No. 1319, on page 9 of today's calendar, bills on final passage postponed.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 669, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), providing for the appointment of special school police defining their powers and duties and providing for their compensation by the school district.

On the question,

Will the House agree to the bill on third reading?

Mr. FILO asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Title, page 1, last line of Title, by striking out "school district" and inserting: borough

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 719, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), eliminating duplicate revocations arising out of same event or occurrence.

On the question,

Will the House agree to the bill on third reading?

Messrs. GELFAND and FINEMAN asked unanimous consent to offer amendments at this time.



The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "REVOCATIONS"

or suspensions  
Amend Title, page 1, last line of Title, by inserting after "occurrence"

in certain cases  
Amend Bill, page 3, by inserting between lines 12 and 13:

Section 2. Subsection (e) of section 618 of the act, is amended to read:

Section 618. Suspension of Licenses or Operating Privileges.

\* \* \*  
(e) The secretary is hereby authorized after a hearing before the secretary or his representative, or upon failure of the said person to appear at such hearing, to suspend the operator's license or learner's permit of any person licensed in this Commonwealth, upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this Commonwealth, would be grounds for the suspension or revocation of the license of an operator. The secretary shall reduce any suspension period he imposes on any operator by the length of time the operator had previously been suspended by another state prior to the starting date of the suspension imposed by the secretary if the duplicate suspensions arise out of the same events or occurrences.

\* \* \*  
Amend Sec. 2, page 3, line 13, by striking out "2" and inserting:

3

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1076, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith.

On the question,

Will the House agree to the bill on third reading?

Mr. STONE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, line 7, by striking out "all" and inserting:

more than three

Amend Sec. 2, page 3, line 6, by inserting after "assign" necessary professional and clerical

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1098, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789), extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

Messrs. HAMILTON and GOODRICH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 603), page 2, line 4, by inserting after "Licenses": "(a)."

Amend Sec. 1 (Sec. 603), page 5, by inserting between lines 5 and 6:

"(b) Nothing in subsection (a) of this section shall be construed as requiring agents of domestic mutual fire insurance companies, which agents write only coverages, other than insurance upon automobiles, authorized by clauses (1), (2) and (3) of subsection (b) of section 202 of the act of May 17, 1921 (P. L. 682), known as "The Insurance Company Law of 1921," to submit to examination prior to licensure by the Insurance Commissioner."

Amend Bill, page 5, by inserting after Line 12:

"Section 3. If any section, subsection, subdivision, paragraph, sentence or clause of this act is held invalid or unconstitutional, such decision shall not affect the remaining portion of this act."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time?

Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1190, entitled:

An Act reenacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act" approved June 11, 1947 (P. L. 551), including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act and providing for a uniform classification of accounts and records.

On the question,

Will the House agree to the bill on third reading?

Messrs. HAMILTON and GOODRICH asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 13.1), page 28, by inserting between lines 11 and 12:

"(a) Nothing in this section shall be construed as applying to domestic mutual fire insurance companies, which write only coverages, other than insurance upon automobiles, authorized by clauses (1), (2) and (3) of subsection (b) of section 202 of the act of May 17, 1921 (P. L. 682), known as "The Insurance Company Law of 1921."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1281, entitled:

An Act amending the "Motor Vehicle Sales Finance Act" approved June 28, 1947 (P. L. 1110), further regulating the contents of installment sales contracts.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of title, by inserting after "contracts": "and the effect of certain tax sales of real estate."

Amend Sec. 1 (Sec. 14), page 3, line 6, by inserting after "required": "If the mobilehome or house trailer is sold by any tax levying unit of government for nonpayment of real estate taxes by such buyer, any lien or encumbrance contained on the title of the vehicle pursuant to "The Vehicle Code," or any encumbrance filed of record against the vehicle under the provisions of the "Uniform Commercial code," shall not be affected or divested."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1367, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed \*\*\*" increasing penalties for violation and providing injunctive relief.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Section 2 (15.1), page 4, line 13, by adding between "without" and "notice": "three (3) days."

Amend Section 2 (15.1), page 4, lines 13-16, by striking out from line 13 "unless the petition alleges that substantial" and striking out all of lines 14 through 16.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 728, entitled:

An Act amending the "Elevator Regulation Law" approved May 2, 1929 (P. L. 1518), changing the definition of "elevator" and regulating the repairing and renovating of elevators, requiring permits and fixing fees for permits, inspections and certificates.

On the question,

Shall the bill pass finally?

### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. A. W. JOHNSON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. MORLEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 2 (Sec. 10), page 4, line 14, by inserting brackets before and after "twenty dollars (\$20)" and inserting immediately thereafter: "twenty-eight dollars (\$28)."

Amend Sec. 2 (Sec. 10), page 4, line 17, by inserting brackets before and after "ten dollars (\$10)" and inserting immediately thereafter: "fourteen dollars (\$14)."

Amend Sec. 3 (Sec. 11), page 6, lines 8 to 14, by striking out "three dollars (\$3) Approval of the department of such plans and" in line 8, all of lines 9 to 13 "deteriorated condition that their continued use is dangerous" in line 14, and inserting: "fifteen dollars (\$15) for passenger elevators and ten dollars (\$10) for freight elevators."

Amend Sec. 3 (Sec. 11), page 6, line 16, by striking out "the department may order that"

Amend Sec. 3 (Sec. 11), page 6, lines 18 and 19, by striking out all of line 18, and "or testing" in line 19

Amend Sec. 3 (Sec. 11), page 6, line 19, by inserting after "(\$5)": "Where minor repairs as defined by rules and regulations established by the department involving re-



placement of malfunctioning parts or equipment or parts or equipment which are worn, the person or firm making such repairs must file an application with the department for approval. The fee for such application shall be three dollars (\$3).

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. STRAUSSER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 15, by striking out the brackets before and after "or"

Amend Sec. 1 (Sec. 1), page 2, lines 15 and 16, by striking out "hook sling or otherwise"

Amend Sec. 1 (Sec. 1), page 2, line 16, by striking out the brackets before "between" and after "guides"

Amend Sec. 1 (Sec. 1), page 3, line 1, by inserting after "shall": "also."

Amend Sec. 1 (Sec. 1), page 3, line 1, by inserting after "elevators" where it appears the second time: "inclined passenger lifts."

Amend Sec. 1 (Sec. 1), page 3, line 2, by inserting after "hoists": "except portable construction hoists less than fifty feet in height."

Amend Sec. 1 (Sec. 1), page 3, line 2, by striking out the brackets before and after "except"

Amend Sec. 1 (Sec. 1), page 3, lines 2 to 15, by striking out "so long as such" in line 2, all of lines 3 to 14 "only or" in line 15

Amend Sec. 1 (Sec. 1), page 3, lines 16 to 20, by striking out "hook sling or otherwise" in line 16, all of lines 17 to 19 "wise" in line 20

Amend Sec. 1 (Sec. 1), page 4, line 4, by striking out all of said line

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 147.

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1363), further regulating notice given to delinquent taxables.

#### HOUSE BILL No. 328.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), redesignating the burgess as the mayor.

#### HOUSE BILL No. 359.

An Act authorizing cities to authorize or provide for the destruction or killing of unowned pigeons by humane means.

#### HOUSE BILL No. 453.

An Act amending "The Administration Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of oil or gas in State parks.

#### HOUSE BILL No. 454.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), waiving the requirement of competitive bidding for contracts and leases for mining or removal of minerals under State forest land when the Commonwealth owns only a fractional interest in such minerals.

#### HOUSE BILL No. 480.

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789), by continuing the provisions of section 211.1 in effect for a further period.

#### HOUSE BILL No. 507.

An Act An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), changing the method of computing service increments to be paid from the pension fund to employees of the police force after retirement.

#### HOUSE BILL No. 662.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class \* \* \*" changing the method of computing service increments to be paid from the pension fund to employees of the bureau of fire after retirement.

#### HOUSE BILL No. 721.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing the appointment of educational specialists in lieu of assistant county superintendents.

#### HOUSE BILL No. 744.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), authorizing the establishment and maintenance of certain places used and maintained for the collection storage and disposal of certain goods and materials to be licensed.

#### HOUSE BILL No. 745.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), authorizing the licensing of junk dealers junk yards and scrap yards.

#### HOUSE BILL No. 746.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), authorizing the regulation and licensing of junk dealers junk yards and scrap yards.

## HOUSE BILL No. 747.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing the establishment and maintenance of places used and maintained for the collection storage and disposal of certain goods and materials to be licensed.

## HOUSE BILL No. 984.

A Supplement to the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities \* \* \*" providing a period during which certain persons may join the pension fund created under the act.

## HOUSE BILL No. 992

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), conforming provisions relating to preparation of the State budget to correspond with the fiscal year.

## HOUSE BILL No. 1005.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), giving State Colleges powers to cooperate with and accept grants and assistance to prosecute research projects and programs.

## HOUSE BILL No. 1038.

An Act authorizing the Department of Property and Supplies to sell and convey all of its right title and interest that it may have in a tract of land in the borough of Canonsburg Washington County Pennsylvania.

## HOUSE BILL No. 1045.

An Act amending the act of June 12, 1923 (P. L. 692), entitled as amended "An act fixing the salary of city commissioners of Philadelphia formerly known as county commissioners in counties of the first class" increasing annual salaries of city commissioners of Philadelphia.

## HOUSE BILL No. 1130.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to lease under certain conditions real property now under the jurisdiction of the Department of Public Welfare and located at the Dixmont State Hospital Allegheny County.

## HOUSE BILL No. 1135.

An Act authorizing the Department of Property and Supplies to sell and convey land situate in the borough of Polk Venango County Pennsylvania with the approval of the Governor.

## HOUSE BILL No. 1137.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Public Welfare to sell and convey certain lots or tract of ground with improvements thereon in Millcreek Township Erie County.

## HOUSE BILL No. 1149.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township Snyder County Pennsylvania.

## HOUSE BILL No. 1166.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire ninety acres of land more or less in Canaan Township Wayne County for use of Farview State Hospital.

## HOUSE BILL No. 1167.

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain retired major-generals.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introducer, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos.: 191, 251, 307, 366, 390, 416, 418, 419, 529, 542, and 568.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg.  
May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 191 printer's No. 193, entitled "An act reenacting and amending the act of November 19, 1959 (P. L. 1535), entitled 'An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College and making an appropriation' abolishing the right to acquire a certain tract of land and authorizing the acquisition of certain additional tracts of land."

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 251, printer's No. 276, entitled "An Act amending the act of December 15, 1959 (P. L. 1779), entitled 'The Fish Law of 1959' further regulating the use of nets."

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 307, printer's No. 1157, entitled "An Act amending the act of May 28, 1915 (P. L. 587), entitled as amended 'An act to protect the public health by regulating and licensing the manufacture preparation handling storage sale transportation and possession of meat meatfood products and poultry and prescribing the powers and duties of the Department of Agriculture incidental thereto' changing certain penalties and providing for license suspensions."

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 366, printer's No. 403, entitled, "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' changing the bag limit in certain cases."

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 390, printer's No. 427, entitled "An Act repealing the act of July 29, 1953 (P. L.



996), entitled as amended 'An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study investigation and legislative recommendations relating to the drainage of anthracite mines authorizing the commission to act in an advisory capacity in the allocation of funds and making an appropriation.'

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 416, printer's No. 1022, entitled "An Act amending the act of May 23, 1945 (P. L. 903), entitled 'An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities' changing the basis for pensions."

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 418, printer's No. 889, entitled "An Act amending the act of June 23, 1931 (P. L. 932), entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' changing the basis for CERTAIN pensions."

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 419, printer's No. 456, entitled "An Act amending the act of May 1, 1933 (P. L. 103), entitled 'The Second Class Township Code' providing that supervisors assessors auditors and tax collectors must be electors of the township in order to be eligible."

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day ap-

proved and signed House bill No. 529, printer's No. 574, entitled "An Act amending the act of March 15, 1899 (P. L. 8), entitled 'An act to regulate the manner in which appropriations to educational penal reformatory charitable benevolent or eleemosynary institutions shall be paid' further providing for reversion of unexpended balances of sums appropriated for specific purposes."

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 542, printer's No. 587, entitled "An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended 'The Fourth to Eighth Class County Assessment Law' further specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records."

DAVID L. LAWRENCE.

May 9, 1961.

To the Honorable, the House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 568, printer's No. 613, entitled "An Act amending the act of June 1, 1959 (P. L. 350), entitled 'Public School Employees' Retirement Code of 1959' providing for the payment of expenses related to investments from interest earnings of the fund providing under certain circumstances for the payment of such expenses by annual appropriations of the Commonwealth and providing for annual crediting of certain funds to the contingent reserve account."

DAVID L. LAWRENCE.

## ADJOURNMENT

Mr. TOMPKINS. Mr. Speaker, I move that this House do now adjourn until Monday, May 22, 1961 at 3 p.m., e.s.t.

The motion was agreed to, and (at 3:18 p.m., e.s.t.) the House adjourned.





# Legislative Journal.

Session 1961.

145th of the General Assembly.

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HARRISBURG, PA., WEDNESDAY, MAY 10, 1961.

No. 50.

## SENATE

WEDNESDAY, MAY 10, 1961.

The Senate met at 8:30 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. KIRK A. HUDSON, Pastor of Highland Presbyterian Church, Lancaster, offered the following prayer:

Let us pray.

Our Father and our God, we thank Thee for the rest of the night and we thank Thee for the opportunities which will be ours this day. We can upon Thee to give us a clear mind and to help us renew within our own hearts each day the responsibility that Thou hast placed upon us through Thy people. We call upon Thee to rest and abide with each one of these men. As they go forward from this place to rejoin their families in the days ahead, help them to constantly keep Thee in mind and to treasurer all the blessings of home and family which Thou hast given them.

These things we ask in Thy name and for Thy sake. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. WADE, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 398** and **1225**, which were referred to the Committee on Highways.

He also presented for concurrence **HB 732** and **1150**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 808**, which was referred to the Committee on Appropriations.

He also presented for concurrence **HB 942** **1213** and **1217**, which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 990**, which was referred to the Committee on Law and Order.

He also presented for concurrence **HB 1116**, which was referred to the Committee on Education.

He also presented for concurrence **HB 1186** and **1254**, which were referred to the Committee on State Government.

### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 55**.

### HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 190** and **400**, with the information that the House has passed the same without amendments.

## BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

**HB 147, 328, 359, 453, 454, 480, 507, 662, 721, 744, 745, 746, 747, 984, 992, 1005, 1038, 1045, 1130, 1135, 1137, 1149, 1166 and 1167.**

## GENERAL COMMUNICATION

The following communication was presented to the Senate and was read by the President as follows:

Gettysburg, Pennsylvania, May 8, 1961.

Dear Mr. Mulvihill:

The Resolution adopted by the Senate of Pennsylvania and concurred in by the House of Representatives, of which you sent me a copy on January twenty-third, will be a lasting and treasured memento of the Eisenhower family. I personally am most deeply grateful to you, to the President pro tempore of the Senate, to the Speaker of the House of Representatives and to the Chief Clerk of that body—as well to each member of the General Assembly.

I know Mrs. Eisenhower joins me in profound appreciation of your action, an action that made our return to the Gettysburg area extremely heartwarming.

With best wishes,

Sincerely,

/s/ DWIGHT EISENHOWER.

Mr. Dennis J. Mulvihill,  
Chief Clerk,  
Senate of Pennsylvania,  
Harrisburg, Pennsylvania.

**BILL INTRODUCED AND REFERRED**

Messrs. MAHADY, DEVLIN and STIEFEL presented to the Chair **SB 644**, entitled:

An Act to provide for the organization, incorporation, operation and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties.

Which was committed to the Committee on Banking.

**PERMISSION TO ADDRESS SENATE**

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President and Members of the Senate, I am about to introduce two bills growing out of the study made by the Governor's Committee on Education. These bills, or course, are under the sponsorship of Senator Wagner, Senator Shafer, Senator Seyler and myself. While I am making these comments, if there are other Senators who care to join in the sponsorship of these bills, we will be glad to have them join us.

One of the bills relates to the method of reimbursing local school districts. Of course, this has been a matter of great importance, and still is, to the Senate and to many people in the Commonwealth. For fifteen or more years, we have had a method of reimbursement, involving the reimbursement fraction, which, of course, is a very complicated maneuver and understood by relatively few people perhaps in the Commonwealth.

May I say at this point that I am now speaking as a member of the Governor's Committee and not necessarily representing the Thirty-Fourth Senatorial District. The Governor's Committee hoped to come up with a simplified reimbursement formula. I think the committee believes it has done that. However, to put this into effect, it will take another year.

Therefore, Mr. President, the measure which I am introducing relative to a subsidies is a temporary bridge-the-gap measure for this year only, until the other program can be approved—if the House and Senate approve it—and put into being. This bridge-the-gap program, in very simple terms, would increase the basic amount given by the Commonwealth of Pennsylvania to the local school districts from the present \$5,800 per teaching unit to \$6,200 for this particular year.

I might say that one of the basic principles on which the Governor's Committee worked was that the ratio of State support and local support of education should be about on a fifty-fifty basis for the Commonwealth as a whole. It seems to me that this is an important concept and if you accept this concept, then certain other things follow. I think under the present subsidy formula, which was put into effect about fifteen or sixteen years ago, the State-local ratio was about thirty-five per cent State and about sixty-five per cent local. This has gradually increased, as I think most of us feel it should have increased, until it is now about fifty per cent. The Governor's Committee thought this was the point at which it should be stabilized. This is not to say that all the districts in the Commonwealth should be shared fifty-fifty, because we think the equalization formula is also necessary.

Therefore, Mr. President, I am warning that you will have to come to some conclusion in your own minds as to whether or not this fifty-fifty per cent relationship between State effort and local effort is a policy which we wish to follow. This bill which I am introducing on behalf of myself and my colleagues this morning is the first step in an attempt to carry out what the Governor's Committee thought would be the necessary way to continue this fifty-fifty per cent division of cost between the Commonwealth and local government.

**BILLS INTRODUCED AND LAID ON THE TABLE**

Messrs. HAYS, WAGNER, SHAFER and SEYLER presented to the Chair **SB 645**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing certain provisions for teacher certification and minimum salaries and salary increments for teachers, requiring permanent teacher certification for eligibility for sabbatical leave, increasing the compensation paid during sabbatical leave, abolishing mandated county institutes, providing for in-service teachers' education programs, increasing the minimum number of days in the school year and appropriating funds for the in-service teachers' education program.

They also presented to the Chair **SB 646**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing the maximum amounts payable on account of instruction expenses.

The PRESIDENT. These two bills, Senate bill No. 645 and Senate bill No. 646, will be laid on the table for reference to committee within the twenty-four hour period that the President has in which to refer bills.

**BILL INTRODUCED AND REFERRED**

Mr. STEVENSON presented to the Chair **SB 647**, entitled:

An Act authorizing certain firemen's relief associations to send delegates to State firemen's conventions and to reimburse the delegates for expenses and mileage from moneys distributed to them from the taxes paid for foreign fire insurance companies.

Which was committee to the Committee on Insurance.

**NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE**

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

**MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL**

May 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of trustees of Mayview State Hospital:

Lawrence S. Reardon, Jr., 143 Beisner Avenue, Brentwood, Pittsburgh 27, Allegheny County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.



Mrs. M. Elizabeth Brown, 1010 Vanve Avenue, Coraopolis, Allegheny County, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
HARRISBURG STATE HOSPITAL

May 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Harrisburg State Hospital:

Edward M. Green, Riverview Manor Apartments, Front and Harris Streets, Harrisburg, Dauphin County, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Rev. Wayne M. Wagenseller, Harrisburg, deceased.

James D. Novinger, 125 Shell Street, Progress, Harrisburg, Dauphin County, until the third Tuesday of January 1967, and until his successor is appointed and qualified. (Reappointment).

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
CALIFORNIA STATE COLLEGE

May 10, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. C. Longanecker, 154 West Lincoln Street, Waynesburg, Greene County, for reappointment as a member of the Board of Trustees of California State College, until the third Tuesday of January, 1967, and until his successor shall have been appointed and qualified.

David L. Lawrence.

MEMBER OF THE BOARD OF TRUSTEES OF  
BLOOMSBURG STATE COLLEGE

May 10, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold L. Paul, 201 Pike Street, Port Carbon, Schuylkill County, for reappointment as a member of the Board of Trustees of Bloomsburg State College, until the third Tuesday of January, 1967, and until his successor shall have been appointed and qualified.

David L. Lawrence.

RECESS

Mr. LANE. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Committee on Judiciary General, to be held on "E" Floor, and also a meeting of the Committee on Appropriations, to be held in the Appropriations Committee Room.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten-minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. McGINNIS, by unanimous consent, from the Committee on Appropriations, reported, as committed, **SB 76, 565** and **HB 8080**.

STATEMENT BY THE MAJORITY LEADER  
CONCERNING HOUSE BILL NO. 808

Mr. WEINER. Mr. President, I would like to ask that the Secretary of the Senate send a copy of House Bill No. 808 to every Member of the Senate so that they will have a two-week period in which to go over this bill and study it very thoroughly. When we come back the week of the 22nd, we can then look at it and try to work on it.

As you all realize, the fiscal year of the Commonwealth ends on May 31st. It is our hope that we can pass this expeditiously and avoid complications that might arise from not providing the amount of money that is needed.

If every Member has the bill before them, I think they can come back ready to deal with this general problem.

The PRESIDENT. The Secretary of the Senate is herewith given instructions to see that each Member of the Senate receives a copy of House Bill No. 808.

REPORTS FROM COMMITTEE

Mr. DEVLIN, by unanimous consent, from the Committee on Judiciary General, reported, as committed, **SB 333** and **544**.

SB 645 AND 646 REFERRED TO COMMITTEE

The PRESIDENT. At this time, the Chair would like to refer Senate Bill No. 645 and Senate Bill No. 646 to committee. These bills were introduced by Senator Hays, on behalf of himself, Senator Wagner, Senator Shafer and Senator Seyler. The bills were simply accepted for proper reference, and the Chair took its prerogative of waiting before referring the bills.

The Chair now refers Senate Bill No. 645 and Senate Bill No. 646 to the Committee on Education.

SELECT COMMITTEE APPOINTED PURSUANT  
TO SENATE RESOLUTION, SERIAL NO. 57

The PRESIDENT. The Chair now announces, on behalf of the President pro tempore, the appointment of the following committee, pursuant to Senate Resolution, Serial No. 57, which authorizes the appointment of a Select Committee to consider necessary legislation in connection with the Report of the Governor's Committee on Education: the gentleman from York, Mr. Seyler; the gentleman from Centre, Mr. Hays; the gentleman from Philadelphia, Mr. Silvert; the gentleman from Schuylkill, Mr. Wagner; the gentleman from Crawford, Mr. Shafer; and the gentleman from Bedford, Mr. Stroup.

STUDENTS WELCOMED TO THE SENATE

Mr. FLACK. Mr. President, I would like to present a group of high school students from the Lake Lehman and Noxen Schools of Luzerne County and Wyoming County. They are here under the leadership of the Principal, Mr. Marchakitas, and their teachers, Mrs. Stolarik, Miss Sullivan, Mr. Edwards and Mr. Kanyneck.

I might also say that the Noxen group are from Wyoming County, which Senator Madigan represents.

The PRESIDENT. Will the ladies and gentlemen please rise?

On behalf of the Senate, I would say to you that we are very happy that you have taken this particular time to come and visit the Senate. We hope that the work you are doing in Luzerne and Wyoming Counties in your schools will be helped along by the knowledge of how your government operates.

We are very happy to have you with us. Thank you very much.

## CALENDAR

### THIRD READING CALENDAR

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 31**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Berger,	Hays,	Mullin,	Staisey,
Camiel,	Kalman,	Murray,	Stevenson,
Chapman,	Keller,	Pechan,	Stiefel,
Confair,	Kessler,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wade,
Ehrgood,	Mallery,	Scott,	Wagner,
Flack,	McCreesh,	Sesler,	Ware, III,
Fleming,	McGinnis,	Seyler,	Weiner,
Haluska,	McMenamin,	Shafer,	Wolfe,
Hawbaker,	Miller,	Silvert,	Yatron,

#### NAYS—2

Bell, Kromer,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

**HB 95 and 132**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**SB 87**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

#### NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 171**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bell,	Hawbaker,	Miller,	Silvert,
Berger,	Hays,	Mullin,	Staisey,
Camiel,	Kalman,	Murray,	Stiefel,
Chapman,	Keller,	Pechan,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Ripp,	Van Sant,
DiSilvestro,	Lane,	Rooney,	Wade,
Donolow,	Madigan,	Sarraf,	Wagner,
Ehrgood,	Mahady,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,

#### NAYS—2

Mallery, Stevenson,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

**HB 323**—Without objection, the bill was passed over in its order at the request of Mr. STROUP.

#### BILL ON THIRD READING AND FINAL PASSAGE

**SB 439**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

**SB 442**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.



## BILL ON THIRD READING AND FINAL PASSAGE

**HB 485**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed  
as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## BILL ON THIRD READING AMENDED

**SB 497**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STASEY, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 3), page 2, line 6, by striking out the bracket before "if."

Amend Sec. 1 (Sec. 3), page 2, line 7, by inserting brackets before and after "such persons' presence" and inserting immediately thereafter: the presence of the person to be adopted

Amend Sec. 1 (Sec. 3), page 2, line 8, by striking out the bracket after "hereunder."

Amend Sec. 1 (Sec. 3), page 2, lines 11 and 12, by striking out all of line 11 "and all the persons whose consent is necessary heruender" in line 12.

Amend Sec. 1 (Sec. 3), page 3, line 2, by inserting after "interest": The presence of any person concerned individually or as a representative of an agency acting as an intermediary between the natural parent or parents and the adopting parents may be dispensed with by the court or judge if such person resides without the jurisdiction of the court.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STASEY.

## BILL OVER IN ORDER

**HB 508**—Without objection, the bill was passed over in its order at the request of Mr. STROUP.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 637**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## BILL ON THIRD READING

**HB 715**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 715 passed Third Reading.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. HAYS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HAYS. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I request that House Bill No. 715, on third reading, go over in its order.

The PRESIDENT. There being no objection, the bill will go over in its order.

## BILLS OVER IN ORDER

**HB 716** and **734**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 1121**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 1139**—Without objection, the bill was passed over in its order at the request of Mr. STROUP.

**HB 1184**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 1290**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## SECOND READING CALENDAR

## BILLS OVER IN ORDER

**HB 67 and 154**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILLS ON SECOND READING

**HB 157 and 242**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 246**—Without objection, the bill was passed over in its order at the request of Mr. STROUP.

## BILL ON SECOND READING

**HB 264**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 295**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILLS ON SECOND READING

**HB 308, SB 312, 361, HB 392, 409, SB 417 and HB 420**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 428**—Without objection, the bill was passed over in its order at the request of Mr. MAHADY.

**HB 428, 430, SB 431, 441, 448 and 455**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

## BILL ON SECOND READING

**SB 462**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 469, 473 and 493**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

**SB 511**—Without objection, the bill was passed over in its order at the request of Mr. STROUP.

## BILL ON SECOND READING

**HB 517**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 522**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILL ON SECOND READING

**SB 529**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 538**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILLS ON SECOND READING

**SB 569 and 573**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 574**—Without objection, the bill was passed over in its order at the request of Mr. STROUP.

## BILL ON SECOND READING

**SB 575**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 576, 578 and SB 579**—Without objection, the bills



were passed over in their order at the request of Mr. LANE.

**HB 580, 581, 584, 585, 587 and 588**—Without objection, the bills were passed over in their order at the request of Mr. STROUP.

**SB 589, HB 589 and SB 611**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILL ON SECOND READING AMENDED

**SB 613**—The first section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. SEYLER. Mr. President, the amendments which I am about to offer are correctional amendments.

The PRESIDENT. The Clerk will read the amendments. The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 1, by striking out "Section" where it appears the second time, and inserting: section

Amend Sec. 1, page 2, line 3, by striking out "(P. L. 1955) amended November 30, 1959 (P L 1601)" and inserting: (P. L. 1315)

Amend Sec. 1 (Sec. 2574), page 4, line 8, by inserting after "by": one thousand one hundred dollars (\$1100) and the rated secondary pupil capacity of the altered or expanded building by

Amend Sec. 1 (Sec. 2574), page 4, line 12, by striking out "value" where it appears the second time and inserting: valuation

They were agreed to.  
The section was agreed to as amended.  
The second section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. SEYLER offered the following amendments:

Amend Sec. 2, page 4, line 17, by striking out "Section" where it appears the second time and inserting: section

Amend Sec. 2, page 4, line 18, by striking out "(P L 373)" and inserting: (P. L. 775)

Amend Sec. 2, page 4, by inserting after line 18: Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indebtedness — \* \* \*

Amend Sec. 2, page 5, line 4, by striking out "payment" and inserting: payments

Amend Sec. 2, page 5, line 7, by striking out "section 791 or section 790 or section 783 of this act" and inserting: [section] section 783, 790 or 791 of this act

\* \* \*

They were agreed to.  
The section was agreed to as amended.  
The third section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. SEYLER offered the following amendments:

Amend Sec. 3, page 5, lines 8 and 9, by striking out "amended November 30 1959 (P L 1601).

Amend Sec. 3, page 5, by inserting between lines 10 and 11: Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indebtedness— \* \* \*

Amend Sec. 3, page 5, by inserting between lines 15 and 16.

\* \* \*

They were agreed to.  
The section was agreed to as amended.  
The fourth section was read and agreed to.  
The fifth section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. SEYLER offered the following amendment:

Amend Sec. 5, page 6, line 14, by striking out "(P L 373)" and inserting: (P L 775)

It was agreed to.  
The section was agreed to as amended.  
The sixth section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. SEYLER offered the following amendment:

Amend Sec. 6, page 7, line 6, by striking out "Section" where it appears the second time, and inserting: section

It was agreed to.  
The section was agreed to as amended.  
The seventh section and title were read and agreed to.  
Without objection, the bill, as amended, was passed over in its order at the request of Mr. SEYLER.

BILL OVER IN ORDER

**SB 616**—Without objection, the bill was passed over in its order at the request of Mr. STROUP.

BILLS ON SECOND READING

**HB 663 and 827**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

**HB 879**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILLS ON SECOND READING

**HB 892 and 936**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

**HB 947 and 953**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILLS ON SECOND READING

**HB 1082 and 1091**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

**HB 1102**—Without objection, the bill was passed over in its order at the request of Mr. STROUP.

BILL ON SECOND READING

**HB 1144**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

**HB 1154, 1179 and 1369**—Without objection, the bills

were passed over in their order at the request of Mr. LANE.

### BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DEVLIN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 333, 544, 565** and **HB 808**.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

### BILLS INTRODUCED AND REFERRED

Messrs. MILLER and CONFAIR, by unanimous consent, presented to the Chair **SB 648**, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled as amended, "Selective Sales and Use Tax Act," extending the scope of the manufacturing exemption.

Which was committed to the Committee on Finance.

They also, by unanimous consent, presented to the Chair **SB 649**, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," defining manufacturing for tax purposes.

Which was committed to the Committee on Finance.

Mr. MILLER, by unanimous consent, presented to the Chair **SB 650**, entitled:

A Joint Resolution proposing an amendment to article three, section thirteen of the Constitution of the Commonwealth of Pennsylvania, prohibiting the amount of expenses paid to any public officer after his election or appointment from being increased or diminished.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

### PETITIONS AND REMONSTRANCES

Mr. HAYS. Mr. President, this is a deep remonstrance and a brief one.

This week, we have discussed such matters as unowned pigeons and uncooked fish, while all around us the world is thinking about space. I have a letter from a constituent which deals a little with this question. It raises a question which I think we should refer to a Space Committee. I think we have a Space Committee in the Senate.

I might say that a few weeks ago, some young ten-year-old citizens from my county, under the direction of Mrs. Mary Jane Smith and Mrs. Lawrence Perez, were here, and when they returned to school, these young citizens wrote me letters. It was one of these young citizens who raised this question. I might read his letter in part:

"Dear Senator Hays:

"I saw the Museum"—and the Capitol. "I saw stuffed animals, Indians, and antiques." It is not plain where he saw the various things.

"I enjoyed the trip very much. I didn't know that the building cost so much. I didn't know that the carpet in the Governor's Reception Room was the only one in the

world. I never knew"—and this is where the question comes in—"that they had a step for each state. Are you going to build two more steps for Alaska and Hawaii?"

This is the specific thing which I think the Space Committee should have something to do with.

His punch line is really good I think:

"In Cub Scouts we are studying Indians and we think this trip helped us a great deal."

This is signed: "Yours truly,

"John Rath, Jr."

The PRESIDENT. We hope that you will place this very moving piece of correspondence before the committee which has been appointed for the purpose of allocating space. They might be able to build a couple more offices below those two steps.

Mr. BELL. Mr. President, I am sorry the Majority Leader is not in the Chamber at this time. However, back on March 21st, I interrogated the Majority Leader as to what this Chamber intended to do with respect to legislation to implement the Kerr-Mills Act.

I have checked the Journal, and find that the Majority Leader said:

"We have until June of this year in which to make some determination as to which program we would like to be under."

Again, on April 4th, this matter came up. Again, I quote the Majority Leader:

"We do not have to make any decision until June of this year."

On April 4th, there were two bills introduced on this matter, Senate Bill No. 447 and Senate Bill No. 467.

I have mentally looked at the calendar, and I believe that between now and June, we have three working days. I ask that the Majority Party take positive action during the week after the Primary Election recess to get working on what they are going to do with respect to medical care for the aged.

If the Majority Party is going to say, "We want nothing to do with the Kerr-Mills Act," let them say it.

I have made inquiry of my Congressman, and my Congressman—Congressman Milliken, a former Member of the Legislature—advises me that the Kennedy 1961 Social Security Medical Care Program is a dead duck. Maybe he is wrong and maybe he is right. However, we should take positive action of some nature or other as to what we are going to do for medical care for the aged, and specifically in the field with which I am concerned, the indigent-aged.

I have said on this floor enough times for everybody to be tired of hearing me say it that every month of delay is costing one of my hospitals \$3,000.

I have talked to the Pennsylvania Hospital Association. They say that medical care for the indigent-aged would cost \$1,500,000. I think that we should get to work on this problem and not postpone it further.

Mr. LANE. Mr. President, I would like to inform the gentleman from Delaware that this problem of arguing the Kerr-Mills Act has been under consideration and discussion with the executives. I anticipate that when we return to this Chamber, we will have the necessary legislation ready to augment the provisions of the Kerr-Mills Act.

I am very sorry, indeed, to learn from the distinguished gentleman from Delaware that the social security program



is a dead duck, as he stated, because we, on the Democratic side, felt that was the most liberal program, and that it was going to help the aged people more so than the Kerr-Mills Act. We are forced into the position of adopting the Kerr-Mills Act here in Pennsylvania. The legislation will be ready when we return after the 22nd.

**BILLS SIGNED**

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 190** and **400**.

**ANNOUNCEMENTS BY THE SECRETARY**

The following announcements were read by the Secretary of the Senate:

MONDAY, MAY 22, 1961

DEMOCRATIC CAUCUS ..... 1:00 P.M., D.S.T.  
REPUBLICAN CAUCUS ..... 1:00 P.M., D.S.T.

**ADJOURNMENT**

Mr. LANE. Mr. President, I move that the Senate do now adjourn until Monday, May 22, 1961, at 1:30 p.m., Eastern Standard Time.

Mr. HAYS. Mr. President, I second the motion.  
The motion was agreed to.

The Senate adjourned at 10:32 a.m., Eastern Standard Time.





# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, MAY 22, 1961.

No. 51.

## SENATE

MONDAY, MAY 22, 1961

The Senate met at 1:30 p. m., Eastern Standard Time.

The PRESIDING OFFICER (Benjamin R. Donolow) in the Chair.

## PRAYER

The Chaplain, Rev. WILLIAM J. ARNOLD, Pastor of Church of The Manger, United Church of Christ, Bethlehem, offered the following prayer:

Almighty God, Who are the Source and Giver of life, we realize that without Thy sustaining power, not one of us could live another moment. Keep us keenly aware that life here is temporary and that we are all ultimately responsible to Thee for our words and deeds, both here and hereafter. Even now Thy Holy Presence fills this Chamber and surrounds us fully, as much here as in any church on earth. We rejoice that Thou art always near, drawing us to Thyself, seeking to give us Thy companionship and guiding us by Thy fatherly love.

Grant Thy richest blessing to each one of Thy servants here assembled. May the legislation which is proposed and enacted contribute to the growth and goodness, the health and happiness, the material and spiritual welfare of our Commonwealth. May we all come to the close of this day, joyous and glad in the knowledge that we have done our best to serve Thee and the people of this Commonwealth.

We humbly offer this, our prayer, in the name of Jesus Christ, our Lord and Savior. Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. SILVERT, further reading was dispensed with, and the Journal was approved.

## STUDENTS WELCOMED TO THE SENATE

Mr. VAN SANT. Mr. President, I have the pleasure today of introducing some more of our outstanding students from famous Lehigh County. We have with us a total of eighty-three visitors, seventy-five of whom are sixth grade students from Coopersburg, which is located in the southern end of Lehigh County.

They are here today, accompanied by their Principal, Mr. Henry Miller, and the following P.T.A. mothers: Mrs. Mayer, Mrs. Kern, Mrs. Bare, Mrs. Fair, Mrs. Nonemaker,

Mrs. Talaber and Mrs. Spence. Also accompanying them is another of their sixth grade teachers, Mr. Csizma.

It is a pleasure to present this group to the Senate of Pennsylvania.

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, takes great pleasure in welcoming the visitors from Coopersburg, in Lehigh County, who are the guests of Senator Van Sant.

We hope you will have a pleasant day here and will take notice of how the House and the Senate perform in operation.

Would the group please rise?

## NOMINATIONS BY THE GOVERNOR

### REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

### SECRETARY OF LABOR AND INDUSTRY

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Allen Sulcove, 709 Spruce Street, Philadelphia, Philadelphia County, for appointment as Secretary of Labor and Industry, until the third Tuesday of January, 1963, and until his successor shall have been appointed and qualified, vice Hon. William L. Batt, Jr., resigned.

David L. Lawrence.

### MEMBER OF THE MILK CONTROL COMMISSION

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John A. Smith, Dickinson, Cumberland County, for reappointment as a member of the Milk Control Commission, until May 1, 1967, and until his successor shall have been appointed and qualified.

David L. Lawrence.

### MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Albert P. DelGrosso, 1159 East Fourth Street, Bethlehem, Northampton County, for reappointment as a member of the Board of Trustees of Allentown State Hospital, until the third Tuesday of January, 1967, and until his successor is appointed and qualified.

David L. Lawrence.

MEMBER OF THE BOARD OF TRUSTEES OF  
PHILIPSBURG STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph H. Britton, 525 North McKee Street, State College, Centre County, for appointment as a member of the Board of Trustees of Philipsburg State Hospital, until the third Tuesday of January, 1963, and until his successor is appointed and qualified, vice Joseph M. Porter, State College, resigned.

David L. Lawrence.

MEMBER OF THE BOARD OF TRUSTEES OF  
LOCK HAVEN STATE COLLEGE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Kathleen A. Stephens, 106 Water Street, Coudersport, Potter County, for reappointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1965, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
ASHLAND STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Catherine E. Hinchey, 417 Locust Avenue, Centralia, Columbia County, for appointment as a member of the Board of Trustees of Ashland State Hospital, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Joseph F. Hinchey, Jr., Centralia, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
PHILADELPHIA STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Philadelphia State Hospital:

Mrs. Esther F. Clark, 235 West Winona Avenue, Norwood, Delaware County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

Mrs. Dorothy T. Marcucci, 2153 Mary Lane, Broomall, Delaware County, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
HOLLIDAYSBURG STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Hollidaysburg State Hospital, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Theodore D. Whitsel, 416 Penn Street, Huntingdon, Huntingdon, Huntingdon County, vice Robert I. Grove, Alexandria, whose term expired.

Charles T. Benner, Mifflin Street, Saxton, Bedford County. (Reappointment)

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
BLOOMSBURG STATE COLLEGE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard J. Kelley, 610 East Vernon Road, Philadelphia, Philadelphia County, for reappointment as a member of the Board of Trustees of Bloomsburg State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
WERNERSVILLE STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Wernersville State Hospital:

Frank E. Wert, 143 Tulpehocken Street, West Reading, Reading, Berks County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Mrs. Edith B. Krohn, 1330 Oak Street, Lebanon, Lebanon County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF COMMISSIONERS ON  
UNIFORM STATE LAWS

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William H. Wood, 107 North Twentieth Street, Camp Hill, Cumberland County, for reappointment as a member of the Board of Commissioners on Uniform State Laws, for a term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
EMBREEVILLE STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the



following persons for reappointment as members of the Board of Trustees of Embreeville State Hospital:

George A. Pagano, 448 Glendale Circle, Springfield, Delaware County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. Doris B. Lyons, 717 Harrison Road, Villanova, Delaware County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Murray J. Gass, 19 Grove Lane, Broomall, Delaware County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE FARM PRODUCTS SHOW COMMISSION

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leon Falk, Jr., Falkland Farms, Schellsburg, Bedford County, for appointment as a member of the State Farm Products Show Commission, for the term of four years, and until his successor is qualified, vice Fred H. Cook, Sr., Beaver, deceased.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Margaret A. Neuber, 121 West Fairmont Avenue, State College, Centre County, for appointment as a member of the Board of Trustees of Laurelton State Village, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Dr. Duane Ramsey, University Park, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Warren B. Watson, Durham Road, Mechanicsville, Bucks County, for reappointment as a member of the Navigation Commission for the Delaware River and Its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

ALDERMAN

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Evanish, 33 Coal Street, Nanticoke, Luzerne County, for appointment as Alderman in and for the Second Ward of the City of Nanticoke, Luzerne County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

#### MEMBER OF THE SCHUYLKILL COUNTY BOARD OF ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Clara Hylan (Democrat), 302 South Jardin Street, Shenandoah, Schuylkill County, for appointment as a member of the Schuylkill County Board of Assistance, until December 31, 1962, and until her successor is duly appointed and qualified, vice Martin V. McGuire, Esq., Shenandoah, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE DELAWARE COUNTY BOARD OF ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Evelyn Geddes (Democrat), 145 Biddulph Road, Radnor, Delaware County, for appointment as a member of the Delaware County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Harriette B. Coke, St. Davids, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE CHESTER COUNTY BOARD OF ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy M. Moran (Democrat), 37 North Matlack Street, West Chester, Chester County, for appointment as a member of the Chester County Board of Assistance, until December 31, 1962, and until her successor is duly appointed and qualified, vice Harry T. Barnett, Spring City, whose term expired.

DAVID L. LAWRENCE.

#### MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate R. P. Summers (Democrat), 533 Stewart Street, Bellwood, Blair County, for appointment as a member of the Blair County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice A. A. Schoch, Altoona, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Eugene W. Shaeffer, 2022 Pleasant View Drive, Ford City, Armstrong County, for appointment as Justice of the Peace in and for the Borough of Ford City, Armstrong County, to serve until the first Monday of January 1962, vice Julius Steiner, deceased.

DAVID L. LAWRENCE.

**BILL INTRODUCED AND REFERRED**

Messrs. STEVENSON, LANE, SEYLER, HALUSKA and CONFAIR presented to the Chair **SB 651**, entitled:

An Act to empower cities of the second class, second class A and third class, boroughs, incorporated towns, townships of the first and second class and counties of the third through eighth class, individually or jointly, to plan their development and to govern the same by zoning, subdivision and land development ordinances and other ordinances, by official maps, by the reservation of certain land for future public purpose and by the acquisition of such land; providing for the establishment of planning commissions, planning departments and zoning hearing boards, authorizing them to charge fees, make inspections and hold public hearings; providing for appropriations, appeals to courts and penalties for violations; and repealing acts and parts of acts.

Which was committed to the Committee on Local Government.

Messrs. STEVENSON and HAYS presented to the Chair **SB 652**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing the salaries of certain county superintendents.

Which was committed to the Committee on Education.

Mr. HAYS presented to the Chair **SB 653**, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Centre County.

Which was committed to the Committee on Highways.

Mr. BELL presented to the Chair **SB 654**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing additions and revisions to duplicates in second class school districts.

Which was committed to the Committee on Education.

Mr. SEYLER presented to the Chair **SB 655**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," creating the Bureau of Consumer Protection, defining its powers and duties, and making an appropriation.

Which was committed to the Committee on State Government.

Messrs. McMENAMIN and SCOTT presented to the Chair **SB 656**, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code" making judges eligible as bank directors or trustees.

Which was committed to the Committee on Banking.

Messrs. FLEMING, WOLFE and PECHAN presented to the Chair **SB 657**, entitled:

An Act making it unlawful to hereafter establish a junk yard or scrap yard within a certain distance of a State highway; requiring that existing junk yards or scrap yards within a certain distance of State highways have fences so that material therein is not visible from the highway; and prescribing penalties.

Which was committed to the Committee on Highways.

Messrs. PECHAN and SEYLER presented to the Chair **SB 658**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for reimbursement by the Commonwealth to school districts for the employment of dental hygienists.

Which was committed to the Committee on Education.

**REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS**

Mr. DEVLIN, by unanimous consent, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

**MEMBER OF THE SANITARY WATER BOARD**

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David Paddock, 147 South Seventh Avenue, Clarion, Clarion County, for appointment as a member of the Sanitary Water Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice F. M. Geer, North Warren, whose term expired.

David L. Lawrence.

**MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION**

January 3, 1961.

John R. Torquato, Johnstown, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

David L. Lawrence.

**MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE COLLEGE**

May 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold L. Paul, 201 Pike Street, Port Carbon, Schuylkill County, for reappointment as a member of the Board of Trustees of Bloomsburg State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

David L. Lawrence.

**MEMBER OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE COLLEGE**

May 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. C. Longanecker, 154 West Lincoln Street, Waynesburg, Greene County, for reappointment as a member of the Board of Trustees of California State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

David L. Lawrence.



MEMBERS OF THE BOARD OF TRUSTEES OF  
MAYVIEW STATE HOSPITAL

May 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Mayview State Hospital:

Lawrence S. Reardon, Jr., 143 Beisner Avenue, Brentwood, Pittsburgh 27, Allegheny County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. M. Elizabeth Brown, 1010 Vance Avenue, Coraopolis, Allegheny County, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

MEMBER OF THE ARMSTRONG COUNTY BOARD  
OF ASSISTANCE

May 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William M. Bayle (Republican), 242 North Water Street, Kittanning, Armstrong County, for appointment as a member of the Armstrong County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rev. Thomas F. Luce, Kittanning, resigned.

MEMBER OF THE LANCASTER COUNTY  
BOARD OF ASSISTANCE

May 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred Nevin Sayres (Republican), 519 West James Street, Lancaster, Lancaster County, for appointment as a member of the Lancaster County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Joseph M. Flanagan, Columbia, resigned.

JUSTICE OF THE PEACE

May 2, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy M. Killian, R. D. 1, Newburg, Cumberland County, for appointment as Justice of the Peace in and for the Township of Upper Mifflin, Cumberland County, to serve until the first Monday of January 1962, vice Joseph B. Weaver, deceased.

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William D. Witmer, R. D. 7, York, York County, for appointment as Justice of the Peace in and for the Township of Springettsbury, York County, to serve until the first Monday of January 1962, vice William D. Quickel, resigned.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. LANE, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATION TAKEN FROM TABLE

Mr. DEVLIN. Mr. President, I call from the table the nomination of John R. Torquato for appointment as a member of the Pennsylvania Securities Commission, which was just reported from the Committee on Executive Nominations.

The nomination was read by the Clerk as follows:

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

January 3, 1961.

John R. Torquato, Johnstown, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nomination?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41			
Bell,	Haluska,	McMenamin,	Stevenson,
Berger,	Hawbaker,	Mullin,	Stiefel,
Camiel,	Kalman,	Murray,	Taylor,
Chapman,	Keller,	Ripp,	Wade,
Confair,	Kessler,	Rooney,	Wagner,
Devlin,	Lane,	Sarraf,	Ware, III,
DiSilvestro,	Mahady,	Scott,	Weiner,
Ehrgood,	Mallery,	Sesler,	Wolfe,
Flack,	McCreesh,	Seyler,	Yatron,
Fleming,	McGinnis,	Silver,	Donolow,
		Stalsey,	Presiding Officer

NAYS—7			
Hays,	Madigan,	Probert,	Stroup.
Kromer,	Pechan,	Shafer,	

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS TAKEN FROM TABLE

Mr. DEVLIN. Mr. President, I now call from the table the remaining nominations which were reported from committee at today's Session.

The nominations were read by the Clerk as follows:

MEMBER OF THE SANITARY WATER BOARD

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate David Paddock, 147 South Seventh Avenue, Clarion, Clarion County, for appointment as a member of the Sanitary Water Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice F. M. Geer, North Warren, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
BLOOMSBURG STATE COLLEGE

May 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold L. Paul, 201 Pike Street, Port Carbon, Schuylkill County, for reappointment as a member of the Board of Trustees of Bloomsburg State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
CALIFORNIA STATE COLLEGE

May 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. C. Longanecker, 154 West Lincoln Street, Waynesburg, Greene County, for reappointment as a member of the Board of Trustees of California State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
MAYVIEW STATE HOSPITAL

May 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Mayview State Hospital:

Lawrence S. Reardon, Jr., 143 Beisner Avenue, Brentwood, Pittsburgh 27, Allegheny County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. M. Elizabeth Brown, 1010 Vance Avenue, Coraopolis, Allegheny County, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE ARMSTRONG COUNTY BOARD  
OF ASSISTANCE

May 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William M. Bayle (Republican), 242 North Water Street, Kittanning, Armstrong County, for appointment as a member of the Armstrong County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rev. Thomas F. Luce, Kittanning, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE LANCASTER COUNTY BOARD  
OF ASSISTANCE

May 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred Nevin Sayres (Republican), 519 West James Street, Lancaster, Lancaster County, for appointment as a member of the Lancaster County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Joseph M. Flanagan, Columbia, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 2, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy M. Killian, R. D. 1, Newburg, Cumberland County, for appointment as Justice of the Peace in and for the Township of Upper Mifflin, Cumberland County, to serve until the first Monday of January 1962, vice Joseph B. Weaver, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William D. Witmer, R. D. 7, York, York County, for appointment as Justice of the Peace in and for the Township of Springettsbury, York County, to serve until the first Monday of January 1962, vice William D. Quickel, resigned.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Ehrgood,	Mahady,	Scott,	Ware, III,
Flack,	Mallery,	Sesler,	Weiner,
Fleming,	McCreesh,	Seyler,	wolfe,
Haluska,	McGinnis,	Shafer,	Yatron,
Hawbaker,	McMenamin,	Silvert,	Donolow,
	Miller,	Stalsey,	Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.



## BILL INTRODUCED AND REFERRED

Messrs. SEYLER, SCOTT, WAGNER and HAYS, by unanimous consent, presented to the Chair **SB 659**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing payment of expenses incurred by professional employees in obtaining approved instructions.

Which was committed to the Committee on Education.

## ANNOUNCEMENT OF CHAIRMAN AND VICE-CHAIRMAN OF SELECT COMMITTEE ON EDUCATION, PURSUANT TO SENATE RESOLUTION, SERIAL NO. 57

The PRESIDING OFFICER. The President pro tempore of the Senate, Honorable Anthony J. DiSilvestro, wishes the Chair to announce the appointment of Senator Jo Hays, as Chairman, and Senator Paul L. Wagner, as Vice-Chairman, of the Select Committee on Education, pursuant to Senate Resolution, Serial No. 57.

## SENATOR GEORGE J. SARRAF WELCOMED

The PRESIDING OFFICER. The Chair would like to take the liberty at this time to welcome back one of our colleagues, Senator Sarraf, who I am happy to see is back with us and in good shape.

Welcome back to the Senate, Senator Sarraf.

## CALENDAR

### THIRD READING CALENDAR

#### BILLS OVER IN ORDER

**SB 76**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 132**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—35

Bell,	Kalman,	Murray,	Stalsey,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Lane,	Ripp,	Van Sant,
Devlin,	Mahady,	Rooney,	Wagner,
DiSilvestro,	McCreesh,	Sarraf,	Ware, III,
Flack,	McGinnis,	Scott,	Weiner,
Fleming,	McMenamin,	Sesler,	Yatron,
Haluska,	Miller,	Seyler,	Donolow,
Hays,	Mullin,	Silvert,	Presiding Officer

#### NAYS—15

Berger,	Keller,	Propert,	Taylor,
Confair,	Kromer,	Shafer,	Wade,
Ehrgood,	Madigan,	Stevenson,	Wolfe,
Hawbaker,	Mallery,	Stroup,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of

Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 157**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Berger,	Kalman,	Murray,	Stiefel,
Bell,	Keller,	Pechan,	Stroup,
Camiel,	Kessler,	Propert,	Taylor,
Chapman,	Kromer,	Ripp,	Van Sant,
Confair,	Lane,	Rooney,	Wade,
Devlin,	Madigan,	Sarraf,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Donolow,
Hawbaker,	Miller,	Stalsey,	Presiding Officer
Hays,	Mullin,	Stevenson,	

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

**HB 242**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 264**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stiefel,
Berger,	Keller,	Pechan,	Stroup,
Camiel,	Kessler,	Propert,	Taylor,
Chapman,	Kromer,	Ripp,	Van Sant,
Confair,	Lane,	Rooney,	Wade,
Devlin,	Madigan,	Sarraf,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Donolow,
Hawbaker,	Miller,	Stalsey,	Presiding Officer
Hays,	Mullin,	Stevenson,	

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 308**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**SB 312**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**HB 323**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 361**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
			Presiding Officer

## NAYS—2

Hays, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 392**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bell,	Kalman,	Mullin,	Stalsey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,	Miller,	Silvert,	Donolow,
			Presiding Officer

## NAYS—2

Hays, Wade,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 409**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Wolfe,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 417**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**HB 420**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 442**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bell,	Kalman,	Murray,	Stiefel,
Berger,	Keller,	Pechan,	Stroup,
Camel,	Kessler,	Propert,	Taylor,
Chapman,	Kromer,	Ripp,	Van Sant,
Confair,	Lane,	Rooney,	Wade,
Devlin,	Madigan,	Sarra,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Donolow,
Hawbaker,	Mullin,	Stevenson,	Presiding Officer

## NAYS—3

Hays,	McCreesh,	Seyler,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 462**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 497**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**HB 508**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, House Bill No. 508 would authorize the Treasury Department to invest moneys of the Commonwealth in commercial paper. I realize that the title of the bill and the wording of the bill provide for prime commercial paper which, I understand, is recommended paper.

However, Mr. President, we feel this would be an injudicious policy on the part of the Commonwealth to invest its moneys in commercial paper, which is ordinary banking paper. Consequently, I am asking my colleagues to vote "no" on this bill.

Mr. WEINER. Mr. President, I do not happen to agree with the gentleman because it appears to me—if you will read the bill and I am sure the gentleman has done so—that these are short term loans whereby the Commonwealth could obtain the maximum amount of money from these loans.

The Commonwealth would not put all if its money into this. It would use its short term money—that which is not being used or money that is lying in a bank gaining little interest—in this type of commercial paper.

I think there is nothing wrong in this. I think if we operate the Commonwealth as we do any business and we obtain the best type of investment and the type that bears the most fruit, certainly no one can be criticized for that.

I, therefore, feel that the Commonwealth would be missing a good thing or letting a good thing go by.

Rather than see this bill go down to defeat here today, I would ask that House Bill No. 508, Printer's No. 551, go over in its order.

Mr. BERGER. Mr. President, I have no objection to the bill going over in order.

However, I would say to the Majority Leader that many a good thing has not come in, Mr. President.

Mr. SILVERT. Mr. President, I should like to make the comment that prime commercial paper means obligations of corporations like General Motors, American Telephone, General Electric and the type of loans that banks are most pleased to lend money on.

I say to the Members of this Senate that some of the prime commercial paper is more secure than some of the bonds in which the Commonwealth invests.

Mr. BERGER. Mr. President, I would hate to accept that as an assertion of truth. I hope and trust that the Commonwealth has various moneys invested in at least as good paper or obligations as Senator Silvert has described.

Mr. WEINER. Mr. President, I wish to point out to the gentlemen of the Senate that the remarks they heard from the gentleman from Philadelphia were not merely a speech on behalf of this bill. He was relating a personal experience, and I think that you might do well to listen and heed some careful advice which has not been come upon overnight.

Mr. BERGER. Mr. President, if we could amend this bill so that Senator Silvert would have the direction of the investments, perhaps our attitude might be changed.

Mr. SILVERT. Mr. President, I agree.

The PRESIDING OFFICER. At the request of the gentleman from Philadelphia, Senator Weiner, the bill will go over in its order on final passage.

#### BILLS ON THIRD READING AMENDED

**HB 517**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 501), page 2, line 12, by inserting brackets before and after "of" and inserting immediately thereafter: not to exceed.

Amend Sec. 1 (Sec. 501), page 2, line 12, by striking out the brackets before "fifty" and after "\$50.00."

Amend Sec. 1 (Sec. 501), page 2, lines 12 and 13, by striking out "FIVE DOLLARS (\$5.00)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WADE.

**SB 529**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 1, page 2, line 3, by striking out "May 23, 1957 (P. L. 181)" and inserting: February 9, 1961 (Act No. 9).

Amend Sec. 1 (Sec. 2), page 3, line 8, by striking out "and" and inserting: or reconveyance by the condemning body of the property condemned to the owner of record at the time of condemnation which reconveyance may include property line adjustments provided said reconveyance is made within one year from the date of condemnation.

Amend Sec. 1 (Sec. 2), page 3, line 8, by striking out "or" and inserting: a.

Amend Sec. 1 (Sec. 2), page 3, line 13, by in-

serting after "debt:" or a transfer by the owner of previously occupied residential premises to a builder of new residential premises when such previously occupied residential premises is taken in trade by such builder as part of the consideration from the purchaser of a new previously unoccupied residential premises or any transfer from a purchase money mortgager to the vendor holding the purchase money mortgage whether pursuant to a foreclosure or in lieu thereof.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 569**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

##### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 573**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

##### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 575**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution.



On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 663**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 715 and 716**—Mr. WEINER. Mr. President, I request that House Bill No. 715 and House Bill No. 716 go over in their order.

The PRESIDING OFFICER. Is there objection?

Mr. WADE. Mr. President, I have no objection to these bills going over in their order. However, I believe, on several different occasions, we were told that we would be furnished with figures from the actuary of the funds, telling us the approximate cost of these bills. I am sure that last week the Majority Leader told us he would have those figures available for us at this time.

Mr. WEINER. Mr. President, I am advised by some of the people who have some knowledge of this matter—I have not, however, completely checked the results which they have given me—that if about fifty per cent of the State employees elect to go under the program provided for in House Bill No. 715, it would cost about two and one-half million dollars per year.

Under House Bill No. 716, which applies to public school employees, it would cost 2.6 million dollars per year.

Those figures, however, could change. For example, instead of fifty per cent of the people going under it, if eighty per cent of the people went under it, you can do the mathematics and find out the extent of the cost. There is no way of telling how many would choose to go under this system or use it. Therefore, you would arrive at that type of cost.

One of the reasons why these bills have been held on the Calendar is because there is some reluctance in some areas to go along with these measures due to the cost and the administration of them. I have been holding the bills here in order to try to iron out some of those difficulties which have arisen. I want to assure the gentleman that the moment when I will be able to do that, we will pass these measures. They are both very popular bills and are the type of measures which anybody could and should be in favor of. However, if they do not become enacted into law, I think we will not have done a service for the people whom we are trying to help. Therefore, in the hope of not doing them a disservice, I am trying to iron out all of the difficulties which now exist. I may not be successful, but I am certainly making an attempt.

The PRESIDING OFFICER. There being no objection, the bills will go over in their order.

## BILL ON THIRD READING AMENDED

**HB 734**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DEVLIN, by unanimous consent, offered the following amendments:

Amend Title, page 2, second line of Title, by inserting after "furnished": except in counties of the second class

Amend Sec. 1 (Sec. 516), page 2, line 7, by inserting after "shall": except in counties of the second class

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. DEVLIN.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 827**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

**HB 892 and 936**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

**HB 1082**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 1091**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

**HB 1139 and 1144**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 1184**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO LARRY MILLER, OF CATASAUQUA, UPON HIS SELECTION AS GOOD WILL AMBASSADOR

Mr. VAN SANT, by unanimous consent, offered the following resolution (**Serial No. 60**), which was read, considered and adopted:

In the Senate, May 22, 1961.

The people of Catasauqua in Lehigh County are tremendously proud today because one of their young citizens will be among the twenty-four boys who have been selected by the Pop Warner Conference to go on a three week European trip this summer as good will ambassadors.

Larry Miller, who was recommended for the trip by Governor Lawrence, was notified last week that he had been selected. The Pop Warner Conference is a national organization which sponsors football competition as well as other sports. The group of boys selected were chosen on the basis of being outstanding athletes and scholars displaying strong character.

Larry is the son of Mr. and Mrs. Julius Miller of Catasauqua. He excels in basketball but also participates in football and baseball at the high school where he is a freshman. His coach at Catasauqua High School, Bert Kuczynski, feels that Larry is an excellent choice but Bert deserves much credit, for without his ability as a coach Larry might not be the athlete that he is today.

The people of Pennsylvania are proud of Larry Miller. We need more boys like this because they are the America of the future. We want to take this opportunity to thank the people behind the Pop Warner Conference for making this trip possible; therefore be it

**RESOLVED**, That the Senate of Pennsylvania congratulate Larry Miller of Catasauqua, Pennsylvania for being selected as a good will ambassador; and be it further

**RESOLVED**, That we wish him the best of luck on his forthcoming trip to Europe; and be it further

**RESOLVED**, That we wish to thank the Pop Warner Conference and the civic leaders of Catasauqua who contributed their money to make this trip possible; and be it further

**RESOLVED**, That a copy of this resolution be sent to Larry Miller at 116 Wood Street, Catasauqua, Lehigh County, Pennsylvania.

#### BILLS INTRODUCED AND REFERRED

Messrs. VAN SANT and YATRON, by unanimous consent presented to the Chair **SB 660**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," fixing minimum salaries for paid firemen.

Which was committed to the Committee on Local Government.

Mr. VAN SANT, by unanimous consent, presented to the Chair **SB 661**, entitled:

An Act amending the act of May 26, 1891 (P. L. 129), entitled "An act authorizing and empowering the court of common pleas of the several counties of this Commonwealth to change, alter and direct the mode of preparing and keeping indices in the several offices of record in said counties, and for preparing, making and substituting new indices for old indices or parts thereof," providing for the granting of contracts for new indices.



Which was committed to the Committee on Judiciary General.

Messrs. HAYS, WAGNER, SHAFER and SEYLER, by unanimous consent, presented to the Chair **SB 662**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," qualifying the membership of county board of school directors.

Which was committed to the Committee on Education.

## SECOND READING CALENDAR

### APPROPRIATION BILLS ON SECOND READING

**SB 565** and **HB 808**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING

**HB 67**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## MEETING OF COMMITTEE ON APPROPRIATIONS

Mr. WEINER. Mr. President, at this time, the Committee on Appropriations would like to hold a meeting, which should only require ten or fifteen minutes. Unless there is some objection, I would suggest that the committee proceed to its meeting and that we continue with consideration of the Second Reading Calendar and, at least, finish that part of our business.

The PRESIDING OFFICER. There being no objection, the Committee on Appropriations will proceed to its meeting.

## SB 544 CALLED UP OUT OF ORDER

**SB 544**—Without objection, the bill was called up out of order, from page 13 of the Second Reading Calendar, by Mr. SEYLER.

### BILL ON SECOND READING AMENDED

**SB 544**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SEYLER offered the following amendment:

Amend Sec. 1, page 2, lines 2 and 3 by striking out "his opinion of the market value of the condemned property" and inserting: the fair market value of the condemned property immediately before the taking and as to the fair market value of the condemned property immediately after the taking and as affected thereby or as may otherwise be required by law

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SEYLER.

### BILL ON SECOND READING

**HB 154**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 246**, **SB 295** and **333**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

## BILL ON SECOND READING

**SB 428**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

**HB 428**—The first section was read and agreed to. The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 2 (Sec. 1021), page 7, line 1, by striking out "twenty-four (24)" and inserting: thirty-six (36)

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to. And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 430**—Mr. STROUP. Mr. President, I request that House Bill No. 430 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I think this is an important piece of legislation. It is one of the most important we have had here. I have no objection if the bill is going over in its order for the purpose of some important clarification or some important action.

This bill has been before the Legislature in previous Sessions and it has not done well. I do not know whether it is going to pass this Session or whether it will fail. However, I think we ought to take up this matter, go through it, and bring it to an end. It has been on our Calendar now for about two or three weeks and people have made up their minds. Those people who are in favor of it will vote for it and those people who are against it will be against it regardless of what I say, what you say, Senator, or what anybody else says. We should dispose of this in one way or another.

Mr. STROUP. Mr. President, in reply to Senator Weiner, I have asked that the bill go over in its order because I have amendments that I want to offer. However, I have been trying to secure certain specific information and statistical data which I believe would help to support the amendments which I desire to offer. I do not have this particular information or data at hand right now, but I expect to have it in several days. I have asked for it from various sources.

That is my reason for asking that the bill go over in order because I believe with that particular information available, the thinking of some of the Members of the Senate may be changed concerning the amendments I intend to offer.

Mr. WEINER. Mr. President, I believe the gentleman is aware that we allow bills to be amended on Third Reading. I believe if this bill were passed up to Third

Reading and the amendments came to us at that time, or did not come to us, or we found at such time that they were not the things that we wanted to do, we could at least act on this.

This bill has been with us since April 17th. I think that most of the bills that we have on our Calendar, with the exception of possibly one bill, are current. I would like to keep it so and I am sure everybody here feels the same way.

Mr. STROUP. Mr. President, I must repeat my request that the bill go over in order. It is not only the matter of an amendment which I have in mind that I intend to offer, but also there are others which are being considered to be offered to this particular measure. We believe they are important. True, this is a very important piece of legislation, but we are of the opinion that certain corrective measures which could be added to the legislation would greatly improve it.

For that reason, I insist and request that the bill go over in its order.

Mr. WEINER. Mr. President, I wish to advise the gentleman—and I do not want to make a speech on this bill and I will not until such time as it is before us—that I would like to work on this legislation tomorrow and the next day. This bill has been with us for some time. I think since it has been here over thirty days, we ought to address ourselves to it. However, I have no objection to the bill going over in order today.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

**SB 431 and 441**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

#### BILLS ON SECOND READING

**SB 448 and 455**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 469**—Without objection, the bill was passed over in its order at the request of Mr. EHRGOOD.

**SB 473**—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

#### BILL ON SECOND READING

**SB 493**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 511, HB 522 and SB 538**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**HB 574, 576 and 578**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

**SB 579**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**HB 580, 581, 584, 585, 587 and 588**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

**SB 589**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**HB 589, SB 611 and 613**—Without objection, the bills

were passed over in their order at the request of Mr. PECHAN.

**SB 616 and HB 879**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILL ON SECOND READING

**HB 947**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 953 and 1102**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

#### BILL ON SECOND READING

**HB 1154**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 1179 and 1369**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

#### BILL ON SECOND READING POSTPONED

**SB 354**—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

#### BILL RECOMMITTED

**SB 354**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Corporations.

#### BILLS REREFERRED

Mr. HAYS. Mr. President and Members of the Senate, last week before the Select Committee to handle legislation from the Governor's Committee on Education was named, certain bills that grew out of that committee were referred to the Committee on Education. At that time, I said that I would return such bills to the Chair if and when the Select Committee was named. I believe the Select Committee has been named.

Therefore, I am now returning to the desk Senate Bill No. 612, Senate Bill No. 645 and Senate Bill No. 646 for rereferral.

The PRESIDING OFFICER. Senate Bills Nos. 612, 645 and 646 are, accordingly, rereferred to the Select Committee on Education.

#### REPORTS FROM COMMITTEE

Mr. McGINNIS, by unanimous consent, from the Committee on Appropriations, rereported, as committed, **SB 133**; and reported as committed, **HB 757, 766, 768, 804, 914, 915, 916, 917, 918, 919, 920, 921, 922, 983, 1112 and 1113**.

#### BILL INTRODUCED AND REFERRED

Messrs. ROONEY, PECHAN and STROUP, by unanimous consent, presented to the Chair **SB 663**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting debt pooling business, voiding contracts for debt pooling and providing penalties.

Which was committed to the Committee on Judiciary General.



**BILLS ON FIRST READING**

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

**HB 757, 766, 768, 804, 914, 915, 916, 917, 918, 919, 920, 921, 922, 983, 1112 and 1113.**

**PETITIONS AND REMONSTRANCES**

Mr. HAYS. Mr. President and Members of the Senate, during the week end, I did some reading and this information I wish to present represents material which came from the United States Bureau of Census which yearly computes fiscal operations of the various States. This appeared in many newspapers and on television and radio. The particular copy I have here happens to come from the Philadelphia Bulletin.

The point I am trying to make is that the story is very well written, but, as sometimes is the case, the headline gives a rather one-sided impression: "Pennsylvania Ranks Fourth in Rise of Tax Spending." This is correct. However, I would call your attention to the fact that the story goes on to say that Pennsylvania's per capita outlay was still below the national average. The Pennsylvania figure, per capita, was \$141.60 against a national average of \$152.49.

What I am trying to say is that despite this upsurge, about which the headline screams at us, the per capita tax outlay for the Commonwealth of Pennsylvania is still eleven dollars less than for the United States as a whole. Only two of the adjoining States—namely, New Jersey and Ohio—spent less.

I am sure all of you are aware that the public school bill in New Jersey is financed almost exclusively on the local level.

The per capita figure on spending in Delaware came to \$253 compared to Pennsylvania's \$141, and in New York it came to \$165.19.

I simply want to call this fact to your attention because I think the actual per capita tax is more important than the increase. All of us, I am sure, in our domestic affairs realize that some years we spend niggardly on certain items and sometimes this is not good economy. However, because we pinch the one year and allow things to get out of good repair and do not keep services up-to-date, then the next year we must spend a great deal more.

I am saying that perhaps Pennsylvania, over a period of ten or twenty years, has not been keeping some of its services at the high level it should and perhaps that is the reason for this upsurge.

**ANNOUNCEMENTS BY THE SECRETARY**

The following announcements were read by the Secretary of the Senate:

**COMMITTEE MEETINGS  
TUESDAY, MAY 23, 1961**

<b>Eastern Daylight Saving Time</b>	<b>Committees</b>	<b>Room</b>
9:00 A. M.	SELECT COMMITTEE ON EDUCATION	302
9:30 A. M.	STATE GOVERNMENT	535
10:15 A. M.	BANKING	302
11:00 A. M.	LOCAL GOVERNMENT	301
11:45 A. M.	PUBLIC HEALTH AND WELFARE	535A
12:15 A. M.	FORESTS AND WATERS, GAME AND FISH	Dem. Caucus Room

**ADJOURNMENT**

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, May 23, 1961, at 11:15 a. m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:18 p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

MONDAY, May 22, 1961

The House met at 3 p.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

Reverend Donald A. Steward, Pastor of Mt. Zion Lutheran Church, Lebanon County, guest chaplain and guest of the gentleman from Lebanon, Mr. Manbeck, and of the House Chaplain, offered the following prayer:

Almighty God, Holy Father, who holdeth in Thy hand all the might of man, Who hast ordained the powers that be for the punishment of evildoers, and for the praise of them that do well, of Whom is all rule and authority in the kingdoms of the world: We humbly beseech Thee, graciously regard Thy servants, the President and Congress of the United States, the Governor and Legislature of this Commonwealth, our judges and magistrates, and all the rules of the earth. May all that receive the sword, as Thy representatives, bear it according to Thy commandment. Protect those liberties of rule by representation which are the cornerstone of our government.

Grant that we, as legislators, may ever be mindful of the welfare of all our constituents, that we may serve the common good of all our people. Preserve us from all double-dealing, pettiness, and self-seeking. Correct the evils of selfishness, greed, vain desire for honor, or abuse of power. Enlighten and defend us by Thy Name, O God, and bestow upon us wisdom and understanding, that the true purposes of government prevail, safeguarding peace and prosperity, that Thy people may be guarded and directed in righteousness, quietness, and unity, to the end that we may live soberly and uprightly in Thy sight to the glory of Thy Holy Name until life's end. Amen.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Wednesday, April 19, Thursday, April 20, Monday, April 24, Tuesday, April 25, Wednesday, April 26, Monday, May 1 and Tuesday, May 2, 1961? If not, and without objection, the Journals are approved.

The SPEAKER. The Chair recognizes the gentleman from Potter, Mr. Goodrich.

Mr. GOODRICH. Mr. Speaker, I see several errors in the Journal of April 19 in the report of the debate between myself and the gentleman from Washington, Mr. Murphy. Certain passages are attributed to me which should be attributed to him, and vice versa.

I especially would like to point out that on page 1284 of the Journal the record has me recorded as having stated that I worked for the Monessen Southwestern Railroad, the Donora Southern Railroad and the Pittsburgh and West Virginia Railroad. I am sure they are all fine railroads, but I never worked for them.

I will not point out each individual passage here for it would be as confusing as the record is. If anyone ever reads this debate, I am sure they would never know who is who or what they were for.

Thank you, Mr. Speaker.

The SPEAKER. The remarks of the gentleman will be spread upon the Journal. If he wishes to be absolutely

sure that his remarks are correctly quoted, he might send them to the desk in writing.

However, I think our reporting force is very efficient and probably got them right.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, May 9, 1961, will be postponed until printed.

The Chair hears none.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. McCANN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

## BILLS INTRODUCED AND REFERRED

By Messrs. J. A. SULLIVAN, McDEVITT, PRENDERGAST and EILBERG.

HOUSE BILL No. 1551.

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), further regulating the days and hours of registration and the days and hours of changing party enrollment.

Referred to the Committee on Cities—Counties First Class.

By Mrs. REIBMAN, Messrs. CIOFFI, WALL and HAMILTON.

HOUSE BILL No. 1552.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing eligibility for State scholarships.

Referred to the Committee on Education.

By Messrs. YETTER, PRENDERGAST, VERONA and Mrs. MUNLEY.

HOUSE BILL No. 1553.

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), permitting persons receiving assistance to carry insurance policies on their lives and on the lives of the members of their family in certain amounts.

Referred to the Committee on Welfare.

By Messrs. KAMYK, LUTTY and WILT.

HOUSE BILL No. 1554.

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," authorizing the withdrawal of service increment contributions by persons who retire before becoming entitled to any service increment.

Referred to the Committee on Cities—Counties First and Second Class A.

By Messrs. EILBERG, GREMMINGER, GALLAGHER and FRY.

HOUSE BILL No. 1555.

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), further regulating the days, hours and places of registration.

Referred to the Committee on Cities—Counties First Class.



By Messrs. MURPHY and ROVANSEK.

HOUSE BILL No. 1556.

An Act requiring operators or owners of bituminous coal mines to employ one mine foreman for each unit.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. PRENDERGAST, FARABAUGH and YETTER.

HOUSE BILL No. 1557.

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589), further providing for the labeling of milk and milk products.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. A. D. WILLIAMS, Jr. and ELVEY.

HOUSE BILL No. 1558.

An Act requiring the Pennsylvania Turnpike Commission to sell real property owned by it which is not being used for turnpike purposes.

Referred to the Committee on State Government.

By Mr. MURPHY.

HOUSE BILL No. 1559.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing the school directors to determine when transportation shall be provided and providing for reimbursements.

Referred to the Committee on Education.

By Mr. MURPHY.

HOUSE BILL No. 1560.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), redefining year to mean academic year in reference to State scholarships.

Referred to the Committee on Education.

By Messrs. BRETH, SCHAAF, BUCHANAN,

WILLARD and CURWOOD. HOUSE BILL No. 1561.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing the name of the Department of Forests and Waters to the Department of Conservation and Recreation; transferring to it certain functions, powers and duties relating to parks and recreation; making the Pennsylvania Historical and Museum Commission a departmental administrative commission therein; making the Brandywine Battlefield Park Commission an advisory commission therein; changing certain other commissions from departmental administrative commissions to advisory commissions, and abolishing the Flood Control Commission.

Referred to the Committee on State Government.

By Messrs. ANDREWS, McCANN, PETROSKY,

KAMYK, POLEN, EILBERG, ROVANSEK,

WARGO, MUSTO, DOUGHERTY, GAILEY

and HAMILTON.

HOUSE BILL No. 1562.

An Act authorizing the Commonwealth of Pennsylvania, through the Department of Commerce and the Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment; authorizing the Pennsylvania Industrial Development Authority to participate with any Federal agency in the financing of industrial development projects in redevelopment areas; \* \* \*

Referred to the Committee on Rules.

## STATEMENT BY SPEAKER

The SPEAKER. The chief clerk informs me that possibly there might be a shortage of calendars. The calendar was sent out by mail to every member. Then, of course, there were two caucuses to which the members took their calendars, and he is not sure that there were enough calendars to place another set on every desk.

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I want to, at this time, parenthetically thank the chief clerk for sending out copies of the calendar to the members.

But that is not the reason for which I rose. May I ask the Speaker, are you through having the reading of the reference of bills by the Speaker? Is that all the bills there are? Are you under the heading of the Speaker referring bills?

The SPEAKER. We are finished with the heading of referring bills.

## PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. A. W. JOHNSON. Mr. Speaker, it has come to our attention that we in the House have passed the resolution which sets up a committee of eight House members, four Democrats and four Republicans, with reference to the Governor's Committee on Education bills. The Senate has also passed a similar resolution and I believe the Senate has made their appointments. Before we on the minority side make our suggested appointments to the Speaker, I want to raise this parliamentary inquiry by reference to the House resolution which you will find on page 310 in the History this week. I would like to ask the question so the members will know. Is there a mandate to the Speaker in this resolution that he must refer any bills at all to this committee?

The SPEAKER. Is the gentleman making a point of order, or is he simply asking an opinion? That is one thing; if he is making a point of order that is another thing.

Mr. A. W. JOHNSON. Mr. Speaker, I believe at this point the only thing that would be in order would be for me to make a parliamentary inquiry because the question of a point of order could not, perhaps, be raised until you have actually referred some bills to the committee. Therefore, I believe I would rather stay under the question of a parliamentary inquiry of whether this resolution is a mandate to the Speaker to refer bills to that committee.

The SPEAKER. Had the gentleman consulted the Speaker, he would have preferred that that question be delayed until the minority had informed the Speaker as to, first, whether it was going to appoint a committee, and, second, who the members of that committee would be.

Mr. A. W. JOHNSON. Mr. Speaker, we have not made the appointments yet, and the answers that you give us might be a determining factor as to whether or not we give you suggested names.

The SPEAKER. In the opinion of the Speaker, House



Resolution 61, serial No. 70, does not carry any mandate other than the appointment of a committee.

Mr. A. W. JOHNSON. I thank the Speaker.

I would like to pose another question. Under the resolution, can the Speaker refer any bills at all to this committee?

The SPEAKER. The Speaker would be empowered to refer bills to any properly constituted committee that, in the opinion of the Chair, was empowered to receive those bills and report them back to the House for action.

Mr. A. W. JOHNSON. May I inquire again of the Speaker—

The SPEAKER. The question would ultimately be as to the powers conferred upon the committee in question by the House.

Mr. A. W. JOHNSON. Then your answer is that this is a duly constituted committee within the purview of our rules and the Speaker would be in order to refer bills to this committee. Is that correct?

The SPEAKER. Until the question is before the House on a point of order, the Chair does not desire to express an opinion.

His opinion is that this committee in question was not properly invested by the resolution and mandate to receive and pass upon bills and report them for action to this House. However, a contrary view might be entertained by a majority of the members of this House, and the Chair, of course, would be subject to correction by proper action.

Mr. A. W. JOHNSON. Mr. Speaker, I have one more question.

I notice in reading both resolutions, the House resolution and the Senate resolution, when you consider the fact that the Senate and the House are a coordinate body, yet we act independently of each other, which is part of our system of checks and balances, with that in mind, the fact that the resolution says that these committees shall act jointly in adopting a program, legislative education program. In view of that recitation in the two resolutions, would the Speaker be justified in referring bills to that committee which considers joint action rather than individual action by the committees of the two houses?

Under Article III, Section 2, of the Constitution—

The SPEAKER. "May jointly determine." These are two separate committees and they "may jointly confer."

To be very frank with the gentleman and with the House, the Chair at the time questioned whether or not this resolution was sufficiently definitive. They may jointly confer. They are not required to jointly confer; they are not required to report the bill to this House by direct mandate. I think it should be not "may confer," but their appointment requires that they do confer.

Mr. A. W. JOHNSON. I thank the Speaker.

May I make a brief statement, Mr. Speaker?

The SPEAKER. The gentleman is in order.

Mr. A. W. JOHNSON. Mr. Speaker, you have answered the questions just about the way that we on the minority side had it figured out. When this resolution was debated in this House and it passed, I know I said, and we said on this side of the House, that the majority rules, and that we would, naturally, when requested by the Speaker, give four suggested names to comprise the committee. But we still maintain that this committee downgrades our present committee on education. We think it is a per-

version of the legislative process, and, while we intend to give you four suggested names for the committee, we think the resolution creates a legislative hiatus that will come back to haunt us. I am afraid it will be impotent and will not be able to accomplish anything within the purview of the resolution.

Mr. McCANN. Mr. Speaker, I notice that this question has arisen following a recent discussion. I want to bring to the attention of the minority leader that when the resolution was adopted on May 3 he will find in the debate a series of questions and answers. One of those questions deals with whether legislation would be sent to this committee. The answer was that in the opinion of the speaker, which at that time was the floor leader, I myself debating or answering the questions, that the committee would receive all the legislative bills that would be introduced. That resolution was adopted 103 to 87, the record indicates.

Now the question which has been brought to the attention of the House deals with the first "resolved" section of the resolution. That "resolved" section says "that the Speaker of the House of Representatives appoint a House Committee of four members of the Democratic Party and four members of the Republican Party to consider the necessary legislation required to solve the school problems as set forth in the Report of the Governor's Committee on Education; and, then, "Be it further resolved." That discussion, in my opinion, clearly indicated that it was the intention of the people supporting the resolution that, when the legislation would be introduced, it could be referred to the committee, and there was no question that the Speaker does have the necessary power to refer the necessary legislation. That, of course, could be raised, which you can properly raise at the time he would refer a bill. Our contention would be that he has that right, since this is a properly constituted committee under Resolution No. 61, serial No. 70, which passed this House.

I, of course, will ask the Speaker at the proper time, that, if this be the case, a test be presented to this House for the vote, and we will debate the issue at that time, which I assume will be forthcoming in the very near future.

The SPEAKER. The Chair would suggest to the majority leader and the minority leader that, under the language of the resolution, no legislative powers are directly committed to this body to determine the legislative program. To whom do they report? They may confer. They are not commanded and empowered to confer and report to this House. Who are they going to report to? It is taken for granted, but they do not have to. They can report to the House Education Committee if they want to, because they are not commanded to report to this House. It would be very easy to amend this resolution or draft a new one that would express the intent and purpose of the majority of the members of this House.

Mr. A. W. JOHNSON. Mr. Speaker, one more word, if I may.

The reason for raising this parliamentary question this afternoon was that we did have every intention, at the time the bills are referred, to raise a point of order as to the power of the Speaker to refer bills to this particular committee, so I believe at the proper time when such bills are drafted and have been introduced and the Speaker has referred bills to this committee, we will raise



the point of order and debate it on the floor of this House as to the power of the Speaker to make such a referral.

The SPEAKER. Might the Speaker inquire when the Chair will receive the names of the members suggested by the minority leadership?

Mr. A. W. JOHNSON. Either before we close today or early tomorrow morning.

The SPEAKER. The Chair thanks the gentleman.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 238, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) providing for the issuing of resident fishing licenses to persons sixty-five years of age or over and to certain disabled veterans.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 759, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 760, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 770, entitled:

An Act making appropriations to the Department of Property and Supplies for the payment of grants to various municipalities or municipal authorities for the Commonwealth's share of expenses and charges in connection with sewage systems expansions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 826, entitled:

An Act amending "The Permanent Registration Act of Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) providing for registration by roving registrars and providing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1447, entitled:

An Act amending the "Milk Sanitation Law" approved

July 2, 1935 (P. L. 589) further providing for the tuberculosis and brucellosis tests to be given to cows from which raw milk is sold directly to the consumer.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1460, entitled:

An Act authorizing the judge of the court of common pleas of any county of the third fourth fifth sixth seventh or eighth class to direct that recorded maps plats or plans be reproduced requiring the recorder of deeds to preserve originals of maps plats or plans so reproduced and providing for payment of costs by the county.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 75, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" requiring operators to depress their headlights when following or overtaking another vehicle and providing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 278, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 280, entitled:

An Act amending the act of May 5, 1945 (P. L. 426) entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents . . ." changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 282, entitled:

An Act amending the act of June 11, 1935 (P. L. 326) entitled "An act relating to counties of the first class . . ." changing the name of The Italian-American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 284, entitled:

An Act amending the act of April 18, 1929 (P. L. 609)

entitled "An act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps . . ." changing the name of the Italian American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 286, entitled:

An Act amending the act of April 8, 1867 (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 179, entitled:

An Act amending the act of May 23, 1919 (P. L. 278) entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred and eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures \* \* \*' providing for the examination of the glassware used for testing milk and cream \* \* \*" providing that bottles pipettes and weights used for testing shall comply with the law as to type and need not be examined and marked individually.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 300, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) requiring informations to be brought before the nearest available magistrate or justice of the peace.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 386, entitled:

An Act amending the act of June 17, 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes \* \* \*" changing the date for transmitting returns.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. FINEMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 758, entitled:

An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 762, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control for flood control purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 803, entitled:

An Act making an appropriation to the Department of State for the administration of the Municipal Employees Retirement System.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 940, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing that operators' license cards be mailed directly to applicants.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 949, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) further regulating the issuance of registration plates by requiring that all registration plates be mailed to the applicant.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 966, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) changing registration fees for motor buses and motor omnibuses operated by mass transportation systems.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1096, entitled:

An Act making an appropriation to the Department of Military Affairs to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1192, entitled:

An Act amending the "General Appropriation Act of 1959" approved November 12, 1959 (Appropriation Act 38-A) restoring certain amounts appropriated to the Department of Public Instruction and the Department of State which the Legislature deleted and declared its intention to restore.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1257, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the title of fish warden to water patrol officer.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1258, entitled:

An Act amending the act of May 28, 1931 (P. L. 202) entitled "An Act providing for the licensing and regulation of motor boats operated or navigated upon any public stream \* \* \* within the Commonwealth \* \* \* and prescribing penalties" transferring certain powers and duties from the Pennsylvania Fish Commission to the Department of Revenue further providing for the licensing and regulation of motor boats and boats electrically propelled and providing for liability for damages caused by the negligent operation of boats \* \* \*.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1294, entitled:

An Act amending the "Meat and Meat Food Products Law" approved May 28, 1915 (P. L. 587) excepting from licensing requirements those persons dealing in or handling only canned meat which does not require refrigeration.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 1 (Sec. 10.1), page 2, line 10 by striking out "only canned meat which does" and inserting meat in cans containing less than two pounds each and which do

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. McCANN offered the following amendment:

Amend Title, page 1, next to last line of Title by striking out "only" and inserting: certain

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1370, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) providing for the issuance of juvenile fishing licenses to persons twelve to fifteen years of age inclusive and prescribing the fees for such licenses.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Fisheries.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1443, entitled:

An Act repealing section 1210 of "The Administrative Code of 1929" relating to the powers and duties of the Department of Internal Affairs in respect to the Pennsylvania System of Coordinates.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1473, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Water and Power Resources Board to sell lease or otherwise dispose of minerals in or beneath certain streams or bodies of water.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1504, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the time in which the court of quarter sessions shall appoint election officers of newly created election districts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1515, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), providing that persons otherwise qualified to vote may vote if their names appear either on the street list posted in the district or on the list accompanying the district register.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate bill No. 103, printer's No. 643  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 207, entitled:

An Act amending the act of May 9, 1949 (P. L. 927) entitled "Sheriff's Fee Bill Second to Eighth Class Counties" changing fees mileage and other costs chargeable by sheriffs and making editorial corrections.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 223, entitled:

An Act amending the act of April 24, 1947 (P. L. 89) entitled "Wills Act of 1947" providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of precuniary legacies in excess of one hundred dollars.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 336, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3.68 acres more or less of land situate in Indiana Borough Indiana County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 486, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Act" prescribing the effective date of taxes levied for the first time by any political subdivision limiting appeals by taxpayers to such first tax levies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 369 FROM GOVERNOR

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, May 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 369, Printer's No. 1021, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCANN, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered for the purpose of amendment.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend title, page 1, line 2 of the title, by inserting after "employment" and providing a penalty

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?



It was agreed to.  
 On the question,  
 Will the House agree to the bill on third reading as amended?  
 It was agreed to.  
 Ordered, that the bill as amended lie over for printing.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 638 FROM GOVERNOR

Commonwealth of Pennsylvania  
 Governor's Office, Harrisburg, May 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 638, Printer's No. 694, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered for the purpose of amendment.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Section 1, (Section 811), page 2, line 1, by striking out "811" and inserting: "1811."

Amend Section 1, (Section 811), page 2, line 3, by striking out "811" and inserting: "1811."

Amend the bill by inserting after line 18:

"Section 2. This act shall take effect immediately."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 55.

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code" requiring county election boards to submit additional reports with respect to registered electors and making the reports available.

#### SENATE BILL No. 190.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing disturbing the peace to be defined and penalized, and providing for disposition of such penalties.

#### SENATE BILL No. 400.

An Act amending the act of May 31, 1911 (P. L. 468), entitled "Sproul Highway Law" by permitting a contractor to deposit certain securities with the Secretary of Highways as an alternative to the payment by the Secretary of Highways of interest on amounts withheld pending satisfactory completion of a contract.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. What is the pleasure of the majority leader?

Mr. McCANN. Mr. Speaker, may we offer two concurrent resolutions recalling from the Governor bills that must be corrected with a word. I offer the following concurrent resolution on House bill No. 1038.

The SPEAKER. The concurrent resolution will be sent to the desk and read by the clerk.

### CONCURRENT RESOLUTION

#### RECALLING HOUSE BILL NO. 1038 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 19, 1961.

Resolved (if the Senate concur), that House Bill No. 1038, Printer's No. 1147, entitled "An act authorizing the Department of Property and Supplies to sell and convey all of its right title and interest that it may have in a tract of land in the borough of Canonsburg Washington County, Pennsylvania," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### CONCURRENT RESOLUTION

#### RECALLING HOUSE BILL No. 147 FROM THE GOVERNOR

Mr. HAMILTON offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 22, 1961.

Resolved (the Senate concurring), That House Bill No.

147, Printer's No. 1491, entitled "An act amending the act of July 7, 1947 (P. L. 1368), entitled 'An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws,' further regulating notice given to delinquent taxables," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. MURRAY for today because of illness.

Mr. Tompkins for Mr. KNECHT for today because of illness in family.

Mr. Tompkins for Mr. PRICE for today because of illness.

Mr. Tompkins for Mr. ADAMS for today.

Mr. McCANN. Mr. Speaker, I request permission to turn to page 20 and call a bill up out of order for the first roll call for the purpose of determining the strength of the House.

I request permission on page 20 to call up House bill 1181, printer's No. 1873, as the first bill in today's session.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1181, entitled:

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground anthracite coal mines and the preparation of a modern code relating thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—196

Anderson, J. H. Gallagher,  
Anderson, S. A., Gelfand,  
Arlene, George,

Leonard, Limper,  
Lippincott,

Rovansek, Royer,  
Rubin,

Ashton,  
Bachman  
Backenstoe,  
Blair,  
Boles,  
Bonner,  
Bossert,  
Bower,  
Bowman,  
Branca,  
Breth,  
Buchanan,  
Bush,  
Capano,  
Cauley,  
Cianfrani,  
Cioffi,  
Clarke,  
Comer,  
Cooley,  
Crossin,  
Curwood,  
Davis,  
Dengler,  
Dennison,  
Donaldson,  
Dougherty,  
Doughten,  
Down,  
Edwards,  
Ellberg,  
Elvey,  
Eshback,  
Eshleman,  
Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Flynn,  
Foot,  
Fox,  
Frascella,  
Fry,  
Fulmer,  
Galley,

Gibb,  
Gibbons,  
Goldstein, J. H.,  
Goldstein, M. H.,  
Goodrich,  
Gramlich,  
Gray,  
Gremminger,  
Gross,  
Guesman,  
Guthrie,  
Hamilton,  
Hankins,  
Hartley,  
Haudenshield,  
Heavey,  
Heffner,  
Helm,  
Henzel,  
Hocker,  
Holliday,  
Holman,  
Horst,  
Irvis,  
Isaacs,  
Jenkins,  
Jim,  
Johnson, A. W.,  
Johnson, R. P.,  
Jones,  
Kamyk,  
Kelser,  
Kelly,  
Kernaghan,  
Kessler,  
King,  
Kistler,  
Klein,  
Kooker,  
Kornick,  
Korns,  
Kramer,  
Lamb,  
Lawson,  
Lee, A. M.,  
Lee, K. B.,

Long, Wm. Jas.,  
Long, Wm. Jos.,  
Lutty,  
Magee,  
Manbeck,  
Markley,  
Marsh,  
Maxwell,  
May,  
McCandless,  
McCann,  
McCormack,  
McDevitt,  
McDonald,  
McInroy,  
McLaughlin,  
McNally,  
Meholchick,  
Merry,  
Miller,  
Mills,  
Monroe,  
Morley,  
Mullen,  
Munley,  
Murphy,  
Musto,  
Needham,  
O'Dell,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Odoristo,  
Ogilvie,  
Parlante,  
Pursley,  
Pashley,  
Perry,  
Petrosky,  
Piper,  
Polaski,  
Polen,  
Prendergast,  
Reibman,  
Reidenbach,  
Renwick,  
Riley,

Rudisill,  
Rutherford,  
Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Seltzer,  
Shelton,  
Sherman,  
Shupnik,  
Simmons,  
Slack,  
Snare,  
Stank,  
Steckel,  
Stimmel,  
Stiteler,  
Stone,  
Strausser,  
Sullivan, J. A.,  
Sullivan, T. F.,  
Taylor,  
Thompson,  
Tomaselk,  
Tompkins,  
Trusio,  
Ujobai,  
Varner,  
Verona,  
Wall,  
Walsh,  
Wargo,  
Weidner,  
Welsh,  
Wescott,  
Whittaker,  
Willard,  
Willaredt,  
Williams, A. D.,  
Williams, E. S.,  
Wilt,  
Wood,  
Worley,  
Yetter,  
Zember,  
Andrews,  
Speaker

#### NAYS—1

Auker,

#### NOT VOTING—9

Adams,  
Capitolo,  
Foerster,

Knecht,  
McKeever,  
Mihm,  
Murray,

Price,  
Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

#### Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1174, entitled:

An Act relating to public works contracts providing for prevailing wages imposing duties upon the Secretary of Labor and Industry providing remedies penalties and repealing existing laws.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—171

Anderson, J. H.,	Galley,	Limper,	Rubin,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Rudisill,
Arlene,	Gelfand,	Long, Wm. Jos.,	Rutherford,
Auker,	George,	Lutty,	Sakulsky,
Bachman,	Gibb,	Manbeck,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Markley,	Schaaf,
Blair,	Goldstein, M. H.,	Marsh,	Schuster,
Boles,	Gramlich,	Maxwell,	Seltzer,
Bonner,	Gray,	May,	Shelton,
Bossert,	Gremminger,	McCandless,	Sherman,
Bower,	Gross,	McCann,	Shupnik,
Branca,	Guesman,	McCormack,	Simmons,
Breth,	Guthrie,	McDevitt,	Snare,
Buchanan,	Hamilton,	McDonald,	Stank,
Bush,	Hankins,	McLaughlin,	Steckel,
Capano,	Hartley,	McNally,	Stimmel,
Capitolo,	Haudenshield,	Meholchick,	Stiteler,
Caulley,	Heavey,	Miller,	Stone,
Cianfrani,	Heffner,	Mills,	Strausser,
Cioffi,	Helm,	Monroe,	Sullivan, J. A.,
Clarke,	Hocker,	Morley,	Sullivan, T. F.,
Comer,	Holiday,	Mullen,	Taylor,
Cooley,	Holman,	Munley,	Thompson,
Crossin,	Irvis,	Murphy,	Tomasclik,
Curwood,	Jenkins,	Musto,	Trusio,
Davis,	Jim,	Needham,	Varner,
Donaldson,	Johnson, A. W.,	O'Donnell, J. A.,	Verona,
Dougherty,	Jones,	O'Donnell, J. P.,	Wall,
Doughten,	Kamyk,	Parlante,	Walsh,
Down,	Keiser,	Pashley,	Wargo,
Edwards,	Kelly,	Perry,	Weidner,
Ellberg,	Kessler,	Petrosky,	Welsh,
Eshleman,	King,	Piper,	Whittaker,
Ewing,	Kistler,	Polaski,	Willard,
Farabaugh,	Klein,	Polen,	Williams, A. D.,
Filo,	Kooker,	Prendergast,	Williams, E. S.,
Fineman,	Kornick,	Pursley,	Wilt,
Flynn,	Korns,	Reibman,	Worley,
Foor,	Kramer,	Reidenbach,	Yetter,
Fox,	Lawson,	Renwick,	Zember,
Frascella,	Lee, A. M.,	Riley,	Zimmerman,
Fry,	Lee, K. B.,	Rovansek,	Andrews,
Fulmer,	Leonard,	Royer,	Speaker

## NAYS—25

Ashton,	Henzel,	Magee,	Slack,
Bowman,	Horst,	McInroy,	Tompkins,
Dengler,	Isaacs,	Merry,	Ujobal,
Elvey,	Johnson, R. P.,	O'Dell,	Wescott,
Fetterolf,	Kernaghan,	Odorisio,	Willaredt,
Gibbons,	Lippincott,	Ogillive,	Wood,

## NOT VOTING—10

Adams,	Foerster,	McKeever,	Murray,
Dennison,	Knecht,	Mihm,	Price,
Eshback,	Lamb,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Lamb, rise?

Mr. LAMB. Mr. Speaker, I was called to the phone and as a result I was off the floor when House bill 1174 was called and I would like the record to show that had I been present, I would have voted aye.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

## FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair has been informed that we have a distinguished former member of this House present in the hall of the House today, the gentleman from Berks the Honorable Albert S. Readinger.

The Chair would request the gentleman to come to the rostrum and greet the members of the legislature.

HONORABLE ALBERT S. READINGER. Mr. Chairman, Mr. Speaker, members of the House, thank you very much for the warm welcome. It is always wonderful to come back here and see so many old friends and so many new, handsome men and beautiful women.

As I drove down State Street a few minutes ago I noticed how smooth it has become. So my wish to you is that your legislative bumps grow less and less each week.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I request permission to turn to page 21 and call up House bill No. 1229, printer's No. 1403.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1229, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing an exemption from electric clearance lamp requirements for logging trucks.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—160

Anderson, S. A.,	Foor,	Lippincott,	Rudisill,
Arlene,	Fox,	Long, Wm. Jas.,	Rutherford,
Ashton,	Frascella,	Long, Wm. Jos.,	Scarcelli,
Bachman,	Fry,	Magee,	Schaaf,
Backenstoe,	Fulmer,	Manbeck,	Schuster,
Blair,	Gallagher,	Markley,	Seltzer,
Boles,	Gelfand,	Marsh,	Shelton,
Bonner,	Gibb,	May,	Sherman,
Bossert,	Gibbons,	McCandless,	Shupnik,
Bower,	Goodrich,	McCann,	Simmons,
Bowman,	Gramlich,	McCormack,	Slack,
Branca,	Gray,	McDonald,	Snare,
Breth,	Gremminger,	McInroy,	Stank,
Buchanan,	Guthrie,	McNally,	Steckel,
Bush,	Hamilton,	Meholchick,	Stimmel,
Capano,	Hankins,	Merry,	Stiteler,
Caulley,	Hartley,	Miller,	Stone,
Cianfrani,	Haudenshield,	Monroe,	Strausser,
Cioffi,	Heavey,	Morley,	Sullivan, J. A.,
Clarke,	Heffner,	Mullen,	Taylor,
Comer,	Helm,	Munley,	Thompson,
Cooley,	Henzel,	Murphy,	Tomasclik,
Crossin,	Holman,	Musto,	Tompkins,
Davis,	Horst,	Needham,	Ujobal,
Dengler,	Irvis,	O'Dell,	Varner,
Dennison,	Jim,	Ogillive,	Verona,
Donaldson,	Johnson, A. W.,	Odorisio,	Wargo,
Dougherty,	Johnson, R. P.,	Parlante,	Weidner,
Doughten,	Jones,	Pashley,	Welsh,
Down,	Kelly,	Perry,	Wescott,
Ellberg,	Kernaghan,	Petrosky,	Whittaker,
Elvey,	Kessler,	Polaski,	Willard,
Eshback,	King,	Polen,	Willaredt,
Eshleman,	Klein,	Pursley,	Williams, A. D.,
Ewing,	Kooker,	Reidenbach,	Williams, E. S.,
Farabaugh,	Korns,	Renwick,	Wood,
Fetterolf,	Lawson,	Riley,	Worley,
Filo,	Lee, A. M.,	Rovansek,	Zember,
Fineman,	Lee, K. B.,	Royer,	Zimmerman,
Flynn,	Limper,	Rubin,	Andrews,

Speaker

## NAYS—37

Anderson, J. H., Auker, Curwood, Edwards, Galley, George, Goldstein, M. H., Gross, Guesman, Hocker,	Holliday, Isaacs, Jenkins, Kamyk, Kelser, Kistler, Kornick, Kramer, Lamb,	Leonard, Lutty, Maxwell, McDevitt, McLaughlin, Mills, O'Donnell, J. A., O'Donnell, J. P., Piper,	Prendergast, Reibman, Sakulsky, Sullivan, T. F., Trusio, Wall, Walsh, Wilt, Yetter,
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## NOT VOTING—9

Adams, Capitolo, Foerster,	Goldstein, J. H., Knecht,	McKeever, Mihm,	Murray, Price,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1308, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) requiring the fishing license to be displayed on an outer garment while fishing.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—143

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Curwood, Dengler, Dennison, Donaldson, Dougherty, Down, Edwards, Ellberg, Elvey, Ewing, Fetterolf, Filo,	Fineman, Flynn, Frascella, Fry, Galley, Gallagher, Gelfand, Gibb, Gibbons, Goldstein, J. H., Gramlich, Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Heavey, Hefner, Helm, Henzel, Holliday, Holman, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Kamyk, Kelser, Kelly, Kernaghan, Kessler, Kistler, Klein,	Kooker, Lawson, Lee, K. B., Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Markley, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McNally, Merry, Miller, Mills, Monroe, Mullen, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Petrosky, Piper, Polaski, Polen, Riley, Rovasek, Royer,	Rubin, Rudisill, Sakulsky, Scarcelli, Schuster, Sherman, Simmons, Slack, Stank, Steckel, Stimmel, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Trusio, Ujobal, Varner, Verona, Wall, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Zember, Zimmerman, Andrews, Speaker
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## NAYS—53

Crossin, Davis, Doughten,	Haudenshield, Hocker, Horst,	McInroy, McLaughlin, Meholchick,	Renwick, Rutherford, Schaaf,
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Eshback, Eshleman, Farabaugh, Foor, Fox, Fulmer, George, Goldstein, M. H., Goodrich, Gross, Hartley,	Jones, King, Kornick, Korns, Kramer, Lamb, Lee, A. M., Lippincott, Manbeck, May,	Morley, Munley, Murphy, Musto, Needham, Pashley, Perry, Prendergast, Pursley, Reidenbach,	Seltzer, Shupnik, Snare, Stiteler, Tompkins, Walsh, Wargo, Wescott, Wilt, Yetter,
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## NOT VOTING—10

Adams, Capitolo, Foerster,	Knecht, McKeever, Mihm,	Murray, Price,	Reibman, Shelton,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1390, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) increasing the expense allowance for delegates to meetings of the State associations of township officers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—162

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Capano, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Fetterolf, Filo, Flynn, Frascella, Fry, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H.,	Goodrich, Gramlich, Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Hefner, Helm, Henzel, Hocker, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Korns, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck,	Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. P., Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Riley, Rovasek, Royer, Rubin, Rudisill,	Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Wargo, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—32

Auker, Bossert, Bush, Cauley, Cianfrani, Curwood, Doughten, Ellberg,	Farabaugh, Fineman, Foor, Fox, Galley, Gallagher, Gelfand, Gross,	Holliday, Holman, Horst, Jones, Kamyk, Kornick, Kramer, Miller,	O'Donnell, J. A., Perry, Renwick, Rutherford, Sherman, Shupnik, Walsh, Williams, A. D.,
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## NOT VOTING—12

Adams, Capitolo, Foerster,	Fulmer, Knecht, Long, Wm. Jas.,	McKeever, Mihm, Murray,	Odorisio, Price, Wescott,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1394, entitled:

An Act amending the act of May 1, 1933 (P. L. 102) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 762) entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto \* \* \*'" clarifying the responsibilities of the Insurance Commissioner for inspection and examination of the State Workmen's Insurance Fund changing the period for such inspection and examination and changing the title.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing,	Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holman, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler,	Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Morace, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry,	Rovansek, Royer, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strusser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Ujobai, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Willard,
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Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foor, Fox, Fry, Fulmer, Galley, Gallagher,	Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper,	Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley,	Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—10

Auker, Cianfrani, Elvey,	Goodrich, Holliday, Horst,	Lippincott, Rutherford,	Tompkins, Wescott,
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## NOT VOTING—10

Adams, Capitolo, Foerster,	Frascella, Knecht, McKeever,	Mihm, Murray,	Price, Whittaker,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1396, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) increasing the expense allowance for delegates to meetings of the State Association of Boroughs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—172

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Capano, Cauley, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Fetterolf, Filo, Flynn,	Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelsor, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer,	Lippincott, Long, Wm. Jas., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McLaughlin, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen,	Royer, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Ujobai, Varnier, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, E. S., Wilt,
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Frascella, Fry, Fulmer, Gallagher, George, Gibb,	Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper,	Prendergast, Pursley, Reibman, Reidenbach, Riley, Rovansek,	Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—23

Auker, Bossert, Bush, Cianfrani, Doughten, Farabaugh,	Foor, Fox, Galley, Gelfand, Gross, Holliday,	Holman, Horst, McNally, Miller, O'Donnell, J. P., Perry,	Renwick, Rutherford, Sherman, Walsh, Williams, A. D., Perry,
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## NOT VOTING—11

Adams, Capitolo, Fineman,	Foerster, Knecht, McKeever,	Mihm, Murray, Price,	Sullivan, J. A., Trusio,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1397, entitled:

An Act making an appropriation to the Department of Public Instruction for payment into The State School Fund of Pennsylvania for assisting public school districts and state teachers' colleges to comply with required safety standards in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, line 9, by inserting after "1961": "nor shall any of the money hereby appropriated be expended for any purpose other than the purpose stated in this act."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1399, entitled:

An Act amending the "Incompetents' Estates Act of 1955" approved February 28, 1956 (P. L. 1154) authorizing the creation of a trust fund to pay the funeral expenses of incompetents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—194

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Jim, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Fllo, Fineman, Flynn, Foor, Fox, Frascella, Fry,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helms, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Johnson, A. W., Johnson, R. P., Jones, Kaiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Leonard, Limper, Lippincott, Long, Wm. Jos., Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McInroy, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovansek, Royer,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujober, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—12

Adams, Foerster, Jenkins,	Kamyk, Knecht, Long, Wm. Jas.,	Lutty, McDonald, McKeever,	Mihm, Murray, Price,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1408, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) eliminating the requirement that cotton fabrics used in State institutions be flameproofed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—129

Anderson, S. A.,	Flynn,	Lamb,	Prendergast,
Arlene,	Fox,	Lawson,	Reidenbach,
Backenstoe,	Frascella,	Lee, K. B.,	Renwick,
Bachman,	Fry,	Leonard,	Riley,
Blair,	Galley,	Limper,	Rovansek,
Boles,	Gelfand,	Lippincott,	Rubin,
Bonner,	George,	Long, Wm. Jas.,	Rudisill,
Bossert,	Gibbons,	Long, Wm. Jos.,	Scarcelll,
Bower,	Goodrich,	Lutty,	Schaaf,
Bowman,	Gray,	Manbeck,	Schuster,
Branca,	Gremminger,	Marsh,	Shelton,
Breth,	Guthrie,	McCann,	Sherman,
Buchanan,	Hamilton,	McDevitt,	Shupnik,
Bush,	Hankins,	McInroy,	Snare,
Capitolo,	Hartley,	McLaughlin,	Stank,
Cauley,	Heavey,	McNally,	Stone,
Cianfrani,	Heffner,	Meholchick,	Sullivan, J. A.,
Cioffi,	Helm,	Monroe,	Taylor,
Clarke,	Henzel,	Morley,	Tomasclik,
Comer,	Holliday,	Mullen,	Trusio,
Cooley,	Holman,	Munley,	Ujobal,
Crossin,	Irvis,	Murphy,	Wall,
Curwood,	Isaacs,	Musto,	Walsh,
Davis,	Jim,	Needham,	Wargo,
Dengler,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Dougherty,	Kelly,	Odorisio,	Welsh,
Down,	Keiser,	Parlante,	Willard,
Edwards,	Kessler,	Pashley,	Willaredt,
Ellberg,	Kistler,	Perry,	Williams, E. S.,
Elvey,	Klein,	Petrosky,	Wood,
Eshback,	Kornick,	Polaski,	Yetter,
Farabaugh,	Kramer,	Polen,	Zimmerman,
Filo,			

## NAYS—64

Anderson, J. H.,	Gross,	McCandless,	Steckel,
Ashton,	Guesman,	Merry,	Stimmel,
Auker,	Haudensfield,	Miller,	Stiteler,
Dennison,	Hocker,	Mills,	Strausser,
Donaldson,	Horst,	O'Dell,	Sullivan, T. F.,
Doughten,	Johnson, R. P.,	O'Donnell, J. P.,	Thompson,
Eshleman,	Jones,	Ogilvie,	Tompkins,
Ewing,	Kernaghan,	Piper,	Varner,
Fetterolf,	King,	Pursley,	Verona,
Foor,	Kooker,	Reibman,	Wescott,
Fulmer,	Korns,	Royer,	Whittaker,
Gallagher,	Lee, A. M.,	Rutherford,	Williams, A. D.,
Gibb,	Magee,	Sakulsky,	Wilt,
Goldstein, J. H.,	Markley,	Seltzer,	Worley,
Goldstein, M. H.,	Maxwell,	Simmons,	Zember,
Gramlich,	May,	Slack,	Andrews,

Speaker

## NOT VOTING—13

Adams,	Jenkins,	McCormack,	Mihm,
Capano,	Kamyk,	McDonald,	Murray,
Fineman,	Knecht,	McKeever,	Price,
Foerster,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1414, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) empowering the Governor to abolish special funds transfer balances in bond fund to the General Fund utilize balances in the sinking funds to extinguish the public debt and providing powers and duties of the Auditor General and the State Treasurer.

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 302.1), page 3, line 5 by inserting after "amended": "except as hereinafter provided."

Amend Sec. 1 (Sec. 302.1), page 4, by inserting between lines 3 and 4: "The provisions of this section shall not apply to the Korean Conflict Veterans' Compensation Fund nor to the Korean Conflict Veterans' Compensation Sinking Fund."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILL PASSED OVER

There being no objection,

House bill No. 1439, printer's No. 1733, was passed over at the request of Mr. GOODRICH.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1477, entitled:

An Act amending "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing that boards of school directors shall employ the type of fuel which is most economical in the area.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—111

Anderson, S. A.,	Galley,	Lutty,	Reidenbach,
Arlene,	Gallagher,	Marsh,	Renwick,
Bachman,	Gelfand,	Maxwell,	Riley,
Boles,	Gray,	McCann,	Rovansek,
Bonner,	Gremminger,	McCormack,	Rubin,
Branca,	Guesman,	McDevitt,	Sakulsky,
Breth,	Hamilton,	McDonald,	Scarcelll,
Buchanan,	Hankins,	McLaughlin,	Schaaf,
Capano,	Hartley,	McNally,	Schuster,
Capitolo,	Heavey,	Meholchick,	Shelton,
Cauley,	Heffner,	Mills,	Sherman,
Cianfrani,	Hocker,	Monroe,	Shupnik,
Cioffi,	Irvis,	Morley,	Stank,
Clarke,	Jenkins,	Mullen,	Stone,
Comer,	Jim,	Munley,	Sullivan, J. A.,
Cooley,	Jones,	Murphy,	Sullivan, T. F.,
Crossin,	Kamyk,	Musto,	Taylor,
Curwood,	Kelly,	Needham,	Tomasclik,
Dougherty,	Klein,	O'Donnell, J. A.,	Trusio,
Doughten,	Kornick,	O'Donnell, J. P.,	Varner,
Ellberg,	Krammer,	Parlante,	Verona,
Farabaugh,	Lamb,	Pashley,	Wargo,
Filo,	Lawson,	Perry,	Walsh,
Fineman,	Lee, K. B.,	Petrosky,	Worley,
Flynn,	Leonard,	Polaski,	Yetter,
Frascella,	Limper,	Polen,	Andrews,
Fry,	Long, Wm. Jas.,	Prendergast,	
Fulmer,	Long, Wm. Jos.,	Reibman,	Speaker

## NAYS—88

Anderson, J. H.,	George,	Kistler,	Simmons,
Ashton,	Gibb,	Kooker,	Slack,
Auker,	Gibbons,	Korns,	Snare,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Steckel,
Blair,	Goldstein, M. H.,	Lippincott,	Stimmel,

Bossert, Bower, Bowman, Bush, Davis, Dengler, Dennison, Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Fetterolf, Foer, Fox,	Goodrich, Gramlich, Gross, Guthrie, Haudenschild, Helm, Henzel, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler, King,	Magee, Manbeck, Markley, May, McCandless, McInroy, Merry, Miller, O'Dell, Odorisio, Ogilvie, Piper, Pursley, Royer, Rudisill, Rutherford, Seltzer,	Stiteler, Strausser, Thompson, Tompkins, Ujobal, Wall, Weidner, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Zember, Zimmerman,
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## NOT VOTING—7

Adams, Foerster,	Knecht, McKeever,	Mihm, Murray,	Price,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 172, entitled:

An Act authorizing counties cities boroughs incorporated towns and townships to create historic districts within their geographic boundaries providing for the appointment of Boards of Historical Architectural Review empowering governing bodies of political subdivision to protect the distinctive historical character of these districts and to regulate the erection reconstruction alteration restoration demolition or razing of buildings within the historic districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten,	Galley, Gallagher, Gelfand, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk,	Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McInroy, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo,
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Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Flo, Fineman, Flynn, Foer, Fox, Fulmer,	Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick, Riley, Rovanske, Royer,	Weidner, Welsh, Wescott, Whittaker, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—3

Gibbons,	Lippincott,	Sullivan, J. A.,
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## NOT VOTING—17

Adams, Capitolo, Foerster, Frascella, Fry,	George, Horst, Knecht, Leonard,	McCormack, McDonald, McKeever, Mihm,	Murray, Price, Reidenbach, Willaredt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 179, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" requiring publication of ordinances not more than sixty years nor less than seven days prior to passage in one newspaper circulating generally in the township.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 4, lines 13 and 14, by striking out "immediately" and inserting: "in ninety days."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 297, entitled:

An Act amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes"



increasing certain fees and making certain editorial corrections.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, it may be that perhaps I do not understand this bill correctly, but, if I do understand it correctly, my understanding is that this bill will add substantially to the cost to be borne by the defendant in nonsupport cases.

At first blush, perhaps, this is good. Those who are not perhaps contributing toward the support of their wives and families should be forced to pay court costs when they are brought into court. However, it seems to me, Mr. Speaker, that the people who will be harmed by this particular bill are not the husbands, who are failing to pay this support, but their children and their wives, because every dollar that goes into court for the payment of court costs, of course, is a dollar that is not available to pay for the support of their wives and children.

I suggest, therefore, that this is not good legislation on our part, because we are taking money away from those who are very badly in need of it, children and wives who are not being supported properly by their husbands and under order of court.

I would request, therefore, the members on both sides to vote "no" on this piece of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—67

Anderson, J. H.	Gelfand,	Lee, A. M.,	Sakulsky,
Anderson, S. A.,	Gibbons,	Leonard,	Scarcelli,
Ashton,	Goldstein, J. H.,	Lutty,	Schuster,
Backenstoe,	Goodrich,	Manbeck,	Seltzer,
Bossert,	Hamilton,	Markley,	Sherman,
Bower,	Hankins,	Marsh,	Slack,
Bowman,	Heffner,	Maxwell,	Snare,
Capano,	Hocker,	McCormack,	Stank,
Davis,	Irvis,	Mills,	Steckel,
Dennison,	Isaacs,	Monroe,	Stimmel,
Dougherty,	Kamyk,	Odorisio,	Thompson,
Down,	Kernaghan,	Ogilvie,	Ujobal,
Ellberg,	Kessler,	Petrosky,	Wargo,
Eshback,	Kistler,	Polen,	Weldner,
Fineman,	Klein,	Reidenbach,	Williams, A. D.,
Flynn,	Lamb,	Royer,	Andrews,
Frascella,	Lawson,	Rubin,	Speaker

## NAYS—127

Arlene,	Fulmer,	Long, Wm. Jas.,	Rovansek,
Auker,	Gailey,	Long, Wm. Jos.,	Rudisill,
Bachman,	Gallagher,	Magee,	Rutherford,
Blair,	Gibb,	May,	Schaaf,
Boles,	Goldstein, M. H.,	McCandless,	Shelton,
Bonner,	Gramlich,	McCann,	Shupnik,
Branca,	Gray,	McDevitt,	Simmons,
Breth,	Gremminger,	McInroy,	Stiteler,
Buchanan,	Gross,	McLaughlin,	Stone,
Bush,	Guesman,	McNally,	Strausser,
Capitolo,	Guthrie,	Meholchick,	Sullivan, J. A.,
Cauley,	Hartley,	Merry,	Sullivan, T. F.,
Cianfrani,	Haudenshield,	Miller,	Taylor,
Cioffi,	Helm,	Morley,	Tomasck,
Clarke,	Henzel,	Mullen,	Tompkins,
Comer,	Holliday,	Munley,	Trusio,
Cooley,	Holman,	Murphy,	Varnier,
Crossin,	Jenkins,	Musto,	Verona,

Curwood,	Jim,	Needham,	Wall,
Dengler,	Johnson, A. W.,	O'Dell,	Welsh,
Donaldson,	Johnson, R. P.,	O'Donnell, J. A.,	Wescott,
Doughten,	Jones,	O'Donnell, J. P.,	Whittaker,
Edwards,	Keiser,	Parlante,	Willard,
Elvey,	Kelly,	Pashley,	Willaredt,
Eshleman,	King,	Perry,	Williams, E. S.,
Ewing,	Kooker,	Piper,	Wilt,
Farabaugh,	Kornick,	Polaski,	Wood,
Fetterolf,	Korns,	Prendergast,	Worley,
Filo,	Kramer,	Pursley,	Yetter,
Foor,	Lee, K. B.,	Reibman,	Zember,
Fox,	Limper,	Renwick,	Zimmerman,
Fry,	Lippincott,	Riley,	

## NOT VOTING—12

Adams,	Heavey,	McDonald,	Murray,
Foerster,	Horst,	McKeever,	Price,
George,	Knecht,	Mihm,	Walsh,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 307, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the purchasing of used supplies of the first class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Anderson, S. A.,	Gailey,	Limper,	Rubin,
Anderson, J. H.,	Gallagher,	Lippincott,	Rudisill,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Auker,	Gibbons,	Lutty,	Scarcelli,
Bachman,	Goldstein, M. H.,	Magee,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schuster,
Blair,	Goodrich,	Markley,	Seltzer,
Boles,	Gramlich,	Marsh,	Shelton,
Bonner,	Gray,	Maxwell,	Sherman,
Bossert,	Gremminger,	May,	Shupnik,
Bower,	Gross,	McCandless,	Simmons,
Bowman,	Guesman,	McCann,	Slack,
Branca,	Guthrie,	McCormack,	Snare,
Breth,	Hamilton,	McDevitt,	Stank,
Buchanan,	Hankins,	McInroy,	Steckel,
Bush,	Hartley,	McLaughlin,	Stimmel,
Capano,	Haudenshield,	McNally,	Stiteler,
Capitolo,	Heavey,	Meholchick,	Stone,
Cauley,	Heffner,	Merry,	Strausser,
Cianfrani,	Helm,	Miller,	Sullivan, J. A.,
Cioffi,	Henzel,	Mills,	Sullivan, T. F.,
Clarke,	Hocker,	Monroe,	Taylor,
Comer,	Holliday,	Morley,	Thompson,
Cooley,	Holman,	Mullen,	Tomasck,
Crossin,	Irvis,	Munley,	Tompkins,
Curwood,	Isaacs,	Murphy,	Trusio,
Davis,	Jenkins,	Musto,	Ujobal,
Dengler,	Jim,	Needham,	Varnier,
Dennison,	Johnson, A. W.,	O'Dell,	Verona,
Donaldson,	Johnson, R. P.,	O'Donnell, J. A.,	Wall,
Dougherty,	Jones,	O'Donnell, J. P.,	Walsh,
Edwards,	Kamyk,	Odorisio,	Wargo,
Ellberg,	Keiser,	Ogilvie,	Weldner,
Elvey,	Kelly,	Parlante,	Welsh,
Eshback,	Kernaghan,	Pashley,	Wescott,
Eshleman,	Kessler,	Perry,	Whittaker,
Ewing,	King,	Petrosky,	Willard,
Farabaugh,	Kistler,	Piper,	Willaredt,
Fetterolf,	Klein,	Polaski,	Williams, A. D.,
Filo,	Kooker,	Polen,	Williams, E. S.,
Fineman,	Kornick,	Prendergast,	Wilt,
	Korns,	Pursley,	Wood,
	Kramer,	Reibman,	Worley,

Flynn, Foor, Fox, Fry, Fulmer,	Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Reidenbach, Renwick, Riley, Rovanssek, Royer,	Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—11

Adams, Foerster, Frascella,	George, Horst, Knecht,	McDonald, McKeever, Mihm,	Murray, Price,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 315, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" removing provisions relating to archery preserves.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—180

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foor,	Fox, Frascella, Fry, Galley, Gallagher, Gelfand, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick,	Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Markley, Marsh, Maxwell, May, McCann, McCormack, McDevitt, McInroy, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Pursley, Reibman, Reidenbach,	Renwick, Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Ujohal, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Yetter, Zember, Zimmerman,
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## NAYS—15

Fulmer, Lippincott, Magee, Manbeck,	McCandless, O'Dell, O'Donnell, J. A., Prendergast,	Schaaf, Seltzer, Tompkins, Trusio,	Varner, Wilt, Andrews, Speaker
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## NOT VOTING—11

Adams, Boles, Foerster,	George, Horst, Knecht,	McDonald, McKeever, Mihm,	Murray, Price,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 433, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" prohibiting the purchase of insurance from or through any person employed by the school district in a teaching or administrative capacity.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I would like to find out what the purpose behind this bill is.

The SPEAKER pro tempore. The gentleman is in order and will proceed.

Mr. McCANN. Mr. Speaker, I will attempt to answer.

The SPEAKER pro tempore. The Chair recognizes the majority leader who will answer interrogation.

Mr. McCANN. Mr. Speaker, Senate bill 433 would insert into the Public School Code a provision which would prohibit the purchase of insurance by the school district through any person who is employed in the school district, school teacher or administrator; from anyone who would be in an administrative capacity. In other words, the school districts purchase insurance and this they would purchase then from other than school teachers or those in supervisory capacity employed in the school districts.

Mr. McCORMACK. Mr. Speaker, one more question. What is the reason for now barring them? Has there been some abuse or some evil that is presently existing that has to be corrected?

Mr. McCANN. It would seem, in the opinion of many—and I hope that the gentleman would also vote favorably on this—that the insurance should be purchased from the insurance agents properly designated and working in that field full time, in the insurance business, who earn their own living, operate their offices, and sell insurance, not as a sideline, but as a full industry of their own.

Mr. McCORMACK. Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—184

Anderson, J. H.,	Fulmer,	Lippincott,	Rudisill,
Anderson, S. A.,	Galley,	Long, Wm. Jas.,	Rutherford,
Arlene,	Gallagher,	Long, Wm. Jos.,	Sakulsky,
Ashton,	Gelfand,	Lutty,	Scarcelli,
Auker,	Gibb,	Markley,	Schaaf,
Bachman,	Gibbons,	Marsh,	Schuster,
Backenstoe,	Goldstein, J. H.,	Maxwell,	Shelton,
Blair,	Goldstein, M. H.,	May,	Sherman,
Boies,	Gramlich,	McCandless,	Shupnik,
Bonner,	Gray,	McCann,	Simmons,
Bossert,	Gremminger,	McCormack,	Slack,
Bower,	Guesman,	McDevitt,	Snare,
Bowman,	Guthrie,	McInroy,	Stank,
Branca,	Hamilton,	McLaughlin,	Steckel,
Breth,	Hankins,	McNally,	Stimmel,
Buchanan,	Hartley,	Meholchick,	Stiteler,
Bush,	Haudenschild,	Merry,	Stone,
Capano,	Heffner,	Miller,	Strausser,
Capitolo,	Helm,	Mills,	Sullivan, J. A.,
Cauley,	Henzel,	Monroe,	Sullivan, T. F.,
Cianfrani,	Hocker,	Morley,	Taylor,
Cioffi,	Holliday,	Mullen,	Thompson,
Clarke,	Holman,	Munley,	Tomasick,
Comer,	Irvs,	Musto,	Tompkins,
Cooley,	Isaacs,	Needham,	Trusio,
Crossin,	Jim,	O'Dell,	Ujobai,
Curwood,	Johnson, A. W.,	O'Donnell, J. A.,	Varner,
Davis,	Johnson, R. P.,	O'Donnell, J. P.,	Verona,
Dengler,	Jones,	Odorisio,	Wall,
Dennison,	Kamyk,	Ogilvie,	Walsh,
Donaldson,	Kelser,	Parlante,	Wargo,
Dougherty,	Kelly,	Pashley,	Weidner,
Doughten,	Kernaghan,	Perry,	Welsh,
Down,	Kessler,	Petrosky,	Wescott,
Edwards,	Kistler,	Willard,	Willard,
Ellberg,	Klein,	Polaski,	Whittaker,
Eshback,	Kooker,	Polen,	Williams, A. D.,
Eshleman,	Kornick,	Prendergast,	Williams, E. S.,
Ewing,	Korns,	Pursley,	Wilt,
Farabaugh,	Kramer,	Reibman,	Wood,
Fetterolf,	Lamb,	Reidenbach,	Worley,
Filo,	Lawson,	Renwick,	Yetter,
Flynn,	Lee, A. M.,	Riley,	Zember,
Foor,	Lee, K. B.,	Rovansek,	Zimmerman,
Fox,	Leonard,	Royer,	Andrews,
Fry,	Limper,	Rubin,	

Speaker

## NAYS—7

Elvey,	King,	Manbeck,	Seltzer,
Gross,	Magee,	Murphy,	

## NOT VOTING—15

Adams,	George,	Jenkins,	Mihm,
Fineman,	Goodrich,	Knecht,	Murray,
Foerster,	Heavey,	McDonald,	Price,
Frascella,	Horst,	McKeever,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 485, entitled:

An Act repealing subdivisions (q) and (r) of Article XI act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" abolishing the right of taxpayers to acquire the right to furnish all materials and labor necessary for opening making and repairing township highways and bridges.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Anderson, S. A.,	Gallagher,	Lippincott,	Riley,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rovansek,
Auker,	Gibb,	Long, Wm. Jos.,	Royer,
Bachman,	Gibbons,	Lutty,	Rubin,
Backenstoe,	Goldstein, J. H.,	Magee,	Sakulsky,
Blair,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Boies,	Goodrich,	Markley,	Schaaf,
Bonner,	Gramlich,	Marsh,	Schuster,
Bower,	Gray,	Maxwell,	Shelton,
Bowman,	Gremminger,	May,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Capano,	Hankins,	McDevitt,	Snare,
Capitolo,	Hartley,	McDonald,	Stank,
Cauley,	Haudenschild,	McInroy,	Steckel,
Cianfrani,	Heffner,	McLaughlin,	Stimmel,
Cioffi,	Helm,	McNally,	Stiteler,
Clarke,	Henzel,	Meholchick,	Stone,
Comer,	Holliday,	Merry,	Strausser,
Cooley,	Irvs,	Miller,	Sullivan, J. A.,
Crossin,	Isaacs,	Mills,	Sullivan, T. F.,
Curwood,	Jenkins,	Monroe,	Taylor,
Davis,	Jim,	Morley,	Tomasick,
Dengler,	Johnson, A. W.,	Mullen,	Tompkins,
Dennison,	Johnson, R. P.,	Munley,	Trusio,
Donaldson,	Jones,	Murphy,	Ujobai,
Dougherty,	Kamyk,	Musto,	Varner,
Doughten,	Kelly,	Needham,	Verona,
Down,	Kernaghan,	O'Dell,	Wall,
Edwards,	Kessler,	O'Donnell, J. A.,	Walsh,
Ellberg,	King,	O'Donnell, J. P.,	Wargo,
Elvey,	Kistler,	Odorisio,	Weidner,
Eshback,	Klein,	Parlante,	Welsh,
Eshleman,	Kooker,	Pashley,	Wescott,
Ewing,	Kornick,	Perry,	Whittaker,
Farabaugh,	Korns,	Petrosky,	Willard,
Fetterolf,	Kramer,	Polaski,	Williams, E. S.,
Filo,	Lamb,	Polen,	Wilt,
Fineman,	Lawson,	Prendergast,	Worley,
Flynn,	Lee, A. M.,	Pursley,	Yetter,
Foor,	Lee, K. B.,	Reibman,	Zember,
Fox,	Leonard,	Reidenbach,	Zimmerman,
Fry,	Limper,	Renwick,	Andrews,

Speaker

## NAYS—19

Anderson, J. H.,	Fulmer,	Ogilvie,	Thompson,
Ashton,	Gross,	Piper,	Willard,
Bossert,	Hocker,	Rudisill,	Williams, A. D.,
Bush,	Holman,	Rutherford,	Wood,
Foor,	Kelser,	Seltzer,	

## NOT VOTING—11

Adams,	George,	Knecht,	Murray,
Foerster,	Heavey,	McKeever,	Price,
Frascella,	Horst,	Mihm,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, may I take a moment of time at this point to inform the membership that we are voting on this Senate bill and two concurrences, and I ask that none of the members leave because we have a privileged resolution on the death of a former member and committee announcements to cover.

We will probably exceed the voting time by a matter of three or four minutes, since we attempted to finish at 6 p. m.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. McCANN. Mr. Speaker, I ask at this point that the bills on concurrence in Senate amendments be brought up in order.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 635.

An Act amending the act of January 14, 1952 (P. L. 1965), entitled as amended "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways imposing a permanent tax on the fuels used in aircraft or aircraft engines providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties" making permanent the reduction in the tax rate of fuels used in turbine propeller turbo-jet or jet driven aircraft and aircraft engines

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 2, line 9, by striking out after the word "penalties" the word "reducing" and inserting in lieu thereof the words "making permanent reduction in"; Section 1, page 2, line 2, by striking out after the word "amended" the following: "December 28 1959 (P L 2032)" and inserting in lieu thereof the following: "February 9 1961 (Act No. 6)"; line 5, by striking out after the word "of" the words and figures "three cents (\$.03)" and inserting in lieu thereof the words and figures "seven cents (\$.07)"; page 4, by striking out lines 3, 4, 5, 6, 7, 8, and 9 as follows: "In addition to such tax an additional State excise tax of two cents (\$.02) a gallon or fractional part thereof is hereby imposed and assessed on all dealer users upon the use of fuel within this Commonwealth except the use of fuel in aircraft or aircraft engines within the limitations of the provisions of this section for the period beginning February first one thousand nine hundred fifty two and ending on the thirty-first day of May one thousand nine hundred sixty-one"; line 13 by striking out the bracket before the word "except"; line 14, by striking out the bracket after the word "cents", and by striking out immediately thereafter the words "one cent"; line 16, by striking out after the word "forth" the following: "For the period beginning" and inserting in lieu thereof the word "beginning"; line 17, by striking out after the word "and" the following: "ending May 31, 1961", and inserting in lieu thereof the word "thereafter."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—151

Anderson, S. A.,	Fry,	Lee, K. B.,	Rovansek,
Arlene,	Galley,	Leonard,	Rubin,
Ashton,	Gallagher,	Limper,	Rudisill,
Bachman,	Gelfand,	Lippincott,	Sakulsky,
Blair,	Gibb,	Long, Wm. Jas.,	Scarcelli,
Boies,	Gibbons,	Long, Wm. Jos.,	Schuster,
Bonner,	Goldstein, J. H.,	Lutty,	Shelton,
Bossert,	Goodrich,	Marsh,	Sherman,
Branca,	Gramlich,	Maxwell,	Shupnik,
Breth,	Gray,	May,	Simmons,
Buchanan,	Gremminger,	McCann,	Slack,
Capano,	Gross,	McCormack,	Stank,
Capitolo,	Guthrie,	McDevitt,	Stone,
Cauley,	Hamilton,	McDonald,	Sullivan, J. A.,
Cianfrani,	Hankins,	McNally,	Sullivan, T. F.,
Cioffi,	Hartley,	Meholchick,	Taylor,
Clarke,	Haudenshield,	Mills,	Thompson,
Comer,	Heavey,	Morley,	Tomascik,
Cooley,	Helm,	Mullen,	Tompkins,
Crossin,	Henzel,	Munley,	Trusio,
Curwood,	Hocker,	Murphy,	Ujober,
Davis,	Irvls,	Musto,	Varner,
Dengler,	Jim,	Needham,	Verona,
Donaldson,	Johnson, A. W.,	O'Dell,	Wall,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,
Doughten,	Jones,	O'Donnell, J. P.,	Wargo,
Down,	Kamyk,	Odoristo,	Weidner,
Edwards,	Kelser,	Parlante,	Welsh,
Ellberg,	Kelly,	Pashley,	Wescott,
Eshback,	Kessler,	Perry,	Willard,
Eshleman,	Kistler,	Petrosky,	Willaredt,
Ewing,	Klein,	Polaski,	Williams, E. S.,
Farabaugh,	Kooker,	Polen,	Wilt,
Fetterolf,	Kornick,	Prendergast,	Wood,
Filo,	Kramer,	Reibman,	Worley,
Fineman,	Lamb,	Reidenbach,	Zember,
Flynn,	Lawson,	Renwick,	Andrews,
Frascella,	Lee, A. M.,	Riley,	Speaker

#### NAYS—37

Anderson, J. H.,	Goldstein, M. H.,	Markley,	Seltzer,
Auker,	Heffner,	McCandless,	Snare,
Backenstoe,	Holliday,	McInroy,	Steckel,
Bowman,	Holman,	Merry,	Stimmel,
Bush,	Isaacs,	Miller,	Stiteler,
Dennison,	King,	Ogilvie,	Strausser,
Elvey,	Korns,	Piper,	Whittaker,
Foor,	Magee,	Royer,	Williams, A. D.,
Fox,	Manbeck,	Rutherford,	Zimmerman,
Fulmer,			

#### NOT VOTING—18

Adams,	Horst,	McLaughlin,	Price,
Bower,	Jenkins,	Mihm,	Pursley,
Foerster,	Kernaghan,	Monroe,	Schaaf,
George,	Knecht,	Murray,	Yetter,
Guesman,	McKeever,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

The SPEAKER pro tempore. For what purpose does the gentleman from Erie, Mr. Schaaf, rise?

Mr. SCHAAF. Mr. Speaker, I will not be recorded because I did not reach my seat quickly enough, but I wish to say that had I been recorded, I would have voted in the affirmative.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

For what purpose does the lady from Delaware, Mrs. Kernaghan, rise?



Mrs. KERNAGHAN. Mr. Speaker, my vote did not record. If it had, I would have voted in the negative.

The SPEAKER pro tempore. The remarks of the lady will be spread upon the record.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 636.

An Act amending the act of May 21, 1931 (P. L. 149), entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" making permanent the reduction in the tax rate of fuels used in turbine propeller jet turbo-jet or jet driven aircraft and aircraft engines

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend title, page 2, line 6, by striking out after the word "appropriation" the word "reducing" and inserting in lieu thereof the words "making permanent the reduction in"; Section 1, page 2, line 2, by striking out after the word "amended" the following: "December 28, 1959 (P. L. 2023)" and inserting in lieu thereof the following: "February 9, 1961 (Act No. 7)"; line 5, by striking out after the word "of" the word "three" and inserting in lieu thereof the word "seven"; page 3, by striking out lines 7, 8, 9, 10, 11, and 12, as follows: "In addition to such tax an additional State tax of two cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period beginning the first day of July one thousand nine hundred thirty-five and ending on the thirty-first day of May one thousand nine hundred sixty-one"; line 17, by striking out the bracket before the word "except"; line 18, by striking out the bracket after the word "cents" and by striking out immediately thereafter the words "one cent"; page 4, line 2, by striking out after the word "engines" the words "For the period beginning" and inserting in lieu thereof the word "beginning"; line 3, by striking out after the word "and" the following "ending May 31 1961"; line 4, by inserting at the beginning of the line the word "thereafter"; line 8, by striking out the bracket after the word "engines".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—157

Anderson, S. A.,	Galley,	Lee, K. B.,	Riley,
Arlene,	Gallagher,	Leonard,	Rovansek,
Ashton,	Gelfand,	Limper,	Rubin,
Bachman,	George,	Lippincott,	Rudisill,
Blair,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Bonner,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Bossert,	Goldstein, J. H.,	Lutty,	Schaaaf,
Bower,	Goodrich,	Marsh,	Schuster,
Branca,	Gramlich,	Maxwell,	Shelton,
Breth,	Gray,	McCann,	Sherman,
Buchanan,	Gremminger,	McCormack,	Shupnik,
Capano,	Gross,	McDevitt,	Simmons,
Capitolo,	Guesman,	McDonald,	Slack,
Cauley,	Guthrie,	McLaughlin,	Stank,
Cianfrani,	Hamilton,	McNally,	Stone,
Cioffi,	Hankins,	Meholchick,	Sullivan, J. A.,
Clarke,	Hartley,	Mills,	Sullivan, T. F.,
Comer,	Haudenshield,	Monroe,	Taylor,
Cooley,	Heavey,	Morley,	Thompson,
Crossin,	Helm,	Mullen,	Tomasck,
Curwood,	Henzel,	Munley,	Tompkins,
Davis,	Hocker,	Murphy,	Trusio,
Dengler,	Irviss,	Musto,	Ujobai,
Dennison,	Jenkins,	Needham,	Varner,
Donaldson,	Jim,	O'Donnell, J. A.,	Verona,
Dougherty,	Johnson, A. W.,	O'Donnell, J. P.,	Walsh,
Doughten,	Johnson, R. P.,	Odoriso,	Wargo,
Down,	Jones,	Parlante,	Weidner,
Edwards,	Kamyk,	Pashley,	Welsh,
Ellberg,	Keiser,	Perry,	Wescott,
Eshback,	Kelly,	Petrosky,	Willard,
Eshleman,	Kessler,	Piper,	Willaredt,
Ewing,	Kistler,	Polaski,	Williams, E. S.,
Farabaugh,	Klein,	Polen,	Wilt,
Fetterolf,	Kornick,	Prendergast,	Wood,
Filo,	Kramer,	Pursley,	Yetter,
Fineman,	Lamb,	Reibman,	Zember,
Flynn,	Lawson,	Reidenbach,	Andrews,
Fracella,	Lee, A. M.,	Renwick,	
Fry,			Speaker

#### NAYS—41

Anderson, J. H.,	Holliday,	Markley,	Seltzer,
Auker,	Holman,	May,	Snare,
Backenstoe,	Horst,	McCandless,	Steckel,
Bowman,	Isaacs,	McInroy,	Stimmel,
Bush,	Kernaghan,	Merry,	Stiteler,
Elvey,	King,	Miller,	Strausser,
Foor,	Kooker,	O'Dell,	Whittaker,
Fox,	Korns,	Ogilvie,	Williams, A. D.,
Fulmer,	Magee,	Royer,	Worley,
Goldstein, M. H.,	Manbeck,	Rutherford,	Zimmerman,
Heffner,			

#### NOT VOTING—8

Adams,	Foerster,	McKeever,	Murray,
Botes,	Knecht,	Mihm,	Price,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

### BILL ON CONCURRENCE POSTPONED

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 678.

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation"

extending the provisions of the act to authorize the sealing of abandoned coal mines and filling voids in abandoned coal mines and making money heretofore appropriated available for those purposes.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 2, page 2, line 18, by inserting after the word "welfare" the following: "preference shall be given to the sealing of those abandoned coal mines and the filling of those voids that are in close proximity to operating mines to buildings or to public highways."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, that the clerk inform the Senate accordingly.

## RESOLUTION

### CONDOLENCE

Messrs. THOMPSON, EWING, HAUDENSHIELD and SIMMONS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, May 22, 1961.

On Thursday, May 18, 1961, George W. Cooper a former member of this distinguished body passed away. We were all sorry to hear of his untimely death since all of us who knew him during his time here on the hill, respected and admired George Cooper.

Mr. Cooper was born on February 24, 1897 and he served the people of the 15th district of Allegheny County for many years. He took an active part in civic activities and had a very impressive war record. From 1938 to 1960, George W. Cooper represented his constituents in the way the people wanted him to, as evidenced by their reelecting him to the General Assembly time after time.

We wish to extend our deepest sympathy to his widow Helen Cooper and to his two sons George and William. We know that they will miss him as we who had the honor and privilege of knowing him will also; therefore be it

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania pause for a moment to take this opportunity to extend our profound sympathy to Mrs. Helen Cooper and her children upon the death of her husband; and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. Helen Cooper in Mt. Lebanon, Pennsylvania.

## COMMITTEE MEETINGS

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Parlante, chairman, Room 131-A, Tuesday, May 23, at 10:30 a.m.

CITIES-COUNTIES FIRST CLASS, Mr. Dougherty, chairman, Room 521, Tuesday, May 23, at 11:15 a.m.

CITIES-THIRD CLASS, Mr. Walsh, chairman, Room 131-C, Tuesday, May 23, at 11 a.m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Tuesday, May 23, at 10:45 a.m.

EDUCATION, Mrs. Reibman, chairman, Room 324, Tuesday, May 23, at 9:15 a.m.

ELECTIONS, Mr. Eilberg, chairman, Room 323, Tuesday, May 23, at 10:30 a.m.

HIGHWAYS, Mr. Comer, chairman, Room 521, Tuesday, May 23, at 10 a.m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Tuesday, May 23, at 10 a.m.

MILITARY AFFAIRS, Mr. Needham, chairman, Room 324, Tuesday, May 23, at 11:30 a.m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521, Tuesday, May 23, at 11:30 a.m.

MUNICIPAL CORPORATIONS, Mr. Polaski, chairman, Room 331, Tuesday, May 23, at 11:30 a.m.

PROFESSIONAL LICENSURE, Mr. Boies, chairman, Room 131, Tuesday, May 23, at 11 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Tuesday, May 23, at 11:30 a.m.

WAYS and MEANS, Mr. Kamyk, chairman, Room 131-E, Tuesday, May 23, at 10:15 a.m.

WELFARE, Mr. Stone, chairman, Room 331, Tuesday, May 23, at 11 a.m.

## ALL TIMES ARE DAYLIGHT SAVING TIME

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, before the membership leaves, this House will convene tomorrow at 12 o'clock daylight saving time, 11 o'clock eastern standard time. Please have your lunch before the session starts. There will be six hours of session tomorrow, from noon to 6 p. m.

Mr. Speaker, I ask permission to amend bills which are agreed to.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 980, entitled:

An Act relating to the payment of wages or compensation for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. O'DELL asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 11 (subsection (e)), page 10, line 3, by striking out "six" and inserting: "three".

The SPEAKER pro tempore. Will the House give unani-



mous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1032, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), requiring meetings of the Pennsylvania Fish Commission to be open to the public.

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SCHAAF. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. SCHAAF asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last nine lines of Title, by striking out all of said lines and inserting: "requiring meetings of the Pennsylvania Fish Commission to be open to the public."

Amend Sec. 1, page 3, lines 1 and 2 by striking out "(A) THE FIRST PARAGRAPH OF SUB-SECTION (C) AND SUBSECTION."

Amend Sec. 1, page 3, line 4 by striking out "ARE" and inserting: "is".

Amend Sec. 1 (Sec. 302), page 3, lines 5 to 19; page 4, lines 1 to 10 by striking out "(A) THE PENNSYLV." in line 5, all of lines 6 to 19, page 3, and all of lines 1 to 10, page 4.

Amend Sec. 1 (Sec. 302), page 5, lines 1 to 4 by striking out "AND AN ASSISTANT EXECU-" in line 1 and all of lines 2 and 3; "ACT OF 1961" in line 4.

Amend Sec. 1 (Sec. 302), page 5, line 14 by inserting a bracket after "salary".

Amend Sec. 1 (Sec. 302), page 5, line 15 by striking out "SIX".

Amend Sec. 2, page 5, lines 16 to 19, page 6, lines 1 to 12 by striking out all of said lines.

Amend Sec. 3, page 6, line 13 by striking out "3" and inserting "2".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 895, entitled:

An Act confirming the right of persons in the service of the Commonwealth to accept election to and serve in certain elective offices of political subdivisions without affecting civil service status or protection.

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SNARE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, first line of Title by inserting after "of" where it appears the first time: "certain".

Amend Bill, page 2, by inserting between lines 8 and 9: "Section 2. This act shall not apply to employees of the Commonwealth who are subject to the Federal Hatch Act nor to any employees of the Commonwealth who are subject to the provisions of a Federal grant-in-aid program which prohibits such political activity."

Amend Sec. 2, page 2, line 9 by striking out "2" and inserting "3."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 837, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

On the question,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Section 1, page 2, line 4, by striking out the word "any" and inserting in lieu thereof the words: "HIS PRINCIPAL".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendment?  
It was agreed to.

On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.  
Ordered, that the bill as amended lie over for printing.

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 1025, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an inter-state compact concerning mental health and for related purposes.

On the question,  
Will the House agree to the bill on third reading?  
Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 6, page 15, line 7 by inserting after "6":  
"This compact shall apply only to patients who either are in institutions maintained by the Commonwealth of Pennsylvania or whose admission to an institution maintained by the Commonwealth is being sought by a sending state pursuant to this compact, and shall not in any case apply to any patient of a private licensed institution. Section 7."  
Amend Sec. 7, page 15, lines 11 by striking out "7" and inserting "8".

Tre SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendments?  
They were agreed to.

On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.  
Ordered, that the bill as amended lie over for printing.

### RECONSIDERATION OF VOTE ON HOUSE BILL NO. 231

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 231, printer's No. 239, entitled:

"An Act amending the 'Anthracite Strip Mining Law' approved June 27, 1947 (P. L. 1095), authorizing cities, boroughs and townships to regulate and supervise the use of explosives for blasting."

was defeated on final passage Monday, May 8, 1961, be reconsidered.

Mr. WARGO. Mr. Speaker, I second the motion.  
The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Lackawanna, Mr. Wargo, vote on the final passage of this bill?

Mr. WARGO. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.  
Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.  
The motion was agreed to.  
On the question recurring,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?

### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.  
The motion was agreed to.

### RECONSIDERATION OF VOTE ON HOUSE BILL NO. 926

Mr. ROVANSEK. Mr. Speaker, I move that the vote by which House bill No. 926, printer's No. 1027, entitled:

"An Act amending 'The Vehicle Code' approved April 29, 1959 (P. L. 58) further providing for the transportation of explosives and providing penalties."

was defeated on final passage Monday, May 8, 1961, be reconsidered.

Mr. WILLIAM JOSEPH LONG. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Cambria, Mr. Rovanseck, vote on the final passage of this bill?

Mr. ROVANSEK. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Schuylkill, Mr. Long, vote on the final passage of this bill?

Mr. WILLIAM JOSEPH LONG. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.

Mr. ROVANSEK. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.  
The motion was agreed to.

On the question recurring,  
Will the House agree to the bill on third reading?  
It was agreed to.

On the question,  
Shall the bill pass finally?

### BILL POSTPONED

Mr. ROVANSEK. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.  
The motion was agreed to.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 31.

An Act amending "The First Class City Permanent



Registration Act" approved March 30, 1937 (P. L. 115), changing provisions for proof of citizenship for certain persons previously registered.

#### HOUSE BILL No. 171.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing the appointment of solicitors by certain county officials and limiting the duties of the county solicitor.

#### HOUSE BILL No. 331.

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

#### HOUSE BILL No. 489.

An Act amending the act of May 3, 1923 (P. L. 134), entitled 'An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State \* \* \*' correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

#### HOUSE BILL No. 493.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

#### HOUSE BILL No. 497.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

#### HOUSE BILL No. 498.

An Act amending the act of June 2, 1937 (P. L. 1184), entitled as amended "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day Flag Day and Armistice Day" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

#### HOUSE BILL No. 500.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), correcting the name of the Italian American World War Veterans of the United States, Incorporated to conform with name in its charter.

#### HOUSE BILL No. 1121.

An Act repealing the act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office."

#### HOUSE BILL No. 1290.

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017), regulating taxation for institution district purposes.

With the information that the Senate has passed the same without amendment.

### SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 326, 485, 490, 495, 501, 502 and 637.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE BILLS Nos. 60, 140, 306, 470, 474, 556, 571, 649 and 1060

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg

May 15, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 60, Printer's No. 60, entitled "An act amending the act of July 2, 1937 (P. L. 2772) entitled 'An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties' requiring additional information on reports on oil or gas wells drilled in the Commonwealth."

DAVID L. LAWRENCE

May 15, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 140, Printer's No. 140, entitled "An act amending the act of June 13, 1883 (P. L. 122) entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies' removing a provision relating to construction of the act."

DAVID L. LAWRENCE

May 15, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 306, Printer's No. 1561, entitled "An Act amending the act of July 22, 1913 (P. L. 928) entitled 'An act relating to domestic animals defining domestic animals so as to include poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the manufacture use and sale of tuberculin mallein and other biological products for use with domestic animals defining the powers and duties of the State Livestock Sanitary Board and the officers and employees thereof fixing the compensation of the Deputy State Veterinarian and providing penalties for the violation of this act' prohibiting persons from impeding or hindering the testing of domestic animals or poultry by the Department of Agriculture and changing penalties."

DAVID L. LAWRENCE

May 15, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 470, Printer's No. 1687, entitled "An Act amending the act of December 14, 1863 (1864 P. L. 1127) entitled 'An act relating to the liens of common carriers and others' reducing time after demand for payment after which property may be sold

and reducing the number of advertisements required for the sale of property."

DAVID L. LAWRENCE

May 15, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 474, Printer's No. 1024, entitled "An act amending the act of May 20, 1921 (P. L. 984) entitled as amended 'An act providing for the condemnation by the Commonwealth of lands suitable and desirable for forest and State park purposes or game preserve purposes or the perpetuation and protection of fish and defining the powers and duties of the Department of Forests and Waters the Board of Game Commissioners and the Board of Fish Commissioners respectively in relation thereto' providing for the payment of money into court for the benefit of persons entitled thereto and for the crediting of such payments."

DAVID L. LAWRENCE

May 15, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 556, Printer's No. 1644, entitled "An act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' authorizing the temporary investment of funds by school districts of the first class and first class A."

DAVID L. LAWRENCE

May 15, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 571, Printer's No. 1645, entitled "An Act amending the act of May 26, 1933 (P. L. 1088) entitled 'An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund providing for subsequent transfers of equal sums between such funds and making appropriations necessary to effect such transfers' authorizing the transfer of funds during each fiscal period and requiring the retransfer of the funds not later than thirty days after such fiscal period."

DAVID L. LAWRENCE

May 15, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill 649, Printer's No. 1562, entitled "An Act amending the act of May 25, 1933 (P. L. 1050) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' further reg-

ulating payment of regular employes in order to be credited for service for pension."

DAVID L. LAWRENCE

May 15, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1060, Printer's No. 1177, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' providing for the transportation of poultry in crates."

DAVID L. LAWRENCE

## RESOLUTION INTRODUCED AND REFERRED

By Messrs. BUSH, BOSSERT, E. S. WILLIAMS and K. B. LEE. (Concurrent) RESOLUTION No. 70.

In the House of Representatives, May 9, 1961.

Improvement in the overall education program is one of the major problems facing Pennsylvania.

The withdrawal by the Federal government of enormous revenues from the respective states and local communities has raised a question as to the ability of state and local governments to support improved education.

The possibility of direct Federal aid to education is disturbing to much of our citizenry because it may lead to Federal domination, control and interference which could threaten economic freedom.

It is recognized that a program of Federal aid to education would result in Pennsylvania receiving substantially less Federal money than it would pay into the program.

There has been pending in the Congress for several sessions proposed legislation to retain in and transfer to the states one per cent of all Federal income taxes collected in those states to be used for educational purposes without any Federal direction, control or interference; therefore, be it

Resolved, (the Senate concurring) That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact legislation which will provide that one per cent of all Federal income taxes on individual and corporation incomes shall be deemed to be revenue of the state within which it is collected to be used for educational purposes only, without any Federal direction, control or interference; and, be it further

Resolved, That district directors of internal revenue, before forwarding income tax collections to the Federal treasury, be required to report and transfer said revenues quarterly to the state of collection for such purpose; and, be it further

Resolved, That a copy of this resolution be transmitted to the presiding officers of each House of Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

## ADJOURNMENT

Mr. WEIDNER. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 23, 1961, at 11 a. m. e. s. t.

The motion was agreed to, and (at 5:27 p. m., e. s. t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, MAY 23, 1961.

No. 52.

## SENATE

TUESDAY, MAY 23, 1961.

The Senate met at 11:15 a. m., Eastern Standard Time.

The PRESIDING OFFICER (Fred B. Rooney) in the Chair.

## PRAYER

The Chaplain, Rev. WILLIAM J. ARNOLD, Pastor of Church of The Manger, United Church of Christ, Bethlehem, offered the following prayer:

Almighty God, we thank Thee most of all for Thyself; that Thou art a good and gracious, faithful and forgiving heavenly Father. We confess to our shame that in our business we oftentimes forget Thee, but we rejoice to know that Thou dost never forget us.

Heavenly Father, Thou Who dost understand us far better than we understand ourselves, purify our inner motives and outward deeds so that nothing we say or do will be unworthy of Thee or of our own best selves. Deliver us all from confining narrowness, paralyzing prejudice or corroding self-interest.

Bless each individual Member of this Senate and bind them in a close fellowship as partners, rather than partisans, as they labor together in their great privilege and responsibility of serving Thee and the people of this Commonwealth.

Hear our prayer, for Thy Name's sake. Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. PECHAN, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### RESOLUTION RECALLING FROM THE GOVERNOR HB 147

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read, considered and concurred in:

In the House of Representatives, May 22, 1961.

Resolved (if the Senate concur), That House Bill No.

147, Printer's No. 1491, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### RESOLUTION RECALLING FROM THE GOVERNOR HB 1038

He also presented extract from the Journal of the House of Representatives which was read, considered and concurred in:

In the House of Representatives, May 19, 1961.

Resolved (if the Senate concur), That House Bill No. 1038, Printer's No. 1147, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 172**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will be placed on the Calendar.

### HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 307, 315, 433 and 485**, with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 635** nad **636**.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 1174**, which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 1181**, which was referred to the Committee on Mines and Mineral Industries.

He also presented for concurrence **HB 1229**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 1308**, which was referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 1390 and 1396**,

which were referred to the Committee on Local Government.

He also presented for concurrence **HB 1394**, which was referred to the Committee on Insurance.

He also presented for concurrence **HB 1399**, which was referred to the Committee on Judiciary General.

He also presented for concurrence **HB 1408**, which was referred to the Committee on State Government.

He also presented for concurrence **HB 1477**, which was referred to the Committee on Education.

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 678**.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO **HB 678**

Mr. WEINER. Mr. President, I move that the Senate insists upon its amendments nonconcurring in by the House to the foregoing bill.

Mr. McCREESH. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### GENERAL COMMUNICATION

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

Secretary of the Senate  
Capitol Building  
Harrisburg, Pennsylvania

May 23, 1961

Dear Mr. Secretary:

Please extend to the members of the Senate my most sincere thanks for their confirmation of my appointment as a member of the Pennsylvania Securities Commission.

This act of confirmation indicates to me that the esteem in which I hold the members of this assembly is reciprocated. May I say that their vote of confidence is not something I accept lightly. I cherish it highly; as I shall continue to cherish the friendship of the dedicated legislators who have extended it to me.

Respectfully yours,  
/s/ John R. Torquato  
John R. Torquato

#### FORMER SENATOR AND MRS. FRANK W. RUTH PRESENTED TO THE SENATE

The PRESIDING OFFICER. At this time, the Chair would like to call to the attention of the Members of this Senate Body the presence of one of our former colleagues who served in the Senate from 1936. I see with us today the former Senator from Berks, Frank Ruth and Mrs. Ruth.

Will the Members of the Senate please recognize Senator and Mrs. Ruth?

Mr. WEINER. Mr. President, not only will we recognize Senator and Mrs. Ruth, but, on my behalf and many of the other Members, I can tell you that we sorely miss him. I hope that he stays with us for a little while be-

cause I may have a couple of questions about which I might like to consult with him.

The PRESIDING OFFICER. Senator Ruth and Mrs. Ruth, it is indeed a pleasure to have you with us. We only wish you could stay, because this half of the Senate needs an extra vote at this time on many bills.

#### REPORTS FROM COMMITTEE

Mr. McCREESH, from the Committee on Public Health and Welfare, reported, as committed, **HB 929**.

Mr. MULLIN, from the Committee on Public Health and Welfare, reported, as committed, **SB 498**, **HB 857**, **869**, **870**, **871**, **874**, **875**, **876** and **1203**.

#### PERMISSION TO ADDRESS SENATE

Mr. DONOLOW asked and obtained unanimous consent to address the Senate.

Mr. DONOLOW. Mr. President, the Committee on Banking desires to report from committee Senate Bill No. 375, with the understanding that this bill is to be read for the first time and then recommitted to the Committee on Banking for a public hearing, to be held on Wednesday, June 7, 1961, at 10:00 a.m., in the Majority Caucus Room.

#### REPORTS FROM COMMITTEES

Mr. DONOLOW, from the Committee on Banking, reported, as committed, **SB 375**.

Mr. HALUSKA, from the Committee on Local Government, reported, as committed, **SB 353**, **570**, **HB 408**, **410**, **731**, **856**, **970**, **1146**, **1204** and **1371**.

#### SENATE CONCURRENT RESOLUTION

##### REQUESTING THE ESTABLISHMENT OF AN ADVISORY COMMISSION ON ELECTIONS AND ELECTION LAWS

Mr. SCOTT offered the following resolution (**Serial No. 118**), which was read and referred to the Committee on Elections:

In the Senate, May 23, 1961.

President Dwight D. Eisenhower's Bipartisan Commission on National Goals in an analysis published last year said "to preserve and protect the democratic process in the United States is . . . a primary goal in this as in every decade". Efficient and honest elections constitute a basic and essential part of this "democratic process" of which the Commission speaks.

A special Committee of the State Senate of this Commonwealth recently reported that "for the purposes of this Committee, the conclusion is unescapable that in some recent elections in Philadelphia there have been election irregularities". The Committee noted: "In American democracy even conditions which merely suggest election fraud should be eliminated".

After a series of public hearings at which numerous recommendations were presented for improved election administration in Philadelphia and throughout the Commonwealth the Committee stated, in part:

The Committee recognizes that some of the suggestions which were presented to it deserve study beyond the resources available to this Committee. Particularly, the question of permitting watchers for referendums should be studied further. The wide ranging practices elsewhere should be reviewed. There is also a question whether the powers and duties of the Commonwealth's Attorney General and the district attorneys of the counties over the conduct of elections shouldn't be strengthened. Practices in other states on this should be carefully analyzed. Also,



some of the proposals of the National Municipal League, while in some cases seemingly extreme, after careful study might prove to have merit.

Therefore, this Committee proposes that there be authorized, by resolution, the appointment of a bi-partisan study commission on election law. The commission, appointed by the Governor and composed of distinguished Pennsylvanians, might have the Attorney General as its chairman. The commission would need adequate funds to carry out its functions.

It further noted:

If Pennsylvania is to retain its traditional position as a progressive State, officials of the Commonwealth must constantly search for modern methods for conduct of the Commonwealth's affairs. In this case, a commission authorized by the General Assembly and appointed by the Governor would be the proper mechanism.

**RESOLVED** (the House of Representatives concurring), That an Advisory Commission on Elections and Election Laws shall be established, composed of eleven members, nine of whom shall be appointed by the Governor not more than five of which shall be members of one political party, one of whom shall be the Secretary of the Commonwealth and one to serve as the chairman, the Attorney General of the Commonwealth; and be it further

**RESOLVED**, That the Advisory Commission on Elections and Election Laws shall review and study generally the election laws of the Commonwealth with particular reference to the authority and responsibility and methods of appointment of watchers; the manner in which election board officials are selected, the methods of training, pay, power and duties, and responsibilities of said election officials; the powers and duties of the Attorney General of the Commonwealth and of the District Attorneys of the several counties with respect to the administration of voter registration and elections; the statutory provisions and their administration with respect to legal assistance to voters; the statutes and their administration on absentee voting; and any other matters affecting the efficiency of elections; and be it further

**RESOLVED**, The Advisory Commission on Elections and Election Laws is hereby authorized and directed to employ several staff personnel and/or expert consultants as may be necessary for the performance of its duties; the total expenditures for such services and all other expenditures not to exceed \$150,000; and be it further

**RESOLVED**, That the Commission be authorized in its discretion, to hold public hearings and to transcribe such part or parts of the testimony and statements taken before it; and be it further

**RESOLVED**, That the Commission shall have the power to issue subpoenas under its hand and seal, requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into, and to produce such books, papers, records and documents as the Commission may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. The Commission shall have the power to administer oaths and affirmations of witnesses appearing before it. Any person who shall wilfully neglect or refuse to testify before the commission or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

**RESOLVED**, That the said Commission shall report its findings and recommendations, together with any drafts of legislation it deems necessary, as soon as possible but no later than March 15, 1962.

## CALENDAR

### FINAL PASSAGE CALENDAR

#### BILL OVER IN ORDER

**HB 508**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## THIRD READING CALENDAR

### APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

**SB 565**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proper,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 808**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proper,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILLS OVER IN ORDER

**HB 67** and **SB 76**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 133**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON THIRD READING AND FINAL PASSAGE

**HB 154**—Read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

## BILLS OVER IN ORDER

**HB 242**—Without objection, the bill was passed over in its order at the request of Mr. WADE.

**HB 323**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**HB 420**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 428**—Read at length the third time and agreed to. And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarra,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Seyler,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 428** and **SB 448**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**SB 455, 493** and **HB 517**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 529**—Read at length the third time and agreed to. And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarra,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Seyler,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 715** and **716**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 734**—Read at length the third time and agreed to. And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarra,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Seyler,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.



**HB 892**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Scott,	Ware, III,
Ehrgood,	McCreesh,	Sesler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Seyler,
Hawbaker,			Presiding Officer

## NAYS—1

Hays,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 936**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Seyler,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 947**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,

DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Sarraf,  
Scott,  
Sesler,  
Shafer,  
Silvert,  
Stalsey,

Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Seyler,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 1082, 1139 and 1144**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 1154**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Seyler,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS INTRODUCED AND REFERRED

Messrs. ROONEY, HALUSKA and YATRON, by unanimous consent, presented to the Chair **SB 664**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled: "The Third Class City Code," further regulating hours of service of firemen.

Which was committed to the Committee on Local Government.

Messrs. ROONEY, FLEMING and YATRON, by unanimous consent, presented to the Chair **SB 665**, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," changing licensure provisions for limited real estate brokers and salesmen; requiring the registration of cemetery lot salesmen and prescribing responsibilities of certain brokers.

Which was committed to the Committee on Education.

Messrs. ROONEY and FLEMING, by unanimous consent, presented to the Chair **SB 666**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the membership of the Real Estate Commission and prescribing qualifications for the additional members.

Which was committed to the Committee on Education.

Messrs. ROONEY, WADE and CONFAIR, by unanimous consent, presented to the Chair **SB 667**, entitled:

An Act creating and establishing a continuing career system for technical and professional personnel in or assigned to the Department of Highways; establishing and vesting certain powers in the Highway Technical and Professional Personnel Board, and making an appropriation.

Which was committed to the Committee on Highways.

Messrs. DEVLIN and STASEY, by unanimous consent, presented to the Chair **SB 668**, entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and possession with intent to sell, or adulterated or deleterious ice cream, frozen custard, french ice cream, french custard ice cream, sherbert, fruit sherbert, ice milk, ice, water ice, quiescently frozen confections, quiescently frozen dairy confections, including coated ice cream and the coating thereof; fixing standards for ice cream, frozen custard, french ice cream, french custard ice cream, sherbet, fruit sherbet, ice milk, ice, water ice, quiescently frozen confections, and quiescently frozen dairy confections, and to prevent sale of imitation ice cream; providing for licensing; authorizing and regulating the manufacture and sale of artificially sweetened ice cream and ice milk for diabetics; conferring powers and imposing duties upon the Department of Agriculture; prescribing penalties; providing for the enforcement thereof; and making repeals.

Which was committed to the Committee on Agriculture.

Messrs. STEVENSON and LANE, by unanimous consent, presented to the Chair **SB 669**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled: "Public School Code of 1949," requiring school districts to provide suitable space, stenographic services and other office facilities to county superintendents.

Which was committed to the Committee on Education.

## SECOND READING CALENDAR

### APPROPRIATION BILLS ON SECOND READING

**HB 757, 766, 768, 804, 914, 915, 916, 917, 918, 919, 920, 921, 922, 983, 1112 and 1113—**

Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**HB 246—**Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**SB 295—**Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**SB 333—**Mr. WEINER. Mr. President, I request that Senate Bill No. 333 go over in its order.

I would like to bring to the attention of the Members

of the Senate my reason for making this request. I have no particular feeling in either direction on this thing, and I guess there is valid argument to be made on both sides.

One of the problems with this measure is that it will allow the person to sue the Commonwealth of Pennsylvania in any one of the sixty-seven counties. I have no objection to that. However, you could find yourself in the situation where the Commonwealth is defending itself in sixty-seven counties, possibly in the same suit if there are persons related to the Commonwealth in all of these different counties.

The other point of view in this matter is that the person who is doing the suing should not be put to a great deal of trouble or a great deal of expense because he can afford it less than the Commonwealth.

There is a point of view that the rights of the Commonwealth stem from the king and the charter granted therefrom should be sacred, in that the Commonwealth should be sued in a particular place and able to defend itself. This view may have been valid at a time when communication was difficult and people had difficulty going from place to place.

I am neither for nor against this bill at this moment. I am just merely pointing out some of the inherent problems in it. I think some serious thought ought to be given to this measure because there was a recent case which brought about the problem and which set the rule that the Commonwealth can be sued anywhere and not necessarily in Dauphin County, as the law now reads. We are basically changing this law, or trying to reinstitute it. We should think about this pretty seriously before we take this step.

Mr. BELL. Mr. President, as the sponsor of this bill, I am very happy to hear the Majority Leader's words because this problem should be very seriously considered, and by it remaining on the Calendar for a short time, people can sound out the feeling in their home Districts.

As Senator Weiner stated, it is very, very difficult for an attorney and his client in Washington County or Delaware County to come to Harrisburg, with the cost to the client.

In every one of our counties, we do have Deputy Attorneys General who do represent the Commonwealth. In Orphans' Court, every time an account is handed up, the Attorney General is there.

I believe that this bill is a good bill. That is why I introduced it. I also believe that we should consider the people in our home counties before we consider the convenience of the Attorney General.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

**HB 430—**Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**SB 431—**Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 441—**Without objection, the bill was passed over in its order at the request of Mr. BERGER.



## BILL ON SECOND READING

**SB 469**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 473, 511 HB 522 and SB 538**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**SB 544**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 574, 576, 578, SB 579, HB 580, 581, 584, 585, 587 and 588**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 589**—Mr. WEINER. Mr. President, I request that Senate bill No. 589 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. PECHAN. Mr. President, I desire to interrogate the gentleman from Berks, Senator Yatron.

The PRESIDING OFFICER. Will the gentleman from Berks, Mr. Yatron, permit himself to be interrogated?

Mr. YATRON. I will, Mr. President.

Mr. PECHAN. Very often, here in the Senate, we have talked about "dirty milk bills." Could this bill be referred to as a "dirty bread bill?"

Mr. YATRON. Mr. President, I assure the gentleman that it is not.

Mr. PECHAN. Thank you.

Will this bill take away any of the powers of the County Health Units which presently exist, or will all of the powers be vested in the Department of Agriculture?

Mr. YATRON. Mr. President, I do not see where it will take any power away from the County Health Office.

Mr. PECHAN. Thank you very much. I am perfectly satisfied.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

**HB 589, SB 611 and 613**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 616, HB 879 and 953**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 1102 and 1179**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 1369**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING POSTPONED

**HB 315**—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

**HB 315**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## STUDENTS WELCOMED TO THE SENATE

Mr. HAYS. Mr. President, I would like the privilege of introducing some young people who are in the hall of the Senate. These young people are here from Penn State University. They represent the committee which called on the Chairman of the Appropriations Committee this morning. They are under the leadership of the President of their Student Government, who, incidentally, just came through a strenuous campaign for election a few weeks ago.

I would like to present these fine young people from all over the State of Pennsylvania, under the leadership of their president, Dennis Foianini. Will you rise please?

The PRESIDING OFFICER. The Chair is delighted to welcome these young people to our Session and to congratulate the young man who went through the campaign. Senator Hays neglected to say whether he won. However, I assume he did.

Mr. WADE. Mr. President, I am glad indeed to also introduce a group of students from the Green Park Union School at Ickesburg, Perry County, Pennsylvania. They are under the guidance of Mrs. Glenn D. Morrison, who is their instructor.

I would appreciate it, Mr. President, if you would extend a word of welcome to this fine young group.

The PRESIDING OFFICER. The Chair is always glad to welcome to this Body, to attend a Session, a group of young people from the public schools of Pennsylvania. We are especially delighted this morning to welcome these young people who are the guests of Senator Wade.

Will the students and their leaders please rise so that the Senators may recognize your presence?

## JUDGE ALBERT S. READINGER PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair is pleased to recognize the presence in the Senate today of a distinguished former Member of the House of Representatives, a former Majority Leader, a colleague of many of the Senators, and now a Judge of the County Courts of Berks County, Judge Readinger.

Will Judge Readinger please rise so that the Members may see him?

## STUDENTS WELCOMED TO THE SENATE

Mr. KELLER. Mr. President, I have the honor to introduce thirty students from the Pennridge Junior High School, near Perkasio, Pennsylvania, under the supervision of Mr. Radvow.

The PRESIDING OFFICER. The Chair is very happy to recognize these students, who are the guests of Senator Keller. If the students and their sponsor will rise, the Senate, I am sure, would like to welcome them.

## REPORTS FROM COMMITTEE

Mr. RIPP, by unanimous consent, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **HB 451, 452 and 1169**.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the Committee on Executive Nominations, reported the following nominations made by His Excellency, the Governor, which were laid on the table:

### MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

May 9, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank M. Kelley, Gouldsboro, Wayne County, for reappointment as a member of the Board of Trustees of Farview State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

April 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William P. Altmire, 303 First Street, Apollo, Armstrong County, for appointment as Justice of the Peace in and for the Borough of Apollo, Armstrong County, to serve until the first Monday of January 1962, vice Ronald D. Eckman, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

April 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Chester A. Wajda, R. D. 4, Quakertown, Bucks County, for appointment as Justice of the Peace in and for the Township of Haycock, Bucks County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

## REPORTS FROM COMMITTEE

Mr. SESLER, by unanimous consent, from the Committee on Banking, reported, as committed, **SB 555, 556, 557 and 631.**

## PERMISSION TO ADDRESS SENATE

Mr. SESLER asked and obtained unanimous consent to address the Senate.

Mr. SESLER. Mr. President, I have been instructed by the Committee on Forests and Waters, Game and Fish to report out Senate Bill No. 350, without amendment.

At this time, I would like to read a prepared statement on behalf of the Committee, as follows:

The Senate Committee on Forests and Waters, Game and Fish has carefully considered Senate No. 350 and reports it favorably and without amendment.

Senate 350 will replace litigation in the Supreme Court with water development and control for the Delaware River Basin. It would provide for multi-purpose development of the water resources of the River Basin under a comprehensive plan. It would establish a commission

with a governing body, consisting of Governors of the four States themselves, plus a representative to be appointed by the President of the United States.

The Compact is the product of extensive studies and negotiations toward which the Congress provided a \$2,000,000 River Basin Survey, about to be completed, directed by the United States Corps of Engineers. An official agency representing the Governors of the four States of Delaware, New Jersey, New York and Pennsylvania, and the Mayors of the two cities of New York and Philadelphia, worked together for over two years to develop a sound and reasonable Compact. The present bill is based upon this work, a special study of the administrative requirements of the Basin made by the Maxwell School of Syracuse University under a Ford Foundation grant, and other related research and studies by interested departments of all of the four States. The Compact has provoked widespread citizen interest and support and has received well high unanimous approval in the editorial columns of the public press.

By its very nature, therefore, this bill presents an unusual piece of legislation. Rarely is a bill so thoroughly grounded in research, experience, negotiation, and broad public support.

The Legislature will appreciate that a Compact must be agreed to in identical form by all four States and consented to by the Congress. The present proposal must also be enacted by the Congress to make the Federal Government a partner in the venture. This means that unlike an ordinary bill, a Compact bill cannot be amended during the legislative process in the Commonwealth without destroying the effect of action taken in the other States, nor can amendments in the other States be made without voiding the effect of action taken by this Legislature. The result is, therefore, that this Committee and the Legislature in turn is being asked to consider the Compact as a whole and to decide whether or not it merits adoption as such; or whether any specific proposal for amendment is so important as to justify withholding approval of the whole, or at least postponing agreement until the amended Compact can be submitted to the other States for their concurrence if they did concur, in any amendments made by the Commonwealth. This point is especially important at present for the reason that the State of New York has enacted the Compact and its legislature has adjourned, the States of New Jersey and Delaware have also enacted it, and the Congressional Bill, sponsored by Congressman Walter, has been reported out of the House Judiciary Committee favorably and without amendment.

Your own Committee has held extensive public hearings on the bill at Easton, Philadelphia and Harrisburg. Those hearings developed widespread public support and approval of the bill. They also produced some requests from industry for amendment. Your Committee has fully considered all requested amendments, has offered the Delaware River Basin Advisory Committee an opportunity to comment upon them, and has studied the pertinent law and practice. We have concluded that only two questions raised by industrial representatives are worthy of consideration as matters of special concern to industry. These are (1) the question whether or not the Basin Agency might have power to levy navigation tolls; and (2) whether or not the Basin Agency could charge in-



dustry for use or withdrawal of water it is now using free of charge.

Even since *Gibbons v. Ogden*, the Supreme Court has recognized the paramount power of Congress over navigation. This power is part of the Commerce Laws of the Federal Constitution. Section 1.4 of the Compact Bill expressly states that the Compact shall not be construed to change the present Congressional power over navigation. The Congress has fully occupied the field with a variety of regulatory and controlling statutes which are just as binding on the Basin Agency as on any other edict under the supremacy clause of the Federal Constitution. If this were not enough, the Constitution itself expressly bars any tolls (Article I, Section 10) on navigation which might be levied under State authority. The prohibition of "tonnage duties" contained in the first section has been construed by the Supreme Court to embrace all taxes and duties, regardless of their name or form, whether measured by the tonnage, visual or not, which are in effect charges for the privilege of entering, trading in, or lying in port. Certainly the levy of navigation tolls is such an unusual power that the absence of any express delegation of power for this purpose could not be construed to grant it. At best, the whole navigation matter is a question for the Congress.

As to the charges for water that are permissible under Section 3.7 of the Compact, it is again elementary law that a corporate agency of the signatory parties would have only those powers actually delegated to it. Nowhere in the Compact is there any power to make withdrawal charges for water taken from the river in its natural state. The Commission's only power to make charges is "for the use of facilities which it may own or operate and for products and services rendered" by such facilities. The Commission plainly does not own or operate the river, as a facility or otherwise, and, therefore, could make no charge of the kind suggested. This is confined as to present industrial, domestic and municipal users (Section 1.3 (e)) which flatly states that one of the purposes of the Compact is "to make secure and protect present developments within the States; . . . and to apply the principle of equal and uniform treatment to all water users who are similarly situated . . ."

In recommending that the bill pass without amendment, your Committee concludes that these concerns are not justified by the language of the bill itself, nor can it be anticipated that the Commission, consisting of Governors, would exercise the power even if it did exist; and, finally, any possible doubt about the questions will be resolved by the Report of the Judiciary Committee of the United States House of Representatives, which states (87th Cong., 1st Sess., House Report No. 310, at Page 16):

" . . . it should be noted that no power is delegated to the Commission to make any charge with respect to navigation or on account of any withdrawal from the river in its natural state."

It is well settled that the interpretation of the Interstate Compact is for the United States Supreme Court (*West Virginia ex rel Dyer Sims* 341 U. S. 22, 1951). In a long line of cases, the Supreme Court has held that if there should be any doubt as to the meaning of legislation it will be guided by Congressional Committee reports on the question. (*Bins v. U. S.*, 194, U. S. 486, 495;

*U. S. v. Public Utilities Commission of California*, 345 U. S. 295, 1953).

Accordingly, your Committee in recommending the bill to the Legislature of the Commonwealth is insuring it may proceed upon the understanding that the Basin Agency will have no power to levy navigation tolls or to charge for withdrawal of water in its natural state.

It is also important to recognize that the Compact does not authorize any specific projects—it only sets up the administrative structure and powers. Since the new Basin Agency will not be able to raise any substantial revenues of its own (e.g., flood control projects are not revenue-producing), the Agency will not have a credit base to finance major projects. These would come back to the State Legislature and to the Congress for authorization and at that time financing would be agreed upon and arranged. There is nothing in the Compact which obligates the Commonwealth or any other signatory party to any project or expenditure.

It has been variously suggested that Pennsylvania has half the area of the Basin and that this fact should in some way be a cause for preference or concern. Any such notion of relative area completely overlooks the fact that waters of an interstate basin do not "belong" to a state in which they are found. Over the past 50 years, the Supreme Court has firmly established that the rights of States in interstate streams are relative; that is, dependent upon needs, resources, etc. of sister States. The Court has described these rights under the doctrine of equitable apportionment. Without this doctrine, New York City, exercising New York State rights, could draw upon the Delaware and its headwaters in New York State without limit. In practice, the Court did join the City N.G.D. and that taking was made subject to required compensating releases of water for the benefit of the lower basin. These required releases, incidentally, are estimated to use one-third of the total reservoir capacity built by the City of New York at its own expense.

It is thus clear that neither the past nor the future development of the river is either the prerogative or the obligation of the State in which water or drainage area may be found. To the contrary, each project in the State will be related to the Basin-wide Comprehensive Plan and will be equitably financed by the State or other bodies that want its benefits.

The Compact will result in the first Federal-State partnership for river basin development. It goes on the premise that the States cannot do the job alone; that the Federal Government cannot do it alone; but that a partnership organization can carry out the purposes and interests of both. As the House Judiciary Committee Report states (*Supra* at Page 6):

"The conclusion is inescapable: if the powers and functions of law, planning, administration, and finance for a single river basin are to be integrated properly, the solution lies in a single joint agency composed of the governmental bodies concerned. In your Committee's judgment, this is the only way to express a dynamic federalism. It fashions the instruments of law, nature, and government to meet the requirement of fully effective public action in the Delaware River Basin. It also opens opportunities for greater administrative efficiency and effectiveness, which are of almost equal importance."

In conclusion, therefore, your Committee recommends Senate No. 350 as an opportunity to join a constructive Compact which will create a vital new instrument of service to the people, industry and government of the Delaware River Basin.

This report is signed by Leonard C. Staisey, Chairman of the Committee on Forests and Waters, Game and Fish.

Mr. President, I would like to add that this report was prepared by our Committee Chairman, our able Senator from Allegheny County, Senator Staisey, who has labored long and diligently on this important piece of legislation. I, on behalf of the Committee, would like to commend him for his earnest and diligent efforts on this important piece of legislation.

We offer it now for the sincere consideration of the Legislature.

### REPORT FROM COMMITTEE

Mr. SESLER, by unanimous consent, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **SB 350**.

### STATEMENT ON BEHALF OF JOINT COMMITTEE TO STUDY ABOLITION OF CAPITAL PUNISHMENT

Mr. DONOLOW. Mr. President, I should like to make a report on behalf of the Joint Committee of the House and Senate which was given the authority and power to study the abolition of the death penalty.

Mr. President, the committee met yesterday and approved the report that will be filed. I would like to tell the Members of the Senate that this report will go to press the end of this week, and within two weeks we will be prepared to present the final printed report to both the Members of the House and the Members of the Senate.

### BILLS INTRODUCED AND REFERRED

Messrs. LANE, WEINER, DEVLIN and SARRAF, by unanimous consent, presented to the Chair **SB 670**, entitled:

An Act establishing a family court division in the Court of Common Pleas of Allegheny County; imposing certain jurisdiction over actions and other matters involving the family; providing for a chief judge and board of judges, clerk, director and professional and other employees; transferring certain duties of the Juvenile Court of Allegheny County and the domestic relations court branch of the county court to the family court division; providing for subdivisions in the family court division; establishing procedure for reconciliation and providing for the investigation and report of relevant factual information.

Which was committed to the Committee on Judiciary General.

Mr. LANE, by unanimous consent, presented to the Chair **SB 671**, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing for the assessment of the cost of sewer system construction by different methods within the same sewer district and of sewer construction under certain highways by alternative methods and authorizing the payment of costs and lease rentals from general township funds.

Which was committed to the Committee on Local Government.

Messrs. LANE and WEINER, by unanimous consent, presented to the Chair **SB 672**, entitled:

An Act amending the act of June 24, 1937 (P. L. 2045), entitled, as amended, "The Support Law," prescribing liabilities for assistance with respect to medical assistance for the aged.

Which was committed to the Committee on Public Health and Welfare.

Mr. LANE, by unanimous consent, presented to the Chair **SB 673**, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," providing for the assessment of the cost of sewer system construction by different methods within the same sewer district and of sewer construction under certain highways by alternative methods.

Which was committed to the Committee on Local Government.

Messrs. LANE and STEVENSON, by unanimous consent, presented to the Chair **SB 674**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," permitting cities to make appropriations to industrial development agencies.

Which was committed to the Committee on Local Government.

Messrs. DONOLOW, EHRGOOD, LANE, SCOTT, STIEFEL and WADE, by unanimous consent, presented to the Chair **SB 675**, entitled:

An Act making an appropriation to the Board of Trustees of the Jefferson Medical College of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

### GUESTS OF SENATOR CHARLES R. MALLERY PRESENTED TO SENATE

Mr. MALLERY. Mr. President, we are honored today by a visit of a group of Republican women from Blair County. I would appreciate very much your saying a word of welcome to these ladies.

The PRESIDING OFFICER. The Chair is very happy to welcome the distinguished group of Republican women who are the guests of Senator Mallery. Will the ladies please rise so that the Senate can welcome them?

Mr. WEINER. Mr. President, I would like to add an addendum to the welcome that you offered to these ladies from Senator Mallery's District.

We are delighted that they are sitting on the Democratic side. We do not mean to influence them, but we hope that it will do some good.

### PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, this is one of the bills growing out of the Governor's Committee on Education and it deals with the problem of reorganization of school districts.

Mr. President, this bill relates to the reorganization of school districts in Pennsylvania. I might say that I think



practically every witness who testified before any Task Force of the Governor's Committee—or a great majority of the witnesses—placed the matter of reorganization at the top of the list of the problems which Pennsylvania must face.

### BILLS INTRODUCED AND REFERRED

Messrs. HAYS, SEYLER, STROUP, SILVERT, WAGNER and SHAFER, by unanimous consent, presented to the Chair **SB 676**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing the term of office of treasurers of school districts, providing for the collection of taxes, establishing the office of superintendent of schools and assistants and the manner of their election, providing for the reorganization of school districts, creating a commission, abolishing county boards of school directors and certain offices, discontinuing certain district boards of school directors and district offices, providing for the election of school boards in reorganized school districts, levying certain taxes in reorganized school districts, providing for the debts and assets of existing school districts and making an appropriation.

Which was committed to the Select Committee on Education.

Messrs. STROUP, PECHAN, KROMER, HAWBAKER and SHAFER, by unanimous consent, presented to the Chair **SB 677**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for Commonwealth guaranteed equalization payments.

Which was committed to the Committee on Education.

Mr. STROUP, on behalf of Messrs. BELL and WEINER, by unanimous consent, presented to the Chair **SB 678**, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," providing for per diem allowance and travel expenses for judges attending judicial meetings.

Which was committed to the Committee on Judiciary General.

He also, on behalf of Messrs. SHAFER and DEVLIN, by unanimous consent, presented to the Chair **SB 679**, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," providing for appeals from the salary board.

Which was committed to the Committee on Local Government.

Messrs. KALMAN, WEINER, WADE, MURRAY and McGINNIS, by unanimous consent, presented to the Chair **SB 680**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," including the

Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

Which was committed to the Committee on Mines and Mineral Industries.

They also, by unanimous consent, presented to the Chair **SB 681**, entitled:

An Act defining and prohibiting waste in the production of oil and gas; defining the powers and duties of the Oil and Gas Conservation Commission and the Oil and Gas Division of the Department of Mines and Minerals Industries with respect to the prevention of waste in the production of oil and gas from certain geological horizons, the protection of correlative rights, the spacing of well drilling operations, the unitization of lands and horizons for the purpose of regulating well spacing; providing for the enforcement of this act and the issuance of rules, regulations and orders; prescribing the rights, obligations and duties of owners and operators of interests in lands and leasehold interests therein with respect to the drilling of oil and gas wells thereon; providing for hearings and the procedures to be followed therein; imposing duties upon the courts; providing methods for the enforcement of the provisions of this act; limiting all the provisions hereof to certain geological horizons; imposing penalties and making an appropriation.

Which was committed to the Committee on Mines and Mineral Industries.

### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, this is another one of a series of bills which I have introduced during the Session to curb the ebullience of a State administrator in the Department of Public Welfare. I am referring to the Director in charge of the aged.

It is about time that people should have relief in their counties without the need of coming to Harrisburg and to the Commonwealth Court. Because people cannot come here, since it means incurring additional expense, I feel they should have resort in the courts of their own counties.

For this reason, I am about to introduce an important bill. In my opinion, this bill will protect the interests of the citizen and will be one of the ramparts of his rights, saving him from the—I would not say malefactions—wrong administration of too much of an eager beaver administrator.

### BILL INTRODUCED AND REFERRED

Messrs. STIEFEL and KALMAN, by unanimous consent, presented to the Chair **SB 682**, entitled:

An Act amending the act of June 12, 1931 (P. L. 510), entitled as amended "An act providing for the licensure and regulation of certain private nursing homes, private convalescent homes and private hospitals; . . ." authorizing appeals to the courts of common pleas of the counties wherein the homes and hospitals are located.

Which was committed to the Committee on Public Health and Welfare.

### RECESS

Mr. MULLIN. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a meeting of the committee on State Government.

Mr. BERGER. Mr. President, I would also like to request that the Republican Members of the Senate assemble for Caucus in the Republican Caucus Room. By way of explanation, I understand that excepting for a possible committee report from the committee which is now meeting, the Senate will conduct no further business. Therefore, the Members need not be apprehensive about getting down here. The desk can remain open and the Senate can receive the committee report while we are in Caucus.

The PRESIDING OFFICER. Because of two requests for a recess, and hearing no objection, the Senate will now recess for a period of thirty minutes for the purpose of holding a meeting of the Committee on State Government and a Republican Caucus.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

### STUDENTS WELCOMED TO THE SENATE

The PRESIDING OFFICER. The Chair is informed that in the gallery, we have a group of ninth grade students from the Mifflinburg High School. These students and their sponsors are here today as the guests of Senator Wolfe, of Union County.

The Chair is very happy to welcome them here, and at this time would request that the students and their sponsors rise so that the Senate may welcome them.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### JUDGE, COURT OF COMMON PLEAS

May 23, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jacob Schiffman, Esq., 146 Charles Street, Wilkes-Barre, Luzerne County, for appointment as Judge of the Court of Common Pleas of the Eleventh Judicial District of Pennsylvania, composed of the County of Luzerne, until the first Monday of January 1962, vice Hon. John J. Aponick, deceased.

DAVID L. LAWRENCE

#### JUSTICE OF THE PEACE

May 23, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jack R. Bacot, 125 East Fifth Street, Emporium, Cameron County, for appointment as Justice of the Peace in and for the Borough of Emporium, Cameron County, to serve until the first Monday of January 1962, vice Mrs. Sadie A. Hutt. deceased.

DAVID L. LAWRENCE

### REPORTS FROM COMMITTEE

Mr. MULLIN, on behalf of Mr. DEVLIN, by unanimous

consent, from the Committee on State Government, reported, as committed, **SB 45, 249, 629, HB 484, 1131, 1220 and 1254**; and, as amended, **SB 582 and 593**.

### BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

**SB 45, 249, 350, 353, 375, 498, 555, 556, 557, 570, 582, 593, 629, 631, HB 408, 410, 451, 452, 484, 731, 856, 857, 869, 870, 871, 874, 875, 876, 929, 970, 1086, 1131, 1146, 1169, 1204, 1220, 1254 and 1371.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

### EXECUTIVE NOMINATIONS

#### EXECUTIVE SESSION

By unanimous consent, a motion was made by Mr. DEVLIN and Mr. LANE.

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

#### NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The clerk will read the nominations.

The nominations were read by the Clerk as follows:

#### MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

May 9, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank M. Kelley, Gouldsboro, Wayne County, for reappointment as a member of the Board of Trustees of Farview State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

April 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William P. Altmire, 303 First Street, Apollo, Armstrong County, for appointment as Justice of the Peace in and



for the Borough of Apollo, Armstrong County, to serve until the first Monday of January 1962, vice Ronald D. Eckman, resigned.

DAVID L. LAWRENCE.

### JUSTICE OF THE PEACE

April 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Chester A. Wajda, R. D. 4, Quakertown, Bucks County, for appointment as Justice of the Peace in and for the Township of Haycock, Bucks County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confsair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarra,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Yatron,
Haluska,	McMenamin,	Stalsey,	Seyler,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

### BILL RECOMMITTED

Mr. DONOLOW. Mr. President, I, at this time, move that Senate Bill No. 375 be recommitted to the Committee on Banking, for the purpose of holding a public hearing on June 7th, 1961, at 10:00 a.m., in the Majority Caucus Room.

The PRESIDING OFFICER. The Chair would suggest to the gentleman that the bill has not appeared on the Calendar. It will appear on the Calendar tomorrow, and at that time a motion to recommit the bill will be in order, if that is satisfactory to the gentleman.

Mr. DONOLOW. Mr. President, that is not satisfactory. The Committee Chairman made an agreement with

the Members of the Banking Committee that this bill would come out on the floor for first reading and then be recommitted. I would like to adhere to that promise. Therefore, I ask that the bill be recommitted at the present time.

The PRESIDING OFFICER. The Chair now understands. Is there a second to the gentleman's motion?

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

#### COMMITTEE MEETINGS WEDNESDAY, MAY 24, 1961

Time	Committee	Room
9:30 A. M.	MILITARY AFFAIRS AND AERONAUTICS	Dem. Caucus Room
10:30 A. M.	HISTORICAL PRESERVATION	252
11:00 A. M.	EDUCATION	302
11:30 A. M.	LAW AND ORDER	535A
	REPUBLICAN CAUCUS	11:30 A. M. D.S.T.

### NOTICE

The Committee on Banking will hold a Public Hearing in the Senate Majority Caucus Room at ten o'clock a.m., D.S.T., on June 7, 1961, on Senate Bill 375, regulating collection agencies.

### ANNOUNCEMENT CONCERNING MEETING OF COMMITTEE ON HISTORICAL PRESERVATION

Mr. STIEFEL. Mr. President, may I make a brief statement in connection with the announcements by the Secretary?

The PRESIDING OFFICER. The Chair hears no objection. The gentleman will proceed.

Mr. STIEFEL. Mr. President, the Committee on Historical Preservation will meet in the Appropriations Committee Room, which is known as Room 252.

I appeal to my colleagues to attend this meeting because we have a lot of bills to consider and they have accumulated over a long period of time. The session will be brief, to the point, and most productive.

### ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, May 24, 1961, at 11:30 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:23 p.m. Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, May 23, 1961

The House met at 11 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Eternal and Everlasting Father, in the light of Thy revealing truth we bow in tribute before Thee this day. We humbly pray that the impact of Thy supreme counsel may prick our hearts and minds to the wisdom of acting in accord with Thy will. We ask that Thy uplifting presence may continually go with these legislators in the performance of the work for which they have been called and elected. And even in the midst of the storms and stress of the burdens of life, enlighten us all with the depth of confidence in the strength which Thou hast to give that we may look to Thee with complete trust and assurance. Through Jesus Christ, our Lord. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, May 22, 1961, will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Mr. IRVIS. HOUSE BILL No. 1563.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), reducing annual interest on the damages allowed in a report of viewers in eminent domain proceedings.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. POLEN and McCANN. HOUSE BILL No. 1564.

An Act limiting the use of appropriations for hospital or institutional care or training in certain cases.

Referred to the Committee on Rules.

By Messrs. KAMYK, LUTTY, GIBB and THOMPSON. HOUSE BILL No. 1565.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. EILBERG, TAYLOR, J. A. SULLIVAN and RILEY. HOUSE BILL No. 1566.

An Act amending the act of May 10, 1956 (P. L. 1569), entitled "An act authorizing the City of Philadelphia to accept the conveyance, under certain conditions, of the site of Fort Mifflin," by the Commonwealth of Pennsylvania giving up its right of occupancy of Mud Island under certain circumstances and by granting rights of occupancy thereof to the City of Philadelphia.

Referred to the Committee on State Government.

By Messrs. GOODRICH, BUSH, MURPHY and CROSSIN. HOUSE BILL No. 1567.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing charges to be imposed upon minors using swimming pools operated as part of a summer recreation program.

Referred to the Committee on Education.

By Mr. BONNER. HOUSE BILL No. 1568.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), increasing compensation of constables and their deputies.

Referred to the Committee on Elections.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 1569.

An Act prohibiting any judge of a court of record in a county of the second class from being a member of a public board, commission or authority during his term of office.

Referred to the Committee on Judiciary.

By Messrs. M. H. GOLDSTEIN, HAUDENSHIELD, WILT and TOMPKINS. HOUSE BILL No. 1570.

An Act amending the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978), prohibiting the attendance at harness horse race meetings by minors, and requiring the commission to provide by rule for enforcement of certain provisions of the act.

Referred to the Committee on Rules.

By Messrs. WILT, J. A. SULLIVAN, HAMILTON and SAKULSKY. HOUSE BILL No. 1571.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), authorizing the imposition upon property owners of a fixed charge in addition to monthly or annual rentals for sewers.

Referred to the Committee on Townships.

By Messrs. WARGO, HOCKER, MEHOLCHICK and AUKER. HOUSE BILL No. 1572.

An Act amending the act of December 8, 1959 (P. L. 1718), entitled "An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases," extending the act to provide for payment of salary, medical and hospital expenses of employes of State mental hospitals, Youth Development Centers and County Boards of Assistance who are injured in the course of their employment, and of employes of the Department of Public Welfare injured while fighting fires.

Referred to the Committee on Rules.

By Messrs. PERRY, MAY and J. A. SULLIVAN. HOUSE BILL No. 1573.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), prohibiting suspensions in Pennsylvania where no suspension is imposed in another state for a violation committed in the other state.

Referred to the Committee on Motor Vehicles.

By Messrs. ASHTON, LIPPINCOTT and BOWMAN. HOUSE BILL No. 1574.



An Act providing for special findings of fact, or special verdicts as to damages in certain eminent domain proceedings.

Referred to the Committee on Judiciary.

By Messrs. KORNIS, STITELER, KORNICK and RENWICK. HOUSE BILL No. 1575.

An Act making an appropriation to the School of Forestry of Pennsylvania State University for research on diseases of maple trees.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. BUCHANAN, DENNISON, VARNER and MARSH. HOUSE BILL No. 1576.

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement, to an act, entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," removing all capital stock taxes on and reports by corporations, joint-stock associations, limited partnerships, and other companies engaged in the mining, storage, transportation or selling of coal or coal by-products.

Referred to the Committee on Ways and Means.

By Mr. SCHAAF, Mrs. MARKLEY, Messrs. McCORMACK and STONE. HOUSE BILL No. 1577.

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption," reducing the minimum period of custody in an agency or institution necessary for voluntary relinquishment of custody of a child.

Referred to the Committee on Judiciary.

By Mr. SCHAAF, Mrs. MARKLEY, Messrs. McCORMACK and STONE. HOUSE BILL No. 1578.

An Act amending the "Adoption Law," approved April 4, 1925 (P. L. 127), changing provisions relating to hearings in certain cases.

Referred to the Committee on Judiciary.

By Messrs. SCHAAF and POLASKI. HOUSE BILL No. 1579.

An Act amending the act of November 21, 1959 (Appropriation Act No. 47-A), entitled "An act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto," removing provisions relating to completion of the Duquesne Marine Terminal facilities.

Referred to the Committee on State Government.

By Messrs. GALLAGHER, SHUPNIK, PRENDERGAST and VERONA. HOUSE BILL No. 1580.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), excluding from the tax materials and supplies used in the construction of school buildings.

Referred to the Committee on Ways and Means.

By Messrs. LIPPINCOTT and HAMILTON. HOUSE BILL No. 1581.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating of certain school supplies which may be purchased without competitive bidding.

Referred to the Committee on Education.

By Messrs. LIPPINCOTT and HAMILTON. HOUSE BILL No. 1582.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) further regulating the authority of school districts of the third or fourth class to purchase certain supplies.

Referred to the Committee on Education.

By Messrs. LIPPINCOTT and HAMILTON. HOUSE BILL No. 1583.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing boards of school directors to enter into agreements with municipalities for the compensation of certain special school police.

Referred to the Committee on Education.

By Messrs. LIPPINCOTT and HAMILTON. HOUSE BILL No. 1584.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), authorizing agreements for compensation of special police between township commissioners and board of school directors.

Referred to the Committee on Townships.

By Messrs. HAMILTON, KORNICK, WILT and WESCOTT. HOUSE BILL No. 1585.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), authorizing the reassessment of property in certain cases, and imposing liability for taxes upon the owners thereof; repealing inconsistent acts.

Referred to the Committee on Counties.

By Messrs. HAMILTON, KORNICK, WILT and WESCOTT. HOUSE BILL No. 1586.

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; \* \* \* authorizing the reassessment of property in certain cases and imposing liability for taxes upon the owner thereof; repealing inconsistent acts.

Referred to the Committee on Counties.

By Messrs. SCARCELLI, DOUGHERTY and ESHBACK. HOUSE BILL No. 1587.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), requiring licenses to stock and sell a malt or brewed beverage manufactured in Pennsylvania.

Referred to the Committee on Liquor Control.

By Messrs. YETTER, CURWOOD, O'DELL and GRAMLICH. HOUSE BILL No. 1588.

An Act amending the act of May 23, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; \* \* \* removing the requirement that metallic plates shall be issued.

Referred to the Committee on Rules.

By Messrs. WORLEY and CIANFRANI. HOUSE BILL No. 1589.

An Act amending the act of June 1, 1956 (P. L. 1959),

entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, \* \* \* and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," providing that the allowance of members of the General Assembly for clerical assistance and other expenses shall be reduced when such members are absent.

Referred to the Committee on Rules.

By Messrs. ZIMMERMAN, WILLARD, MARSH  
and GEORGE. HOUSE BILL No. 1590.

An Act amending the act of April 14, 1834 (P. L. 333), entitled "An act relative to the organization of the Courts of Justice" further regulating the use of slips or pieces of paper containing the names of persons eligible for jury duty.

Referred to the Committee on State Government.

By Messrs. WORLEY (By Request) and CIANFRANI.  
HOUSE BILL No. 1591.

An Act amending "The Divorce Law," approved May 2, 1929 (P. L. 1237), abolishing indignities to the person as grounds for divorce.

Referred to the Committee on Judiciary.

By Messrs. FARABAUGH and ROVANSEK.  
HOUSE BILL No. 1592.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the revocation of operation of operating privileges of persons operating fire apparatus, vehicles and ambulances without authority.

Referred to the Committee on Rules.

By Mr. WORLEY (By Request).  
HOUSE BILL No. 1593.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), providing that there shall be no open season for bobwhite quail in the years 1961 and 1962.

Referred to the Committee on Game and Conservation.

By Messrs. LAMB and KRAMER.  
HOUSE BILL No. 1594.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating registration of motor vehicles and tractors; providing for minimum financial responsibility as a prerequisite to registration and to use of the highways with any motor vehicle or tractor; . . .

Referred to the Committee on Motor Vehicles.

By Messrs. STONE, KAMYK, GAILEY, and CAPANO.  
HOUSE BILL No. 1595.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), further defining assistance to include medical care for the aged and those persons eligible therefor; and prescribing procedures, requirements and penalties incidental thereto.

Referred to the Committee on Welfare.

By Messrs. BOIES, MAXWELL, STIMMEL and DOWN.  
HOUSE BILL No. 1596.

An Act amending the act of March 30, 1917 (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; \* \* \*" conferring additional power on the State Board of Optometri-

cal Examiners, prescribing additional grounds for refusing, cancelling, revoking or suspending licenses, further regulating and providing for the licensing of offices and branch offices of optometrists, the renewal of licenses biennially and license fees to be charged therefor and their utilization.

Referred to the Committee on Professional Licensure.

By Messrs. HAMILTON, GREMMINGER, STIMMEL  
and ODORISIO. HOUSE BILL No. 1597.

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), clarifying the provisions relating to the merger or consolidation of certain domestic insurance companies and making editorial changes.

Referred to the Committee on Insurance.

By Messrs. SIMMONS, MAXWELL, BOIES  
and HAUDENSHIELD. HOUSE BILL No. 1598.

An Act relating to the regulation of the practice of pharmacy, including the sale, use and distribution of drugs and amending, revising, consolidating and changes relating thereto.

Referred to the Committee on Public Health and Sanitation.

By Messrs. SCARCELLI, POLEN, TAYLOR  
and CAPITOLO. HOUSE BILL No. 1599.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes, amending, revising, consolidating and changing the laws relating thereto," defining superannuation retirement age for retirement of enforcement personnel of the Pennsylvania Liquor Control Board as members of Class C.

Referred to the Committee on Appropriations.

By Messrs. SCARCELLI, POLEN, TAYLOR  
and CAPITOLO. HOUSE BILL No. 1600.

An Act amending the act of April 12, 1951 (P. L. 90), known as the "Liquor Code," providing for an increase in application, filing and transfer fees and for the annual transfer of certain moneys from the State Stores Fund to the State Employees' Retirement Fund.

Referred to the Committee on Appropriations.

## STEVENS SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence of a group of students from the Stevens School, Easton. They are here in Harrisburg as the guests of the lady from Northampton, Mrs. Reibman, and the gentlemen from Northampton, Messrs. Verona, Prendergast and O'Donnell.

## RESOLUTION INTRODUCED AND REFERRED

By Mr. BONNER. RESOLUTION No. 71.

In the House of Representatives, May 22, 1961.

The Commonwealth of Pennsylvania is presently considering joining into an interstate-Federal compact, to be known as the Delaware River Basin Compact, for the purpose of making possible the unified development and control of the water resources of the Delaware River basin.

There can be no doubt that the purposes of this project are laudible and well-worthy of our cooperation and participation. It is imperative, however, that the rights of property owners in areas which may be subject to eminent domain proceedings, be fully protected.



If the preliminary plans of the United States Army, Corps of Engineers are followed, dams will be constructed on the Aquashicola and Pohopoco Creeks and elsewhere with a resultant inundation of many acres of land.

Any compact or action taken under such compact should take into consideration the many hardships to which persons who will be displaced from their homes and businesses will be subjected.

Displaced families should be granted their moving costs up to a reasonable limit. There should be a fairer means of assessment of property so taken than the present "market value" approach based on values depreciated by proposed condemnation announcements. Property owners should receive a portion of the payment at time of acquisition with no jeopardy to their right to contest the overall settlement. There should also be provision for reimbursement of local taxing bodies for monies lost through these non-taxable projects, this being particularly important in counties, such as Carbon County, where several large reservoirs already exist; therefore, be it

Resolved, That any compact which the Commonwealth of Pennsylvania enters into concerning development and control of the water resources of the Delaware River take into consideration the problems faced by persons whose property will be taken under such project, and that these persons be given every possible benefit to adequately compensate them for their losses; and, be it further

Resolved, That copies of this resolution be transmitted to the Governor and to the Secretary of Forests and Waters.

Referred to the Committee on Rules.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

##### SENATE BILL No. 30.

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law" further regulating collection of taxes and imposition of penalties.

Referred to the Committee on State Government.

##### SENATE BILL No. 87.

An Act providing for the creation and incorporation as bodies corporate and politic of joint service districts by counties of the third fourth fifth sixth seventh and eighth classes cities of the third class boroughs towns and townships to perform certain function prescribing the powers and duties of such joint service districts and the duties of participating counties cities boroughs towns and townships and conferring jurisdiction on courts of quarter sessions in connection therewith.

Referred to the Committee on State Government.

##### SENATE BILL No. 439.

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to manual training schools receiving State aid authorizing contracts to lease and leases by the Department of Public Instruction from the Authority of any additions or improvements to manual training schools receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

Referred to the Committee on State Government.

##### SENATE BILL No. 539.

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An Act appropriating the moneys in

The State Stores Fund" providing for additional kinds of insurance.

Referred to the Committee on State Government.

##### SENATE BILL No. 540.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" providing for additional kinds of insurance.

Referred to the Committee on State Government.

##### SENATE BILL No. 552.

An Act repealing section 58 of the act of April 28, 1899 (P. L. 133), entitled "An act to provide for the organization discipline and regulation of the National Guard of Pennsylvania."

Referred to the Committee on Military Affairs.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 157.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), providing for an assistant township secretary.

##### HOUSE BILL No. 264.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

##### HOUSE BILL No. 392.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing the designation of 4-way stop and other multi-way stop intersections.

##### HOUSE BILL No. 409.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further regulating compensation to aged employees.

##### HOUSE BILL No. 663.

An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes \* \* \* authorizing rules and regulations and providing penalties for violations thereof and making an appropriation.

##### HOUSE BILL No. 827.

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof \* \* \*" further providing for the compensation of pension or retirement benefits.

##### HOUSE BILL No. 1091.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), requiring auditors to elect a chairman and a secretary.

With the information that the Senate has passed the same without amendment.

## COMMUNICATION

## PHILADELPHIA CITY COUNCIL

The SPEAKER laid before the House a communication which was read as follows:

## CITY COUNCIL

Philadelphia, 7

Nathan Wolfman  
Chief Clerk  
Room 402, City Hall

May 12, 1961

Hon. Hiram G. Andrews  
Speaker, House of Representatives  
Harrisburg, Pennsylvania  
Dear Mr. Andrews:

Enclosed herewith is a certified copy of Resolution No. 161, entitled:

## "RESOLUTION

Memorializing the Congress of the United States and the Legislature of the Commonwealth of Pennsylvania to support and approve the proposed Delaware River Basin Compact."

The above entitled resolution was unanimously adopted by the Council of the City of Philadelphia at a meeting held May 11, 1961.

Respectfully,

Nathan Wolfman  
Chief Clerk of the Council

Referred to the Committee on State Government.

## REPORTS FROM COMMITTEE

Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 283, entitled:

An Act providing for the regulation of lobbying; requiring registration of lobbyists, keeping accounts of contributions and of receipts and expenditures, reports and statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation.

Mr. CAULEY from the Committee on Motor Vehicles, reported as committed, House bill No. 396, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring mirrors on motor vehicles and providing penalties.

Mr. GIBB from the Committee on Motor Vehicles, reported as committed, House bill No. 397, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a term of imprisonment mandatory for operating a vehicle after the operator's privilege has been revoked.

Mr. FRY from the Committee on Highways, reported as committed, House bill No. 445, entitled:

An Act amending the act of June 4, 1943 (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect \* \* \* a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; \* \* \*," making the bridge a free bridge; \* \* \*," and making an appropriation.

Mr. HAMILTON from the Committee on Education, reported as committed, House bill No. 469, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the establishment of kindergartens.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 518, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for no passing zones.

Mr. SHERMAN from the Committee on Education, reported as committed, House bill No. 537, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing boards of school directors to appropriate moneys for payment of the cost of athletic equipment and uniforms used by members of school bands or athletes in extra curricular, intramural or interscholastic activities, events or competitive games.

Mr. ESHLEMAN from the Committee on Education, reported as committed, House bill No. 613, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing additions, and revisions to duplicates in second class school districts.

Mr. AUKER from the Committee on Welfare, reported as committed, House bill No. 890, entitled:

An Act repealing acts pertaining to Berks County prison inspectors.

Mr. PERRY from the Committee on Ways and Means, reported as committed, House bill No. 945, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), clarifying the method of tax collections on liquor sales and imposing duties on persons making liquor sales by the bottle.

Mr. FETTEROLF from the Committee on Municipal Corporations, reported as committed, House bill No. 1041, entitled:

An Act amending the act of April 13, 1887 (P. L. 21), entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth," regulating the advancing of eastern standard time by counties, cities, boroughs, towns and townships.

Mr. RUBIN from the Committee on Banking and Building and Loan Associations, reported as committed, House bill No. 1209, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), increasing the unsecured amount a bank, bank and trust company, or trust company, may loan its salaried officers or employees or those of affiliated banking institutions.

Mr. PERRY from the Committee on State Government, reported as committed, House bill No. 1215, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), fixing the maximum tax which may be assessed by school districts and other political subdivisions on the wages, salary, commissions or other earned income of the same individual.

Mr. KLEIN from the Committee on Elections, reported as committed, House bill No. 1293, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), changing



provisions for proof of citizenship for certain persons previously requested.

Mr. BONNER from the Committee on Welfare, reported as committed, House bill No. 1319, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), defining "resident" and prescribing certain benefits for nonresident indigents.

Mr. PERRY from the Committee on Ways and Means, reported as committed, House bill No. 1326, entitled:

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521), including Federal Savings and Loan Associations within the provisions relating to reports to the Department of Revenue and requiring reports in case of the death of certain trustees.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1395, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), authorizing the conducting, staging, operating, managing and engaging in basketball games on Sunday, and authorizing the labor and business necessary to conduct, manage, operate or stage such games.

Mr. AUKER from the Committee on Judiciary, reported as committed, House bill No. 1452, entitled:

An Act amending the "Business Corporation Law," approved May 5, 1933 (P. L. 364), clarifying the provisions of the act relating to the setting aside of funds by cemetery and burial corporations and bringing additional corporations within the provisions of the act.

Mr. AUKER from the Committee on Judiciary, reported as committed, House bill No. 1453, entitled:

An Act reenacting and amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises, bequests or gifts in trust for the care and maintenance of cemeteries, burial grounds or cemetery lots, trustees and substituted trustees thereof, \* \* \*," extending the provisions thereof to include business corporations.

Mr. AUKER from the Committee on Judiciary, reported as committed, House bill No. 1454, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364), changing the law with respect to devises, bequests and gifts in trust for the perpetual care and maintenance of cemeteries, burial grounds or the cemetery lots therein and imposing powers on the trustees.

Mr. AUKER from the Committee on Judiciary, reported as committed, House bill No. 1455, entitled:

An Act amending the "Nonprofit Corporation Law" approved May 5, 1933 (P. L. 289), making additional corporations subject to certain provisions of the act.

Mr. AUKER from the Committee on Judiciary, reported as committed, House bill No. 1456, entitled:

An Act amending the "Nonprofit Corporation Law," approved May 5, 1933 (P. L. 289), requiring additional provisions to be included in the articles of incorporation of cemetery and burial companies and further providing for the establishment and operation of funds created by such companies.

Mrs. S. A. ANDERSON from the Committee on State Government, reported as committed, House bill No. 1476, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), au-

thorizing the Authority to convey projects to school districts when all bonded indebtedness and other obligations incurred in the financing of such projects have been finally paid and discharged.

Mr. BOIES from the Committee on Cities—Third Class, reported as committed, House bill No. 1528, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), further regulating conditions under which firemen may be called out and assigned to continuous duty.

Mr. WHITTAKER from the Committee on Welfare, reported as committed, House bill No. 1533, entitled:

An Act to protect the public of the Commonwealth against vendors who misleadingly present their products as having been made by the blind and to prevent misleading use of the word blind in titles of organizations offering products for sale and providing penalties.

Mr. McCORMACK from the Committee on State Government, reported as committed, House bill No. 1540, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire easements, rights-of-way and other interests in real estate, including the title in fee simple to fifteen parcels of land, with improvements erected thereon and rights connected thereto, for the maintenance of radio communications systems.

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 1542, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 1.565 acres more or less of land situate in Smithfield Township, Huntingdon County.

Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 1545, entitled:

An Act authorizing the transfer of real property in the City of Scranton, Lackawanna County from the Department of Highways to the Department of Public Welfare for use of Clarks Summit State Hospital.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 1548, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the membership of the Pennsylvania Fish Commission by providing for the appointment of three experienced boatmen; providing for the appointment of an assistant executive director and requiring their meetings to be open to the public and authorizing it to enter into certain agreements with the Navigation Commission for the Delaware River.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1562, entitled:

An Act authorizing the Commonwealth of Pennsylvania, through the Department of Commerce and the Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment; authorizing the Pennsylvania Industrial Development Authority to participate with any Federal agency in the financing of industrial development projects in redevelopment areas; \* \* \*

Mr. O'DELL from the Committee on Motor Vehicles, reported as committed, Senate bill No. 74, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" prohibiting persons under fourteen years of age from operating tractors and other equipment except under limited circumstances.

Mr. STRAUSSER from the Committee on State Government, reported as committed, Senate bill No. 85, entitled:

An Act amending the act of June 15, 1951 (P. L. 586), entitled "An act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" excepting certain probationary appointees from suspension and removal provisions.

Mr. GALLAGHER from the Committee on Municipal Corporations, reported as committed, Senate bill No. 90, entitled:

An Act amending the act of May 17, 1949 (P. L. 1403), entitled "Municipal Unclaimed Moneys Act" further regulating the deposit of moneys by municipal officers and imposing penalties.

Mr. DONALDSON from the Committee on Judiciary, reported as committed, Senate bill No. 161, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949" changing provisions relating to the order of payment of claims against estates.

Mr. CAPANO from the Committee on Education, reported as committed, Senate bill No. 197, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for special and summer classes for children of migrant laborers requiring the filing of certain reports and making an appropriation.

Mr. IRVIS from the Committee on Education, reported as committed, Senate bill No. 306, entitled:

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

Mr. HOLLIDAY from the Committee on Counties, reported as committed, Senate bill No. 338, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class . . ." increasing the period of time during which a contributor may be reinstated.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, Senate bill No. 378, entitled:

An Act amending the act of August 9, 1955 (P. L. 312), entitled "An act fixing the salary of the district attorney of Philadelphia" raising the salary of the district attorney of Philadelphia.

Mr. McCORMACK from the Committee on Judiciary, reported as committed, Senate bill No. 385, entitled:

An Act authorizing arraignments in courts of quarter sessions of the peace and courts of oyer and terminer and general jail delivery.

Mr. DENGLER from the Committee on Education, reported as committed, Senate bill No. 386, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the membership of county boards of school directors in counties where the population exceeds a certain number.

Mr. DOWN from the Committee on Cities—Third Class reported as committed, Senate bill No. 402, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" further regulating notice of assessments and validating certain assessments previously made.

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 437, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing in certain cases for continuing operation of joint school systems which constitute approved administrative units.

Mrs. ANDERSON from the Committee on State Government, reported as committed, Senate bill No. 475, entitled:

An Act authorizing facsimile signatures and seals of certain public officials imposing duties upon the Secretary of the Commonwealth and providing penalties.

Mrs. PASHLEY from the Committee on State Government, reported as committed, Senate bill No. 481, entitled:

An Act providing for and fixing the fees and mileage for witnesses attending a coroner's inquest imposing duties on coroners, and repealing inconsistent legislation.

Mr. OGILVIE from the Committee on Cities—Third Class, reported as committed, Senate bill No. 483, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" prescribing membership of board of commissioners of the sinking fund commission in cities which have adopted the mayor—council plan A.

Mr. RUTHERFORD from the Committee on Cities—Third Class, reported as committed, Senate bill No. 484, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the preparation and adoption of budgets after adoption of Mayor—Council Plan A.

Mr. SCARCELLI from the Committee on Counties, reported as committed, Senate bill No. 501, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" requiring a system of accounts to be kept by county officers.

Mr. LAMB from the Committee on Judiciary, reported as committed, Senate bill No. 530, entitled:

An Act amending the act of June 20, 1947 (P. L. 733), entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property . . ." authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 67.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 68.



Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 69.

Mr. SAKULSKY from the Committee on Counties, reported as committed, Senate bill No. 95, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class . . ." requiring retirement credit to be given for certain per diem employment.

Mr. SAKULSKY from the Committee on Cities—Third Class, reported as committed, Senate bill No. 371, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" authorizing the acquisition of land outside the limits of any city for the use of the National Guard.

Mr. CIOFFI from the Committee on Cities—Third Class, reported as committed, Senate bill No. 482, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" fixing the number of affirmative votes required in seven and nine member councils under the mayor—council plan A of government to effect certain street improvements and the change zoning ordinances.

Mr. PERRY from the Committee on Professional Licensure, reported as committed, Senate bill No. 507, entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers' License Law" providing for biennial registration and increasing certain fees accordingly.

Mr. PERRY from the Committee on Professional Licensure, reported as committed, Senate bill No. 506, entitled:

An Act amending the act of January 14, 1952 (P. L. 1898), entitled as amended "Funeral Director Law" providing for biennial licenses.

Mr. PERRY from the Committee on Professional Licensure, reported as committed, Senate bill No. 505, entitled:

An Act amending the act of March 2, 1956 (P. L. 1211), entitled "Practical Nurse Law" providing for biennial licenses.

Mr. McCANN from the Committee on Rules, re-reported as committed, House bill No. 1017, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), exempting in certain cases and to a certain extent concert music halls maintained by public or private charities from taxation.

Mr. McCANN from the Committee on Rules, re-reported as committed, House bill No. 1368, entitled:

An Act regulating the manufacture processing sale use transportation storage or possessing of explosives in Pennsylvania \* \* \*.

Mr. McCANN from the Committee on Rules, reported as amended, House bill No. 519, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles, and making the results of the chemical tests admissible in evidence.

Mr. RENWICK from the Committee on Motor Vehicles, reported as amended, House bill No. 1141, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for the establishing of prima facie evidence by the use of registration numbers and providing for the liability of bailors for hire of motor vehicles.

Mrs. S. A. ANDERSON from the Committee on Welfare, reported as amended, House bill No. 1077, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), authorizing superintendents to exercise discretion with respect to the performance of surgery on certain patients.

Mr. IRVIS from the Committee on Judiciary, reported as amended, Senate bill No. 125, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania authorizing and validating legislation establishing emergency interim government.

Mr. CAPANO from the Committee on Welfare, reported as amended, Senate bill No. 200, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law" making eligible for assistance certain persons in public medical institutions and regulating obligations for and payment of certain funds.

Mr. CAPANO from the Committee on Welfare, reported as amended, Senate bill No. 201, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care.

Mr. DONALDSON from the Committee on State Government, reported as amended, Senate bill No. 553, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to grant to Upper St. Clair Township Allegheny County its successors or assigns a right of way for the purpose of constructing installing and maintaining a sanitary sewer system over property of the Commonwealth of Pennsylvania known as the Mayview State Hospital Property.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 283, entitled:

An Act providing for the regulation of lobbying; requiring registration of lobbyists, keeping accounts of contributions and of receipts and expenditures, reports and statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 396, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring mirrors on motor vehicles and providing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 397, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a term of imprisonment mandatory for operating a vehicle after the operator's privilege has been revoked.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 445, entitled:

An Act amending the act of June 4, 1943 (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect \* \* \* a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; \* \* \*," making the bridge a free bridge; \* \* \* and making appropriation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 469, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the establishment of kindergartens.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 518, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for no passing zones.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 537, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing boards of school directors to appropriate moneys for payment of the cost of athletic equipment and uniforms used by members of school bands or athletes in extra curricular, intramural or interscholastic activities, events or competitive games.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 613, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing additions, and revisions to duplicates in second class school districts.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 890, entitled:

An Act repealing acts pertaining to Berks County prison inspectors.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 945, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), clarifying the method of tax collections on liquor sales and imposing duties on persons making liquor sales by the bottle.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1041, entitled:

An Act amending the act of April 13, 1887 (P. L. 21), entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth," regulating the advancing of eastern standard time by counties, cities, boroughs, towns and townships.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1209, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), increasing the unsecured amount a bank, bank and trust company, or trust company, may loan its salaried officers or employees or those of affiliated banking institutions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1215, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), fixing the maximum tax which may be assessed by school districts and other political subdivisions on the wages, salary, commissions or other earned income of the same individual.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1293, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), changing provisions for proof of citizenship for certain persons previously requested.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1319, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), defining "resident" and prescribing certain benefits for nonresident indigents.



And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1326, entitled:

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521), including Federal Savings and Loan Associations within the provisions relating to reports to the Department of Revenue and requiring reports in case of the death of certain trustees.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1395, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), authorizing the conducting, staging, operating, managing and engaging in basketball games on Sunday, and authorizing the labor and business necessary to conduct, manage, operate or stage such games.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1452, entitled:

An Act amending the "Business Corporation Law," approved May 5, 1933 (P. L. 364), clarifying the provisions of the act relating to the setting aside of funds by cemetery and burial corporations and bringing additional corporations within the provisions of the act.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1453, entitled:

An Act reenacting and amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises, bequests or gifts in trust for the care and maintenance of cemeteries, burial grounds or cemetery lots, trustees and substituted trustees thereof, \* \* \*," extending the provisions thereof to include business corporations.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1454, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364), changing the law with respect to advises, bequests and gifts in trust for the perpetual care and maintenance of cemeteries, burial grounds or the cemetery lots therein and imposing powers on the trustees.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1455, entitled:

An Act amending the "Nonprofit Corporation Law" approved May 5, 1933 (P. L. 289), making additional corporations subject to certain provisions of the act.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1456, entitled:

An Act amending the "Nonprofit Corporation Law," approved May 5, 1933 (P. L. 289), requiring additional provisions to be included in the articles of incorporation of cemetery and burial companies and furthers providing for the establishment and operation of funds created by such companies.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1476, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), authorizing the Authority to convey projects to school districts when all bonded indebtedness and other obligations insured in the financing of such projects have been finally paid and discharged.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1528, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), further regulating conditions under which firemen may be called out and assigned to continuous duty.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1533, entitled:

An Act to protect the public of the Commonwealth against vendors who misleadingly present their products as having been made by the blind and to prevent misleading use of the word blind in titles of organizations offering products for sale and providing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1540, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire easements, rights-of-way and other interests in real estate, including the title in fee simple to fifteen parcels of land, with improvements erected thereon and rights connected thereto, for the maintenance of radio communications systems.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1542, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and

convey 1.565 acres more or less of land situate in Smithfield Township, Huntingdon County.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1545, entitled:

An Act authorizing the transfer of real property in the City of Scranton, Lackawanna County from the Department of Highways to the Department of Public Welfare for use of Clarks Summit State Hospital.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1548, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the membership of the Pennsylvania Fish Commission by providing for the appointment of three experienced boatmen; providing for the appointment of an assistant executive director and requiring their meetings to be open to the public and authorizing it to enter into certain agreements with the Navigation Commission for the Delaware River.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1562, entitled:

An Act authorizing the Commonwealth of Pennsylvania, through the Department of Commerce and the Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment; authorizing the Pennsylvania Industrial Development Authority to participate with any Federal agency in the financing of industrial development projects in redevelopment areas; \* \* \*.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 74, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" prohibiting persons under fourteen years of age from operating tractors and other equipment except under limited circumstances.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 85, entitled:

An Act amending the act of June 15, 1951 (P. L. 586), entitled "An act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" excepting certain probationary appointees from suspension and removal provisions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 90, entitled:

An Act amending the act of May 17, 1949 (P. L. 1403), entitled "Municipal Unclaimed Moneys Act" further regulating the deposit of moneys by municipal officers and imposing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 161, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949" changing provisions relating to the order of payment of claims against estates.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 197, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for special and summer classes for children of migrant laborers requiring the filing of certain reports and making an appropriation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 306, entitled:

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 338, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class . . ." increasing the period of time during which a contributor may be reinstated.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 378, entitled:

An Act amending the act of August 9, 1955 (P. L. 312), entitled "An act fixing the salary of the district attorney of Philadelphia" raising the salary of the district attorney of Philadelphia.



And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 385, entitled:

An Act authorizing arraignments in courts of quarter sessions of the peace and courts of oyer and terminer and general jail delivery.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 386, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the membership of county boards of school directors in counties where the population exceeds a certain number.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 402, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" further regulating notice of assessments and validating certain assessments previously made.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 437, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing in certain cases for continuing operation of joint school systems which constitute approved administrative units.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 475, entitled:

An Act authorizing facsimile signatures and seals of certain public officials imposing duties upon the Secretary of the Commonwealth and providing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 481, entitled:

An Act providing for and fixing the fees and mileage for witnesses attending a coroner's inquest imposing duties on coroners, and repealing inconsistent legislation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 483, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" prescribing membership of board of commissioners of the sinking fund commission in cities which have adopted the mayor—council plan A.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 484, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the preparation and adoption of budgets after adoption of Mayor—Council Plan A.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 501, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" requiring a system of accounts to be kept by county officers.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 530, entitled:

An Act amending the act of June 20, 1947 (P. L. 733), entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property . . ." authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 95, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class . . ." requiring retirement credit to be given for certain per diem employment.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 371, entitled:

An Act amending the act of June 23 1931 (P. L. 932), entitled "The Third Class City Code" authorizing the acquisition of land outside the limits of any city for the use of the National Guard.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 482, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" fixing the number of affirmative votes required in seven and nine member councils under the mayor—council Plan A of government to effect certain street improvements and to change zoning ordinances.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 507, entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers' License Law" providing for biennial registration and increasing certain fees accordingly.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 506, entitled:

An Act amending the act of January 14, 1952 (P. L. 1898), entitled as amended "Funeral Director Law" providing for biennial licenses.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 505, entitled:

An Act amending the act of March 2, 1956 (P. L. 1211), entitled "Practical Nurse Law" providing for biennial licenses.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### BILLS RE-REFERRED

Mr. ISAACS from the Committee on Municipal Corporations, returned with the recommendation that it be re-referred to the Committee on Elections, House bill No. 1354, entitled:

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159), further regulating the time of holding special elections and for certifying desire ordinances to increase the debt of the municipality.

The SPEAKER. The bill is re-referred to the Committee on Elections.

Mr. RUDISILL from the Committee on Judiciary, returned with the recommendation that it be re-referred to the Committee on Elections, House bill No. 1518, entitled:

An Act to regulate nominations and elections for offices of judge of a court of record in other than the first judicial district; providing for nonpartisan nominations and elections for said offices; \* \* \*.

The SPEAKER. The bill is re-referred to the Committee on Elections.

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Professional Licensure, House bill No. 1527, entitled:

An Act regulating the practice of public accountancy

by requiring registration of public accountants and the examination and issuance of a certificate of certified public accountant to certain public accountants; \* \* \* and imposing penalties.

The SPEAKER. The bill is re-referred to the Committee on Professional Licensure.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Municipal Corporations, House bill No. 1550, entitled:

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382), further prescribing the purposes for which Authorities may be created.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside. The Chair has some bills to refer, so they may go to the printer.

Mr. HELM IN THE CHAIR

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 22, 1961.

Resolved (the Senate concurring), That House bill No. 147, printer's No. 1491, entitled, "An act amending the act of July 7, 1947 (P. L. 1368), entitled, 'An act amending revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws,' further regulating notice given to delinquent taxables," be recalled from the Governor for the purpose of amendment.

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 19, 1961.

Resolved (if the Senate concur), that House bill No.



1038, printer's No. 1147, entitled, "An act authorizing the Department of Property and Supplies to sell and convey all of its right title and interest that it may have in a tract of land in the borough of Canonsburg, Washington County, Pennsylvania," be recalled from the Governor for the purpose of amendment.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BOIES asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

### SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 132, 308 and 1184.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 31.

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), changing provisions for proof of citizenship for certain persons previously registered.

HOUSE BILL No. 171.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing the appointment of solicitors by certain county officials and limiting the duties of the county solicitor.

HOUSE BILL No. 331.

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

HOUSE BILL No. 489.

An Act amending the act of May 3, 1923 (P. L. 134), entitled, "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State \* \* \*" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

HOUSE BILL No. 493.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), changing the name of the Italian-American World War Veterans of the United States, Incorporated, to conform with its charter.

HOUSE BILL No. 497.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

HOUSE BILL No. 498.

An Act amending the act of June 2, 1937 (P. L. 1184), entitled as amended, "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial

Day, Flag Day and Armistice Day"; correcting the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

HOUSE BILL No. 500.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), correcting the names of the Italian American War Veterans of the United States, Incorporated, to conform with name in its charter.

HOUSE BILL No. 635.

An Act amending the act of January 14, 1952 (P. L. 1965), entitled as amended "Fuels Use Tax Act" making permanent the reduction in the tax rate of fuels used in turbine propeller turbo-jet or jet driven aircraft and aircraft engines.

HOUSE BILL No. 636.

An Act amending the act of May 21, 1931 (P. L. 149), entitled as amended "The Liquid Fuels Tax Act," making permanent the reduction in the tax rate of fuels used in turbine propeller jet turbo-jet or jet driven aircraft and aircraft engines.

HOUSE BILL No. 1121.

An Act repealing the act of May 26, 1949 (P. L. 1846), entitled, "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office.

HOUSE BILL No. 1290.

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017), regulating taxation for institution district purposes.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 565.

An Act making an appropriation to the Senate of Pennsylvania for the payment of expenses of certain Senators.

Referred to the Committee on Rules.

### REPORT FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 565, entitled:

An Act making an appropriation to the Senate of Pennsylvania for the payment of expenses of certain Senators.

### BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 565, entitled:

An Act making an appropriation to the Senate of Pennsylvania for the payment of expenses of certain Senators.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### GREEN PARK UNION SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to

the hall of the House a delegation of students from the Green Park Union School, Ickesburg Elementary, under the supervision of Mrs. Glenn D. Morrison. They are here today as the guests of the gentleman from Perry, Mr. Holman.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 81, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring commercial motor vehicles to be marked with the names and addresses of the owners.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HEAVEY offered the following amendments:

Amend Sec. 1 (Sec. 830.1), page 2, line 4 by inserting after "Vehicles"; or Truck Tractors

Amend Sec. 1 (Sec. 830.1), page 2, line 5 by inserting after "Owners": or Operators

Amend Sec. 1 (Sec. 830.1), page 2, line 5 by inserting after "vehicle": or truck tractor

Amend Sec. 1 (Sec. 830.1), page 2, line 8 by inserting after "owner": or operator

Amend Sec. 1 (Sec. 830.1), page 2, line 10 by striking out "for which permits have been issued" and inserting: or truck tractors owned or operated by any public utility or contract carrier regulated

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. HEAVEY offered the following amendment:

Amend Title, Page 1, second from last line of Title, by inserting after "vehicles": and truck tractors

Amend Title, page 1, last line of Title by inserting after "owners": or operators

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 238, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), providing for the issuing of resident fishing licenses to persons sixty-five years of age or over and to certain disabled veterans.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendment:

Amend Sec. 1 (Sec. 220), page 3, lines 3 and 4, by striking out "TWO DOLLARS (\$2.00)" and inserting: one dollar (\$1.00)

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second

time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 759, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 760, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 770, entitled:

An Act making appropriations to the Department of Property and Supplies for the payment of grants to various municipalities or municipal authorities for the Commonwealth's share of expenses and charges in connection with sewage systems expansions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1447, entitled:

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589), further providing for the tuberculous and brucellosis tests to be given to cows from which raw milk is sold directly to the consumer.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1460, entitled:

An Act authorizing the judge of the court of common pleas of any county of the third, fourth, fifth, sixth, seventh or eighth class to direct that recorded maps, plats or plans be reproduced; requiring the recorder of deeds to preserve originals of maps, plats or plans so reproduced and providing for payment of costs by the county.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



## BILLS PASSED OVER

There being no objection

Senate bill No. 75, printer's No. 715, and

Senate bill No. 103, printer's No. 643

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 278, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code"; changing the name of the Italian-American World War Veterans of the United States, Incorporated, to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 280, entitled:

An Act amending the act of May 5, 1945 (P. L. 426), entitled, "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents . . ."; changing the name of the Italian-American World War Veterans of the United States, Incorporated, to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 282, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled, "An act relating to counties of the first class . . ."; changing the name of The Italian-American World War Veterans of the United States, Incorporated, Department of Pennsylvania, to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 284, entitled:

An Act amending the act of April 18, 1929 (P. L. 609), entitled, "An act providing for the location, care and maintenance of graves of soldiers, sailors, marines and marines and members of the enlisted nurse corps . . ."; changing the name of the Italian American World War Veterans of the United States, Incorporated, Department of Pennsylvania, to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 286, entitled:

An Act amending the act of April 8, 1867 (P. L. 50), entitled, "An act to permit disabled soldiers to peddle by procuring a license therefor without charge"; correcting the name of the Italian American World War Veterans

of the United States, Incorporated, to conform with name in its charter.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

The SPEAKER pro tempore. For what purpose does the gentleman from York, Mr. Gailey, rise?

Mr. GAILEY. Mr. Speaker, I rise to ask if the Chair would return to page 3 of the calendar. The amendments are now ready, and I have them in my possession, to Senate bill 75, printer's No. 715.

The SPEAKER pro tempore. Without objection, the Chair will return to page 3 of today's calendar, Senate bill 75, printer's No. 715.

## BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 75, entitled:

An Act amending the act of April 29 1959 (P. L. 58), entitled "The Vehicle Code," requiring operators to depress their headlight when following or overtaking another vehicle and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GAILEY offered the following amendment:

Amend Sec. 1 (Sec. 1034), page 2, line 7, by striking out all of said line.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

BLAIR COUNTY REPUBLICAN WOMEN  
WELCOMED

The SPEAKER pro tempore. The Chair notes the presence in the House of a group of Blair County Republican women who are here today as the guests of the gentlemen from Blair, Messrs. Auker, Miller and Holliday. Will that delegation please rise?

The Chair thanks the delegation.

Mr. McCANN. Mr. Speaker, are there any other items on the Speaker's desk or reports of committees before we go to the next procedure?

The SPEAKER pro tempore. The table has been cleared. Are there any further reports from committees? The Chair hears none.

The Chair recognizes the majority leader.

## DEMOCRATIC CAUCUS

Mr. McCANN. Mr. Speaker, I am going to ask for a recess of one hour for the purpose of a Democratic caucus which will begin immediately. I will ask the membership to proceed to the caucus room immediately and to bring their House calendars with them.

It is now 1:15, daylight saving time, so that the House will reconvene after the recess at 2:15 for the first roll call at 2:30.

## REPUBLICAN CAUCUS

Mr. A. W. JOHNNSON. Mr. Speaker, we likewise will hold a one-hour Republican caucus to start immediately upon the call of the recess.

Mr. McCANN. Mr. Speaker, we have been requested that before we ask for the recess a call be made for resolutions which are available at this time.

## RESOLUTION

## COMMENDATION

Messrs. HAMILTON, STONE and KLEIN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 23, 1961.

The tragic airplane crash which claimed the lives of two residents of Beaver County on Friday, May 12, 1961, brought to light once again the vital role which the Civil Air Patrol plays in search and rescue operations.

This highly trained group of volunteers which acts as an auxiliary to the air force, has throughout the years conducted its assigned tasks with the utmost efficiency and on this recent occasion once again demonstrated its immeasurable worth.

When the news was received that a private plane carrying Beaver County Commissioner Gordon Camp and John Licker, a student at Geneva College, was overdue, the men of the Civil Air Patrol immediately began a systematic search for the lost plane. On Monday, May 15, 1961, shortly after 2:00 P.M., the downed aircraft was located and ground crews were directed to the scene.

It was indeed unfortunate that the fine men occupying this plane should meet such an untimely death. Were it not, however, for the untiring efforts of the Civil Air Patrol and the numerous private pilots who placed themselves at the command of the Civil Air Patrol, it is impossible to say how long it would have taken to determine their fate.

The Red Cross and Salvation Army personnel who served food and drinks to hungry and thirsty pilots and workers are also to be commended for their services; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby extends to the Civil Air Patrol its highest praise for their recent search operations and for the excellent public services which they have consistently rendered; and be it further

Resolved, That the House of Representatives also expresses its appreciation of the services of the American Red Cross and the Salvation Army in connection with the recent unfortunate plane crash, which services are in keeping with their outstanding records of many years standing; and be it further

Resolved, That copies of this resolution be transmitted to Headquarters, Pennsylvania Wing, Civil Air Patrol, Allentown, Pennsylvania, and to the local organizations of the Civil Air Patrol, the American Red Cross, and the Salvation Army in Beaver County.

## RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of one hour.

The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. HELM IN THE CHAIR

## MEMBERS WELCOMED

The SPEAKER pro tempore. The Chair notes the presence of the gentleman from Mifflin, Mr. Price, who has been ill for quite some time. We welcome him back. Will the gentleman rise?

The Chair has also been informed that we have not welcomed back the gentleman from Pike, Mr. Eshback, and the gentleman from Wayne, Mr. Wall. We are happy to have them back with us again.

LEWISTOWN JUNIOR HIGH SCHOOL  
STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House a group of students from the Lewistown Junior High School who are here under the supervision of Miss Helen Price. They are the guests of the gentleman from Mifflin County, Mr. Price. Will the delegation please rise?

PENN VALLEY AREA HIGH SCHOOL  
STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House a group of students from the Penn Valley Area High School, who are here under the supervision of their teacher, Mr. William Lance. They are guests of the gentleman from Centre County, Mr. Fulmer. Will the delegation please rise?

## LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. MURRAY for today because of illness.

Mr. Dougherty for Mr. MIHM for today because of illness.

Mr. Tompkins for Mr. KNECHT for today because of illness in family.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I request permission to turn to page 4. I call up bills on final passage recalled from the Governor, House bill 369, printer's Number 1951.

BILL ON FINAL PASSAGE RECALLED  
FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 369, entitled:

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment and providing a penalty.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House bill 369, printer's No. 1951, was passed by the House and recalled from the Governor. There was an omission in the title and that omission was, which is in the amended form, "and providing a penalty." Those four words. The word "penalty" was in the bill but not in the title. Therefore, I ask for unanimous support in voting the bill.

Mr. TOMPKINS. Mr. Speaker, the provisions of the bill are not changed in any respect from that in which



it passed the House originally.

Mr. McCANN. That is right.

Mr. TOMPKINS. The only thing this does is amend the title.

Mr. McCANN. I beg pardon. The amendments do not change any of the provisions of the bill, only correct the title.

Mr. TOMPKINS. The amendments are all right, and the bill is all right.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—201

Adams,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.,	Galley,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Lippincott,	Rubin,
Ashton,	George,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcell,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Maxwell,	Seltzer,
Bossert,	Gray,	May,	Shelton,
Bower,	Gremminger,	McCandless,	Sherman,
Bowman,	Gross,	McCann,	Shupnik,
Branca,	Guesman,	McCormack,	Simmons,
Breth,	Guthrie,	McDevitt,	Slack,
Buchanan,	Hamilton,	McDonald,	Snare,
Bush,	Hankins,	McInroy,	Stank,
Capano,	Hartley,	McKeever,	Stimmel,
Capitolo,	Haudenshield,	McLaughlin,	Stiteler,
Cauley,	Heavey,	McNally,	Stone,
Cianfrani,	Hefner,	Meholchick,	Strausser,
Cioffi,	Helm,	Merry,	Sullivan, J. A.,
Clarke,	Henzel,	Miller,	Sullivan, T. F.,
Comer,	Hocker,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,
Crossin,	Holman,	Morley,	Tomasck,
Curwood,	Horst,	Mullen,	Tompkins,
Davis,	Irvis,	Munley,	Trusio,
Dengler,	Isaacs,	Murphy,	Ujobal,
Dennison,	Jenkins,	Musto,	Varner,
Donaldson,	Jim,	Needham,	Verona,
Dougherty,	Johnson, A. W.,	O'Dell,	Wall,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,
Down,	Jones,	O'Donnell, J. P.,	Wargo,
Edwards,	Kamyk,	Odorisio,	Weidner,
Ellberg,	Kelser,	Ogilvie,	Welsh,
Elvey,	Kelly,	Parlante,	Wescott,
Eshback,	Kernaghan,	Pashley,	Whittaker,
Eshleman,	Kessler,	Perry,	Willard,
Ewing,	King,	Petrosky,	Willaredt,
Farabaugh,	Kistler,	Piper,	Williams, A. D.,
Fetterolf,	Klein,	Polaski,	Williams, E. S.,
Filo,	Kooker,	Polen,	Wilt,
Fineman,	Kornick,	Prendergast,	Wood,
Flynn,	Korns,	Price,	Worley,
Foerster,	Kramer,	Pursley,	Yetter,
Foor,	Lamb,	Reibman,	Zember,
Fox,	Lawson,	Reidenbach,	Zimmerman,
Frascella,	Lee, A. M.,	Renwick,	Andrews,
Fry,			Speaker

## NAYS—0

## NOT VOTING—5

Knecht,	Mihm,	Murray,	Steckel,
Marsh,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The present occupant of

the Chair now returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

### BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 638, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for annual estimates of expenses.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Adams,	Fry,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Fulmer,	Limper,	Royer,
Anderson, S. A.,	Galley,	Lippincott,	Rubin,
Arlene,	Gallagher,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gelfand,	Long, Wm. Jos.,	Rutherford,
Auker,	George,	Lutty,	Sakulsky,
Bachman,	Gibb,	Magee,	Scarcell,
Backenstoe,	Gibbons,	Manbeck,	Schuster,
Blair,	Goldstein, J. H.,	Markley,	Seltzer,
Boles,	Goldstein, M. H.,	Maxwell,	Shelton,
Bonner,	Goodrich,	May,	Sherman,
Bossert,	Gramlich,	McCandless,	Shupnik,
Bower,	Gray,	McCann,	Simmons,
Bowman,	Gremminger,	McCormack,	Slack,
Branca,	Gross,	McDevitt,	Snare,
Breth,	Guesman,	McDonald,	Stank,
Buchanan,	Guthrie,	McInroy,	Stimmel,
Bush,	Hamilton,	McKeever,	Stiteler,
Capano,	Hankins,	McLaughlin,	Stone,
Capitolo,	Haudenshield,	McNally,	Strausser,
Cauley,	Heavey,	Meholchick,	Sullivan, J. A.,
Cianfrani,	Hefner,	Merry,	Sullivan, T. F.,
Cioffi,	Helm,	Miller,	Taylor,
Clarke,	Henzel,	Mills,	Thompson,
Comer,	Hocker,	Monroe,	Tomasck,
Cooley,	Holliday,	Morley,	Tompkins,
Crossin,	Holman,	Mullen,	Trusio,
Curwood,	Horst,	Munley,	Ujobal,
Davis,	Irvis,	Murphy,	Varner,
Dengler,	Isaacs,	Musto,	Verona,
Dennison,	Jenkins,	Needham,	Wall,
Donaldson,	Jim,	O'Dell,	Walsh,
Dougherty,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Doughten,	Johnson, R. P.,	O'Donnell, J. P.,	Weidner,
Down,	Jones,	Odorisio,	Welsh,
Edwards,	Kamyk,	Ogilvie,	Wescott,
Ellberg,	Kelser,	Parlante,	Whittaker,
Elvey,	Kelly,	Pashley,	Willard,
Eshback,	Kernaghan,	Perry,	Willaredt,
Eshleman,	Kessler,	Petrosky,	Williams, A. D.,
Ewing,	King,	Piper,	Williams, E. S.,
Farabaugh,	Kistler,	Polaski,	Wilt,
Fetterolf,	Klein,	Polen,	Wood,
Filo,	Kooker,	Prendergast,	Worley,
Fineman,	Kornick,	Price,	Yetter,
Flynn,	Korns,	Pursley,	Zember,
Foerster,	Kramer,	Reibman,	Zimmerman,
Foor,	Lamb,	Reidenbach,	Andrews,
Fox,	Lawson,	Renwick,	Speaker
Frascella,	Lee, A. M.,	Riley,	

## NAYS—0

## NOT VOTING—7

Hartley,	Leonard,	Mihm,	Steckel,
Knecht,	Marsh,	Murray,	

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 48, entitled:

An Act amending the act of April 27, 1927 (P. L. 414), entitled as amended "An act providing for a system of recording the identification of person convicted of crime and fugitives from justice and habitual criminals \* \* \*" making it unlawful to take the fingerprints or photographs of persons in custody who are charged with a violation of "The Vehicle Code" with certain exceptions.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Adams,	Fry,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Fulmer,	Leonard,	Royer,
Anderson, S. A.,	Galley,	Limper,	Rubin,
Arlene,	Gallagher,	Lippincott,	Rudisill,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Bachman,	George,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibb,	Lutty,	Scarcell,
Boles,	Gibbons,	Magee,	Schaaf,
Bonner,	Goldstein, J. H.,	Manbeck,	Schuster,
Bossert,	Goldstein, M. H.,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Shelton,
Bowman,	Gramlich,	May,	Sherman,
Branca,	Gray,	McCann,	Shupnik,
Breth,	Gremminger,	McCormack,	Simmons,
Buchanan,	Gross,	McDevitt,	Slack,
Capano,	Guesman,	McDonald,	Snare,
Capitolo,	Guthrie,	McInroy,	Stank,
Cauley,	Hamilton,	McKeever,	Stimmel,
Cianfrani,	Hankins,	McLaughlin,	Stone,
Cioffi,	Hartley,	McNally,	Strausser,
Clarke,	Haudenshield,	Meholchick,	Sullivan, J. A.,
Comer,	Heavey,	Merry,	Sullivan, T. F.,
Cooley,	Heffner,	Miller,	Taylor,
Crossin,	Helm,	Monroe,	Thompson,
Curwood,	Henzel,	Morley,	Tomasck,
Davis,	Holliday,	Mullen,	Tompkins,
Dengler,	Holman,	Munley,	Trusio,
Dennison,	Horst,	Musto,	Ujobal,
Donaldson,	Irvis,	Needham,	Varner,
Dougherty,	Isaacs,	O'Dell,	Verona,
Doughten,	Jenkins,	O'Donnell, J. A.,	Wall,
Down,	Jim,	Odorisio,	Walsh,
Edwards,	Johnson, R. P.,	Ogilvie,	Wargo,
Eilberg,	Jones,	Parlante,	Weidner,
Elvey,	Kamyk,	Pashley,	Welsh,
Eshback,	Kelser,	Perry,	Wescott,
Eshleman,	Kelly,	Petrosky,	Willard,
Ewing,	Kernaghan,	Piper,	Willaredt,
Farabaugh,	Kessler,	Polaski,	Williams, A. D.,
Fetterolf,	Kistler,	Polen,	Williams, E. S.,
Filo,	Klein,	Prendergast,	Wood,
Fineman,	Kooker,	Price,	Worley,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Kramer,	Reibman,	Zember,
Foor,	Lamb,	Reidenbach,	Zimmerman,
Fox,	Lawson,	Renwick,	Andrews,
Frascella,	Lee, A. M.,	Riley,	Speaker

## NAYS—9

Auker,	King,	Murphy,	Whittaker,
Bush,	Korns,	Stiteler,	Wilt,
Hocker,			

## NOT VOTING—10

Backenstoe,	Marsh,	Mills,	O'Donnell, J. P.,
Johnson, A. W.,	McCandless,	Murray,	Steckel,
Knecht,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 107, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses" requiring employers to make certain payments to employes when on jury duty in certain cases.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—97

Anderson, S. A.,	Gray,	McCormack,	Reidenbach,
Arlene,	Gremminger,	McDevitt,	Renwick,
Bachman,	Guesman,	McDonald,	Riley,
Boles,	Hamilton,	McKeever,	Rovansek,
Bonner,	Hankins,	McLaughlin,	Rubin,
Branca,	Hartley,	McNally,	Sakulsky,
Breth,	Heavey,	Meholchick,	Scarcell,
Capano,	Irvis,	Mills,	Schaaf,
Capitolo,	Jim,	Monroe,	Schuster,
Cianfrani,	Jones,	Morley,	Shelton,
Cioffi,	Kamyk,	Mullen,	Sherman,
Clarke,	Kelly,	Munley,	Shupnik,
Comer,	King,	Murphy,	Snare,
Crossin,	Klein,	Musto,	Stank,
Doughten,	Kornick,	Needham,	Stone,
Down,	Kramer,	O'Donnell, J. A.,	Sullivan, T. F.,
Eilberg,	Lamb,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Lawson,	Parlante,	Tomasck,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jos.,	Petrosky,	Willard,
Foerster,	Lutty,	Polaski,	Williams, A. D.,
Frascella,	Maxwell,	Polen,	Worley,
Fry,	McCann,	Prendergast,	Yetter,
Gelfand,			

## NAYS—99

Adams,	Fulmer,	Kernaghan,	Rutherford,
Anderson, J. H.,	Galley,	Kessler,	Seltzer,
Ashton,	Gallagher,	Kistler,	Simmons,
Auker,	George,	Kooker,	Slack,
Backenstoe,	Gibb,	Korns,	Stimmel,
Blair,	Gibbons,	Lee, A. M.,	Stiteler,
Bossert,	Goldstein, J. H.,	Lee, K. B.,	Strausser,
Bower,	Goldstein, M. H.,	Lippincott,	Sullivan, J. A.,
Bowman,	Goodrich,	Long, Wm. Jas.,	Thompson,
Bush,	Gramlich,	Magee,	Tompkins,
Cooley,	Gross,	Manbeck,	Ujobal,
Curwood,	Guthrie,	Markley,	Varner,
Davis,	Haudenshield,	May,	Verona,
Dengler,	Heffner,	McCandless,	Wall,
Dennison,	Helm,	McInroy,	Weidner,
Donaldson,	Henzel,	Merry,	Welsh,
Dougherty,	Hocker,	Miller,	Wescott,
Edwards,	Holliday,	O'Dell,	Whittaker,
Elvey,	Holman,	Odorisio,	Willaredt,
Eshback,	Horst,	Ogilvie,	Williams, E. S.,
Eshleman,	Isaacs,	Piper,	Wilt,
Ewing,	Jenkins,	Price,	Wood,
Fetterolf,	Johnson, A. W.,	Pursley,	Zember,
Foor,	Johnson, R. P.,	Reibman,	Zimmerman,
Fox,	Kelser,	Royer,	

## NOT VOTING—10

Buchanan,	Marsh,	Rudisill,	Trusio,
Cauley,	Mihm,	Steckel,	Andrews,
Knecht,	Murray,		Speaker

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. Had the Speaker observed, he would have voted "aye." This one time the Speaker waited so long that he thought he had voted.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 257, entitled:



An Act prohibiting and making unlawful the employment of professional strikebreakers in place of employees involved in a labor dispute prohibiting and making unlawful recruitment and furnishing of employees to replace employees involved in the labor dispute and the employment of persons so recruited or furnished and repealing certain existing law.

On the question,  
Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. MERRY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. MERRY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by inserting after "dispute": "prohibiting picketing by persons who are not employees involved in a labor dispute, prohibiting the use of professional pickets,"

Amend Bill, page 3, by inserting between lines 14 and 15:

"Section 4.1. (a) It shall be unlawful for any person to picket or join with others in picketing any place of business involved in a labor dispute, unless such person is an employee of such place of business and was on the active payroll of such place of business at the beginning of the labor dispute.

"(b) It shall be unlawful for any labor organization or the officers thereof to procure, solicit or arrange for the picketing of any place of business involved in a labor dispute, by any persons other than the actual employees of such place of business who were on the active payroll thereof at the beginning of the labor dispute."

Amend Sec. 5, page 3, line 16 by striking out "or 3" and inserting: "3 or 4.1."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. McCANN. On the amendments to House bill 259 offered by the gentleman from Crawford, Mr. Merry, I request the membership of the House to oppose these amendments as presented to this piece of legislation.

Mr. MERRY. Mr. Speaker, we would like to explain our position on these amendments.

The SPEAKER. The gentleman is in order.

Mr. MERRY. Mr. Speaker, some of the folks here in the House might wonder what my position is in offering this amendment on House bill 257.

I have been interested for several years in industrial development up in our section of the country. Before 1955, we in Crawford County were able to get some industrial plants there, some from Ohio and different places, and we were very happy about this.

Since 1955 it has not been so easy. I had occasion to talk to some people from Cleveland several years ago, and I will not go into it further, except to say that for several different reasons they would not consider Pennsylvania, and the word was Westinghouse.

I did not think that anyone would not want this pro-

vision in this bill. I thought that the responsible labor unions we have today just forgot to put it in. It is not asking for any more than a two-way street.

These amendments ask for two things. They ask for the company, or employer, however you want to designate them, not to hire anyone except one who was on the payroll at the instant of the dispute. In the other language, we ask the people not to allow themselves to be pickets, unless they were employed at the plant at the exact time of the dispute. That should not be too hard to understand. It is plain language.

We go further to say that the union should not employ pickets who are not on the payroll of the plant at the exact time of the dispute. We are not going into any extra language about whether they were furloughed, whether they were furloughed for six months, three months, or just the week before.

I do not see why some union should be allowed to hire men and send men there as additional employees. Neither should some union be able to hire people from Connecticut, Cleveland, Chicago or some other place to go in there and act as pickets.

In the Sharon dispute, or Westinghouse, however you want to mention it, which was very close to me, my impression was that the folks who upset automobiles, threw cans of paint on the houses, threw rocks through windshields, were not people who were employed in the Westinghouse Company at the time of the dispute.

On the calendar today we have on second reading an industrial development appropriation bill. A few days ago the Governor took time from his busy duties to speak for industrial development. Now, when I have been refused, or my committee from Crawford County, to be considered as a place for expansion of a plant maybe from Ohio or some other State simply because of the antics that were pulled up at Sharon in the Westinghouse dispute, I think that something should be straightened out here.

Are we realistic in asking people to come to Pennsylvania, expand a plant from another city and expect to put in a new division? Can we ask them to come here? Can we not make this a favorable place for industry to come to? Could not Pennsylvania be maybe first in putting this paragraph in their legislation?

I believe when we have spent so much money on industrial development, and a lot of us have worked hard to get industrial development, that we should not throw one stone in its path. I would hope that everyone in this House would see this thing as I do and vote in favor of this amendment. This is a two-way street.

Please, gentlemen, I ask a roll call.

Mr. McCANN. I will have no objection to a roll call.

Mr. Speaker, the amendments offered by the gentleman from Crawford, Mr. Merry, to House bill 257, in some instances may have some exceptionally fine merit.

There are also other sides of the street to a labor problem besides just the problem as outlined in the existing situation that he has spoken of.

For example, in many industries that are unionized and have operated extremely well under union laws and union contracts, there are many people who work in the plant, and there are others who are on the panel, having been temporarily, we hope, removed from the payroll, but at the same time are active members of the union organization which has the bona fide contract in the plant.

There is no question that we are strongly and firmly convinced that we believe in collective bargaining and we advocate so. There is the insinuation continually that by certain laws, or such proposals, we tend to drive industry out of the State. This is certainly not true. We bring industry, and we ask industry to come into the State, yet at the same time we do not ask industry to come into the State in an attempt to get away from union contracts or employ people for simply the reason that they attempt to come into a Commonwealth or any other State with their labor troubles which they have not been able to resolve at conference tables.

Today major industries will tell you that they have worked together with the major responsible union organizations of this country in advocating that the conference table is the place where they settle their contracts.

This, we believe, that the amendments offered by Mr. Merry are, of course, a two-edge sword, and for that reason I ask that the membership vote "no" on the amendments offered by the gentleman. I ask that they vote "no" and then vote "aye" on the bill in support of the measure.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were requested by Messrs. MERRY and McCANN and were as follows:

#### YEAS—92

Adams,	Fox,	King,	Seltzer,
Anderson, J. H.	Fulmer,	Kistler,	Simmons,
Ashton,	George,	Kooker,	Slack,
Auker,	Gibb,	Korns,	Snare,
Backenstoe,	Gibbons,	Lee, A. M.,	Stimmel,
Blair,	Goldstein, J. H.,	Lee, K. B.,	Stiteler,
Bossert,	Goodrich,	Lippincott,	Strausser,
Bower,	Gramlich,	Magee,	Thompson,
Bowman,	Gross,	Manbeck,	Tompkins,
Buchanan,	Haudenschild,	Markley,	Ujobal,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	McInroy,	Wescott,
Dennison,	Hocker,	Merry,	Whittaker,
Donaldson,	Holliday,	Miller,	Willard,
Down,	Holman,	O'Dell,	Willaredt,
Edwards,	Horst,	Odorisio,	Williams, A. D.,
Elvey,	Isaacs,	Ogilvie,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Piper,	Wilt,
Eshleman,	Johnson, R. P.,	Price,	Wood,
Ewing,	Kelser,	Pursley,	Worley,
Fetterolf,	Kernaghan,	Royer,	Zember,
Foor,	Kessler,	Rutherford,	Zimmerman,

#### NAYS—107

Anderson, S. A.,	Galley,	Maxwell,	Reldenbach,
Arlene,	Gallagher,	McCann,	Renwick,
Bachman	Gelfand,	McCormack,	Riley,
Boies,	Goldstein, M. H.,	McDevitt,	Rovansek,
Bonner,	Gray,	McDonald,	Rubin,
Branca,	Gremminger,	McKeever,	Rudisill,
Breth,	Guesman,	McLaughlin,	Sakulsky,
Capano,	Hamilton,	McNally,	Scarcelll,
Capitolo,	Hankins,	Meholchick,	Schaaf,
Caulley,	Hartley,	Mills,	Schuster,
Cianfrani,	Heavey,	Monroe,	Shelton,
Cioffi,	Irvie,	Morley,	Sherman,
Clarke,	Jenkins,	Mullen,	Shupnik,
Comer,	Jim,	Munley,	Stank,
Cooley,	Jones,	Murphy,	Stone,
Crossin,	Kamyk,	Musto,	Sullivan, J. A.,
Curwood,	Kelly,	Needham,	Sullivan, T. F.,
Dougherty,	Klein,	O'Donnell, J. A.,	Taylor,
Doughten,	Kornick,	O'Donnell, J. P.,	Tomasclik,
Ellberg,	Kramer,	Parlante,	Varnier,
Farabaugh,	Lamb,	Pashley,	Verona,
Filo,	Lawson,	Perry,	Walsh,
Fineman,	Leonard,	Petrosky,	Wargo,
Flynn,	Limper,	Polaski,	Welsh,

Foerster,  
Frascella,  
Fry,

Long, Wm. Jas., Polen,  
Long, Wm. Jos., Prendergast,  
Lutty, Reibman,

Yetter,  
Andrews,  
Speaker

#### NOT VOTING—7

Guthrie,  
Knecht,

Marsh,  
Mihm,

Murray,  
Steckel,

Trusio,

So the question was determined in the negative and the amendments were not agreed to.

#### Mr. HELM IN THE CHAIR.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate one of the sponsors of the bill.

I believe the gentleman from Bucks, Mr. Gallagher, is—

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Gallagher, permit himself to be interrogated?

Mr. GALLAGHER. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the gentleman and ask him if he realizes that in 1937 a so-called strikebreakers' act was placed on the statute books?

Mr. GALLAGHER. Yes, I do, Mr. Speaker.

Mr. A. W. JOHNSON. Does the gentleman realize that in essence that law says it shall be unlawful for any person, firm or corporation, not directly involved in a labor strike or lockout to recruit any persons for employment when the purpose of such recruitment is to replace strikers. Do you realize that is the present law of Pennsylvania?

Mr. GALLAGHER. That is correct, Mr. Speaker, however it is not—

Mr. A. W. JOHNSON. I just asked the gentleman if he realizes that is the present law.

Mr. GALLAGHER. That is correct.

Mr. A. W. JOHNSON. And do you also know that the present law makes it a misdemeanor with a fine of not more than \$1,000 or imprisonment not to exceed one year or both? That is the law today, is it not?

Mr. GALLAGHER. That is correct.

Mr. A. W. JOHNSON. Does not the present law provide that there first must be a strike or a lockout before the strikebreaking law applies?

Mr. GALLAGHER. I believe the act says, labor strike lockout. That is the language used in the bill.

Mr. A. W. JOHNSON. That is the present law? Now, the amendments that you are seeking to insert into the present law strikes out the words "labor strike or lockout" and inserts that all there must be is a labor dispute. Is that right?

Mr. GALLAGHER. That is correct.

Mr. A. W. JOHNSON. Do you, in the bill, define what is a labor dispute?

Mr. GALLAGHER. No, we do not.

Mr. A. W. JOHNSON. You do not define it?

Mr. GALLAGHER. No.

Mr. A. W. JOHNSON. How would the court then, in trying to enforce the new law, be able to determine whether the act applied when you use such a nebulous term as "a labor dispute"?

Mr. GALLAGHER. I am sure they would use the same



method they used in determining whether it was a labor strike or a lockout under the previous act. Certainly the court can determine whether a dispute exists.

Mr. A. W. JOHNSON. Does the gentleman mean that this bill would only become operative if there is a strike or a lockout?

Mr. GALLAGHER. No. I said I am sure the courts would use the same method and manner in determining whether there was a lockout or a strike in the previous act as they would this time to determine whether it is a labor dispute.

Mr. A. W. JOHNSON. From the standpoint of legislative intent here, what do you in this act seek to have a labor dispute to mean?

Mr. GALLAGHER. A labor dispute would be a dispute between labor and management. We can give you specific cases, if you wish, where you have a dispute in the field of organizing of the employes. I will give you a specific instance, where the employes have joined the union and asked the employers to recognize this union and sit down at the bargaining table and collectively bargain, and at the same time the employer is considering this, he goes out and hires somebody to take their places, and either fires them or has them walk off the job. This would be a dispute, sir.

Mr. A. W. JOHNSON. Then your position in the matter of legislative intent is that the bill would only be operative providing there were persons who were refusing to work and the employer seeks to replace them with other workers. Is that right?

Mr. GALLAGHER. No, that is not quite right. Persons who refuse to work because they are striking for a right or a benefit, or persons who are locked-out or are forced to leave their employment because the employer hires someone in their place.

Mr. A. W. JOHNSON. Then I believe you are placing an interpretation into the words "labor dispute" which in the present law must be a strike or a lockout. Is that right?

Mr. GALLAGHER. I think the term "labor dispute" is self-explanatory. It can be a lockout, it can be a strike or it can be a dispute at the bargaining table. What we are trying to do is to prevent the hiring of professional strikebreakers.

Mr. A. W. JOHNSON. Does not the present law on our books prevent the recruiting of any persons for employment where there is a strike and set a fine of \$1,000 for it?

Mr. GALLAGHER. It prevents the recruiting of any persons to replace someone on a strike, but it does not prevent the hiring of professional strikebreakers. We have this very situation here in the State of Pennsylvania today where a person supplies a professional recruiter known as Bloor Schleppey, and the organization is known as the Schleppey-Kline organization. They recruit professional strikebreakers and they recruited them into the State of Pennsylvania. Mr. Schleppey himself was arrested and fined under this act, but the professional strikebreakers are still employed in the plant for which they were originally recruited. The present act does not protect the worker or the people in the community from this vicious thing of strikebreakers.

Mr. A. W. JOHNSON. Does this act that is on our cal-

endar today extend to the individual worker who comes into a plant to work?

Mr. GALLAGHER. The individual worker who, on his own, comes into a plant to work, is that the question?

Mr. A. W. JOHNSON. Yes, when there is a strike.

Mr. GALLAGHER. No, it does not prevent an employer from advertising for help when his plant is on strike so long as he says it is on strike. If someone wants to go and hire themselves out to that plant, that is fine, so long as they are not repeatedly doing it professionally. So, any person who so desires to be employed in a struck plant, on his own, may seek employment there.

Mr. A. W. JOHNSON. Now, the other phase of the bill increases the penalty of \$1,200 to \$2,000, and I believe it brings the penalty up to three years; is that correct?

Mr. GALLAGHER. Yes, that is correct.

Mr. A. W. JOHNSON. I believe that is all, Mr. Speaker.

In the absence of any statements here—there may be some made—but in the absence of any statement that there is wholesale strikebreaking going on in the State and that it is creating a terrifying situation where we have to increase the penalty to \$2,000 and increase the period of confinement to three years, and, in the absence of any assurance that our present law on the statute books is not a good law because it sets out a norm by which employers can operate, that they cannot hire professional strikebreakers where there is a strike or a lockout and the fine is \$1,000 and confinement for one year, personally I do not see anything wrong with the present law.

I do not see any merit in putting on the statute books a law which does not define it as a strike or lockout where the act applies, but goes into the nebulous term of whether there is a labor dispute that could be a dispute between management and one of the stenographers, for instance, or an isolated labor dispute going on in the plant. I believe you are really doing labor an injustice by passing a bill like this and the courts could well strike it down as being so vague and indefinite that the courts would not be able to interpret it.

Therefore, I believe that we should vote down this bill because we have an excellent strikebreaking bill on our statute books today.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Gallagher.

Mr. GALLAGHER. Mr. Speaker, I would like to make a brief statement on the bill.

The SPEAKER pro tempore. The gentleman is in order and will proceed.

Mr. GALLAGHER. Mr. Speaker, this bill is designed to correct an ill which has blighted Pennsylvania the last few years.

Unfortunately, there arose a situation whereby a newspaper was on strike. They went out and hired a professional strikebreaking organization to bring professional strikebreakers from other areas of the United States into Bucks County. These people, who are paid sometimes double the normal union salary that the printers would enjoy if they had a contract, are not the kind of people that we want in the Commonwealth of Pennsylvania, and certainly not the kind of people that I want to associate with in my community in Bucks County.

This law prohibits the repeated use of offering yourself as a buzzard, so to speak, to prey upon the mis-



fortunes of honest, decent people of our Commonwealth. The law is strong, the fines are strong, because I do not think that we in Pennsylvania want to have this kind of an element in our society.

We have gone a long way in labor-management relations in this Commonwealth, sensibly, honestly marching on properly. To allow this type of situation to continue is only a black mark on ourselves and our Commonwealth.

There is no need for this today, when you can sit down at the bargaining table and discuss these matters and collectively bargain for a good contract between management and labor. There is no necessity or need for anybody to have the right to bring in somebody to usurp the average citizen's job or position in a plant, when he himself by his militant action with his union is trying to establish better working conditions.

Under the present act the employer has an unfair, unjust, and unwarranted weapon to use against people who are striving to build our communities and our social way of life.

This bill is a good bill. It was designed for that purpose and that purpose alone, to eliminate strikebreakers from Pennsylvania. If the present act on the books were inclusive enough, widespread enough, to do this, we would not be amending it. But we have seen by practical application of the present act that you can only get at the ringleaders; you cannot get at the people who are trying to spread this cancerous disease in the labor-management area throughout the Commonwealth.

I ask all the members on both sides to support this measure.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will the gentleman from Bucks consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Gallagher, consent to be interrogated?

Mr. GALLAGHER. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. The primary purpose of this bill is to prevent professional strikebreakers either directly or indirectly. That is correct, is it not?

Mr. GALLAGHER. That is correct.

Mr. M. H. GOLDSTEIN. Will you read section 4 in the bill and tell me what it means and how far it goes?

Mr. GALLAGHER. Section 4 says, in essence, it shall be unlawful for any partnership, and so forth, to knowingly recruit, solicit or advertise for employees or refer persons to employment in place of employees involved in a labor dispute without adequate notice to such person or persons in such advertisement that there is a labor dispute at the place at which employment is offered.

I am reading it roughly there.

Mr. M. H. GOLDSTEIN. Now, under the terms of section 4 there is no limitation to professional strikebreakers. Is it not true that if a man has a corner grocery store or a corner drug store and has a labor dispute with one employe, under the provisions of section 4 he could not go out and ask anybody to work in that corner grocery store or corner drug store unless he gave them specific notice that there was a labor dispute? Is that not a fact under section 4?

Mr. GALLAGHER. That is correct.

Mr. M. H. GOLDSTEIN. Mr. Speaker, does the gentleman believe that is a fair prohibition and a fair regulation in this country today, that a man who has an isolated dispute over, perhaps, an innocuous matter with a recalcitrant employe that in order for him to get a person to succeed that employe he must advertise that he is a strikebreaker? Do you think that is correct and fair and to the advantage of labor and the community as a whole?

Mr. GALLAGHER. I think the gentleman is twisting the words, Mr. Speaker, when he says that you must advertise that you are a strikebreaker. All that section 4 says is that the employer must make the proposed employe aware that there is a labor dispute involved in his place of employment. I think you will find that there are many good outstanding citizens in our Commonwealth who would not want to seek employment in a place where there is a labor dispute or a strike.

Mr. M. H. GOLDSTEIN. I agree with you and I do realize it. But to take a specific example, in Bucks County if the man who runs your grocery store has a fellow who is not a good employe and he has a labor dispute with him, then somebody who needs a job wants to go down there and he is a good union man like you are, and he is told that there is a labor dispute and he says to himself, well, I would not be a strikebreaker. I would not take that to be a bona fide offer of a job. Do you think that is good legislation, Mr. Speaker?

Mr. GALLAGHER. The legislation just says that the employers must let the person know that there is a labor dispute involved in the place of employment.

Now you are asking what I think a person thinks about such a thing. This is not part of the bill.

Mr. M. H. GOLDSTEIN. That is all, Mr. Speaker.

Mr. Speaker, I want to make it specifically clear that I am in favor of any legislation which limits professional strikebreakers or recruiting directly or indirectly because that is the injection of a third party into the dispute, who has nothing to do with the dispute.

Section 4 goes far beyond the needs of this bill, and as long as section 4 is in the bill I cannot vote for it. I do not think any man who is interested in labor conditions in Pennsylvania could vote for it with section 4 still in the bill.

I want to state specifically that if section 4 were eliminated, I would vote for the bill. Otherwise, I will have to vote against it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I want to say at the outset that I am fully in accord with the provisions of this bill, but I am concerned now with the possibility that it might be unconstitutional because of the defective title, and I would like, before I vote on the bill, to have a ruling from the Chair as to whether or not there is a defective title because of the fact that they are putting provisions into the bill with respect to making these specific acts misdemeanors and there is no mention in the title of the bill that the bill provides a penalty. I would like the Chair, before I vote on the bill, to tell me whether or not this title is defective.

The SPEAKER pro tempore. The Chair is unable to rule on that question. It is a question of constitutionality and would be a matter for this House to decide. However, if it is the desire of the House that we delay action



on this bill, we certainly can check the title with the Reference Bureau and the Attorney General's office. In order to do this it would take a motion to postpone or table to delay action on the bill at this time.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—116

Anderson, S. A.,	Frascella,	Long, Wm. Jos.,	Renwick,
Arlene,	Fry,	Lutty,	Riley,
Auker,	Fulmer,	Markley,	Rovansek,
Bachman,	Galley,	Marsh,	Rubin,
Boles,	Gallagher,	Maxwell,	Rudisill,
Bonner,	Gelfand,	McCann,	Rutherford,
Branca,	Goldstein, J. H.,	McCormack,	Sakulsky,
Breth,	Gray,	McDevitt,	Scarcelli,
Bush,	Gremminger,	McDonald,	Schaaf,
Capano,	Guesman,	McKeever,	Schuster,
Capitolo,	Hamilton,	McLaughlin,	Shelton,
Cauley,	Hartley,	McNally,	Sherman,
Cianfrani,	Heavey,	Meholchick,	Shupnik,
Cioffi,	Heffner,	Mills,	Snare,
Clarke,	Irvis,	Monroe,	Stank,
Comer,	Jenkins,	Morley,	Stimmel,
Cooley,	Jim,	Mullen,	Stone,
Crossin,	Jones,	Murphy,	Sullivan, J. A.,
Curwood,	Kamyk,	Musto,	Sullivan, T. F.,
Doughervy,	Kelly,	O'Donnell, J. A.,	Taylor,
Doughten,	Kessler,	O'Donnell, J. P.,	Tomasick,
Down,	Klein,	Parlante,	Verona,
Ellberg,	Kornick,	Pashley,	Walsh,
Farabaugh,	Kramer,	Perry,	Welsh,
Filo,	Lamb,	Petrosky,	Willard,
Fineman,	Lawson,	Polaski,	Williams, A. D.,
Flynn,	Leonard,	Polen,	Worley,
Foerster,	Limper,	Prendergast,	Yetter,
Fox,	Long, Wm. Jas.,	Reibman,	Andrews,

Speaker

## NAYS—83

Adams,	Gibb,	Korns,	Seltzer,
Anderson, J. H.,	Gibbons,	Lee, A. M.,	Simmons,
Ashton,	Goldstein, M. H.,	Lee, K. B.,	Slack,
Backenstoe,	Goodrich,	Lippincott,	Stiteler,
Blair,	Gramlich,	Magee,	Strausser,
Bossert,	Gross,	Manbeck,	Thompson,
Bower,	Haudenshield,	May,	Tompkins,
Bowman,	Helm,	McCandless,	Ujobai,
Buchanan,	Henzel,	McInroy,	Varner,
Davis,	Hocker,	Merry,	Wall,
Dengler,	Holliday,	Miller,	Wargo,
Dennison,	Holman,	Munley,	Weldner,
Donaldson,	Horst,	Needham,	Wescott,
Edwards,	Isaacs,	O'Dell,	Whittaker,
Elvey,	Johnson, A. W.,	Odorisio,	Williams, E. S.,
Eshback,	Johnson, R. P.,	Ogilvie,	Wilt,
Eshleman,	Kelser,	Piper,	Wood,
Ewing,	Kernaghan,	Price,	Zember,
Fetterolf,	King,	Pursley,	Zimmerman,
Foor,	Kistler,	Reidenbach,	
George,	Kooker,	Royer,	

## NOT VOTING—7

Guthrie,	Knecht,	Murray,	Truslo,
Hankins,	Mihm,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

### MIFFLINBURG HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the hall of the House of students from the Mifflinburg High School, who are here under the supervision of their

teachers, Mr. Peters, Mr. Leiser, Mr. Delany, and Mr. Wynn. The students are the guests of the gentleman from Union, Mr. Pursley.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 371, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships" approved April 29, 1937 (P. L. 487), providing for additional places of registration.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—100

Anderson, S. A.,	Frascella,	Long, Wm. Jos.,	Reibman,
Arlene,	Fry,	Lutty,	Reidenbach,
Bachman,	Galley,	Maxwell,	Renwick,
Boles,	Gallagher,	McCormack,	Riley,
Bonner,	Gelfand,	McDevitt,	Rovansek,
Branca,	Gray,	McDonald,	Rubin,
Breth,	Guesman,	McKeever,	Sakulsky,
Capano,	Hamilton,	McLaughlin,	Scarcelli,
Capitolo,	Hankins,	McNally,	Schaaf,
Cauley,	Hartley,	Meholchick,	Schuster,
Cianfrani,	Heavey,	Mills,	Shelton,
Cioffi,	Irvis,	Monroe,	Sherman,
Clarke,	Jenkins,	Mullen,	Shupnik,
Comer,	Jim,	Munley,	Stank,
Cooley,	Jones,	Murphy,	Stone,
Crossin,	Kamyk,	Musto,	Sullivan, J. A.,
Curwood,	Kelly,	Needham,	Sullivan, T. F.,
Doughten,	Klein,	O'Donnell, J. A.,	Taylor,
Edwards,	Kornick,	O'Donnell, J. P.,	Tomasick,
Ellberg,	Kramer,	Parlante,	Verona,
Farabaugh,	Lamb,	Pashley,	Walsh,
Filo,	Lawson,	Perry,	Wargo,
Fineman,	Leonard,	Polaski,	Welsh,
Flynn,	Limper,	Polen,	Yetter,
Foerster,	Long, Wm. Jas.,	Prendergast,	Andrews,

Speaker

## NAYS—100

Adams,	George,	Kooker,	Rutherford,
Anderson, J. H.,	Gibb,	Korns,	Seltzer,
Ashton,	Gibbons,	Lee, A. M.,	Simmons,
Auker,	Goldstein, J. H.,	Lee, K. B.,	Slack,
Backenstoe,	Goldstein, M. H.,	Lippincott,	Snare,
Blair,	Goodrich,	Magee,	Stimmel,
Bossert,	Gramlich,	Manbeck,	Stiteler,
Bower,	Gremminger,	Markley,	Strausser,
Bowman,	Gross,	Marsh,	Tompson,
Buchanan,	Haudenshield,	May,	Tompkins,
Bush,	Heffner,	McCandless,	Ujobai,
Davis,	Helm,	McCann,	Varner,
Dengler,	Henzel,	McInroy,	Wall,
Dennison,	Hocker,	Merry,	Weldner,
Donaldson,	Holliday,	Miller,	Wescott,
Dougherty,	Holman,	Morley,	Whittaker,
Down,	Horst,	O'Dell,	Willard,
Elvey,	Isaacs,	Odorisio,	Willaredt,
Eshback,	Johnson, A. W.,	Ogilvie,	Williams, A. D.,
Eshleman,	Johnson, R. P.,	Petrosky,	Williams, E. S.,
Ewing,	Kelser,	Piper,	Wilt,
Fetterolf,	Kernaghan,	Price,	Wood,
Foor,	Kessler,	Pursley,	Worley,
Fox,	King,	Royer,	Zember,
Fulmer,	Kistler,	Rudisill,	Zimmerman,

## NOT VOTING—6

Guthrie,	Mihm,	Steckel,	Truslo,
Knecht,	Murray,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I ask permission at this time to turn to page 12, bills on final passage postponed. I call up first House bill 694, printer's No. 759, on page 12.

### BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 694, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), appropriating certain moneys obtained through proceedings relating to escheatable property to the Department of Revenue for the payment of compensation fees and expenses.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, this is the second time this bill has been before us; it was defeated before on final passage. Our objection to the bill is that it gives a blank check to the Department of Revenue to make payments out of escheatable funds without first coming here and getting an appropriation for the purpose.

We do not think that it is good fiscal management, good fiscal responsibility. I am asking the members on our side to vote against the bill.

There is nothing wrong with the way we are handling the matter today.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, I rise to speak in favor of this proposed legislation.

The SPEAKER pro Tempore. The gentleman is in order and will proceed.

Mr. GELFAND. Generally I pay great heed to what the gentleman, Mr. Johnson, says, but sometimes I fear he speaks about things which are not completely accurate. The statements he makes do not completely coincide with either the purposes of the legislation, nor do they particularly analyze it in full.

First I would like to call to the attention of the House the venerable Speaker's "Dispelling the Fog," which was placed upon our desks this morning, in which he says, "As everybody in the know knows, there is a lot of money in the bank and in the custody of insurance companies, properly subject to escheat. If the movement were properly financed the State might be able to pick up a lot of money—millions, many millions. Is it a case of the banks and insurance companies saying 'no'? The money that should be escheated to the State would look fine in an appropriation to education." I think that this should be borne well in mind for the purpose of the legislation under consideration here would bring some of those many millions into the coffers of the Commonwealth and might properly be appropriated to educational purposes.

Let us examine the bill. The legislation provides—and it is short, succinct, and to the point, and I might say,

meritorious legislation—"So much of the proceeds obtained by virtue of proceedings in escheat as are necessary for the payment of compensation to informers, escheators and others for the payment of attorney's fees and other expenses presently due or hereafter to become due are hereby appropriated to the Department of Revenue for the said purposes provided," and this is important, "however that the amount of said appropriation for said compensation fees and expenses shall in no case exceed twenty-five per centum of the amount obtained."

The current law presently provides in the code dealing with State taxation, revenue and fiscal affairs, in Section 614, that a commission of up to 15 percent shall be paid to escheators, and, in Section 1301, dealing with informers, a commission of up to 25 percent, thereby making a total possible commission of 40 percent being paid to escheators and informers. This legislation would reduce that to no more than 25 percent, and, in addition, it would provide that the funds to be paid to informers and escheators would be gotten directly from the fund created and thereby make it possible for them to be paid out of what they create themselves, and not make it necessary for them to come to the legislature and have a substantial appropriation passed in a bill every session after they created the fund.

One of the problems with which we are faced in respect to escheat and obtaining the most possible funds by virtue of escheat is this: Informers and escheators many, many times are unwilling to undertake the tasks required to create these funds. It may be necessary for them, after a fund has been created, to wait sometimes at least a year or two before they can receive any compensation, and it requires an appropriation by this legislature, after a request has been made by the Department of Revenue, to provide those necessary funds.

What we are asking here is not something with which to make political capital. What we are asking here is not something with which we can make a great deal of hay. We are asking for legislation that will make it possible for us to get additional much needed money for this Commonwealth from banks, insurance companies and corporations where the money now lies dormant and from whom it is not being obtained. I say that this is meritorious legislation; it is well worth your real consideration and it is worthy of passage because it will enable this Commonwealth to get much needed money that is due it and I, therefore, request and urge you to vote for this legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, there are millions and millions and millions of dollars in the custody of financial institutions and in the possession of the insurance companies, millions that do not belong to either the insurance companies or the fiscal institutions, and, if properly escheated, it is not a million, it is not two million, it is not five million; it is an immense sum of potential wealth so far as the Commonwealth is concerned. For some mysterious reason the House, or this General Assembly, has never been willing to finance the Department of Justice to enable it to effectively go after this available money that is there and to get it.

I think that the essential needs, the essential needs of



the educational program, which you may enact, could be actually met, not immediately, not tomorrow, not in the course of a single year, but in the course of one, two or possibly three years, by tapping these sources of potential revenue and abundant millions would pour forth.

I believe the members on the other side, many of them, realize that is the case. There should be some way of getting into the possession of the Commonwealth these millions that do not belong to the institutions that hold them, millions that have been collected by the insurance companies for a hundred years, where the claimants have died. They get the use of that money; they get the interest on it. They cannot spend it, but it belongs to the Commonwealth. I wish you would go after it and get it.

Mr. A. W. JOHNSON. Mr. Speaker, there is no dispute with what the speaker says about the fact that there may be moneys in the possession of corporations and others in this State that are subject to escheat. If that is the case I think nothing wrong of the Governor increasing his budget estimates by an appreciable sum of money which they think can be obtained by hiring additional persons skilled in the art of examining big business like that to go out and dig for that money. I would not object to a bill which would have an appropriation to hire "X" number of people to do that job. I venture there is no money in the budget for it, but you could increase your budget by the money they would bring in—honestly bring into the Commonwealth. We are in annual sessions right now. We are going to have an appropriation every year. There is nothing wrong right now with having an appropriation bill to grant money for that purpose. Do it in the regular way that we have always done it, which has made this Commonwealth what it is today, by the legislature having control and being shown the amount of money they are going to need and what they are going to do. This business of giving a blank check to the Secretary of Revenue is the reason we on our side voted against the bill before and I am asking the members on our side to vote against it again. It is not that I am behind the big corporations or anything of the kind. All we want is good husbandry, good fiscal management in this State, and we want to preserve our way of life.

Mr. GELFAND. Mr. Speaker, with respect to the remarks of the gentleman from McKean, Mr. Johnson, he says "giving the Department of Revenue a blank check." There is no such request here whatsoever. The legislation specifically says that the amount of that appropriation for said compensation fees and expenses shall in no case exceed twenty-five percent of the amount obtained. There is no blank check here whatsoever. We specifically provide better than has been done heretofore, that the sum shall not exceed 25 percent and that it shall come from the fund it created. This is much better than the present practice.

I might also state that the reason this bill has been requested is because we find that the present practice is inadequate. It does not find the funds, the escheat funds, that the Department feels it could collect if it had efficient management and efficient legislation which would permit proper administration. That is why they want this legislation, and that is why we believe it is good. It will bring additional funds into the Commonwealth which are not

presently received and therefore it should be supported by both sides.

Mr. KISTLER. Mr. Speaker, I should like to interrogate Mr. Gelfand.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Gelfand, permit himself to be interrogated?

Mr. GELFAND. I shall Mr. Speaker.

Mr. KISTLER. Mr. Speaker, would the gentleman explain whom the escheaters are under this act?

Mr. GELFAND. Mr. Speaker, the Department of Revenue and the Attorney General's department can select escheaters. They may be attorneys or they may be individuals. In many instances the department endeavors to obtain people who are attorneys so they may prosecute the cases themselves.

Mr. KISTLER. Mr. Speaker, as I understand it to escheat is to forfeit. Therefore, the escheater would be the forfeiter, would he not?

Mr. GELFAND. Insofar as the escheater being the forfeiter, the escheaters represent the Commonwealth in obtaining the funds which should be escheated to the Commonwealth. If by the question the gentleman means that the funds are forfeited to the escheater, that is not so. The escheater is probably the nominal plaintiff to represent the Commonwealth in collecting escheatable funds.

Mr. KISTLER. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—105

Anderson, S. A.,	Galley,	Maxwell,	Reibman,
Arlene,	Gallagher,	McCann,	Reidenbach,
Bachman	Gelfand,	McCormack,	Riley,
Boies,	Gray,	McDevitt,	Rovansek,
Bonner,	Gremminger,	McDonald	Rubin,
Branca,	Guesman,	McKeever,	Rudisill,
Breth,	Hamilton,	McLaughlin,	Sakulsky,
Capano,	Hankins,	McNally,	Scarcelli,
Capitolo,	Hartley,	Meholchick,	Schaaf,
Cauley,	Heavey,	Mills,	Schuster,
Cianfrani,	Irvls,	Monroe,	Shelton,
Cioffi,	Jenkins,	Morley,	Sherman,
Clarke,	Jim,	Mullen,	Shupnik,
Comer,	Jones,	Munley,	Stank,
Cooley,	Kamyk,	Murphy,	Stone,
Crossin,	Kelly,	Musto,	Sullivan, J. A.,
Curwood,	Klein,	Needham,	Sullivan, T. F.,
Dougherty,	Kornick,	O'Donnell, J. A.,	Taylor,
Doughten,	Kramer,	O'Donnell, J. P.,	Tomasick,
Ellberg,	Lamb,	Parlante,	Trusilo,
Farabaugh,	Lawson,	Pashley,	Verona,
Filo,	Leonard,	Perry,	Walsh,
Fineman,	Limper,	Petrosky,	Wargo,
Flynn,	Long, Wm. Jas.,	Polaski,	Welsh,
Foerster,	Long, Wm. Jos.,	Polen,	Yetter,
Frascella,	Lutty,	Prendergast,	Andrews,
Fry,			Speaker

#### NAYS—96

Adams,	Fulmer,	Kistler,	Seltzer,
Anderson, J. H.	George,	Kooker,	Simmons,
Ashton,	Gibb,	Korns,	Slack,
Auker,	Gibbons,	Lee, A. M.,	Snare,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Stimmel,
Blair,	Goldstein, M. H.,	Lippincott,	Stiteler,
Bossert,	Goodrich,	Magee,	Strausser,
Bower,	Gramlich,	Manbeck,	Thompson,
Bowman,	Gross,	Markley,	Tompkins,
Buchanan,	Haudensfield,	Marsh,	Ujobal,
Bush,	Heffner,	May,	Varner,
Davis,	Helm,	McCandless,	Wall,
Dengler,	Henzel,	McInroy,	Weidner,

Dennison, Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Fetterolf, Foor, Fox,	Hocker, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler, King,	Merry, Miller, O'Dell, Odorisio, Ogilvie, Piper, Price, Pursley, Renwick, Royer, Rutherford,	Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Zember, Zimmerman,
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## NOT VOTING—5

Guthrie, Knecht,	Mihm,	Murray,	Steckel,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BANGOR AREA JOINT HIGH SCHOOL  
WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House 210 pupils of the Bangor Area Joint High School. They are accompanied by Mr. A. M. Williams, Mr. Robert LaPenna, Mr. Jack Finelli, Mr. Paul Wagner, Mrs. Branch and Miss Kennedy.

They are the guests of the Representatives of Northampton County, Mr. Verona, Mrs. Reibman, Mr. Prendergast and Mr. J. A. O'Donnell.

## BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1075, entitled:

An Act amending the act of June 1, 1915 (P. L. 661), entitled "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth fixing liability for their support \* \* \*" further defining the liability of relatives and estates by the entireties.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I merely wish to call the attention of the House to the fact that this is a bill that was once before defeated because it attempted to impose liability upon estates by the entireties for the maintenance of folks in mental institutions. We voted it down once before and I have seen nothing since that time to change our minds on it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auken.

Mr. AUKEN. Mr. Speaker, I want to make a brief comment. I very seldom disagree with my minority floor leader, but I cannot see anything particularly seriously wrong with this. True, it does do what he says, but only in the case of their own children. I think either parent should be responsible for the maintenance of their own children in a State hospital, or wherever they may be confined, as long as they have the money to do it. That is the reason I am voting for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—140

Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bower, Bowman, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Eilberg, Elvey, Eshback, Eshleman, Farabaugh, Filo, Fineman, Flynn, Foerster, Frascella, Fry,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Goldstein, M. H., Gray, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Henzel, Holliday, Holman, Irlis, Jenkins, Jim, Johnson, R. P., Jones, Kamyk, Kelsner, Kelly, Kessler, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Leonard, Limper, Long, Wm. Jas., Lutty, Manbeck, Markley, Marsh, Maxwell, McCann, McCormack, McDevitt, McKeever, McLaughlin, McNally, Meholchick, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach,	Renwick, Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Slack, Snare, Stimmel, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Tomasick, Trusio, Ujobal, Verona, Wall, Walsh, Wargo, Welsh, Whittaker, Williams, A. D., Wilt, Wood, Yetter,
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## NAYS—59

Adams, Anderson, J. H., Bonner, Bossert, Buchanan, Bush, Davis, Dengler, Dennison, Donaldson, Down, Edwards, Ewing, Fetterolf, Foor,	Fox, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gross, Haudenschild, Heffner, Helm, Hocker, Isaacs, Johnson, A. W., Kernaghan, King, Lee, K. B.,	Lippincott, Long, Wm. Jos., Magee, May, McCandless, McDonald, McNroy, Merry, Musto, O'Dell, Odorisio, Ogilvie, Piper, Price, Seltzer,	Simmons, Stank, Stiteler, Thompson, Tompkins, Varner, Weldner, Wescott, Willard, Willaredt, Williams, E. S., Worley, Zember, Zimmerman,
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## NOT VOTING—7

Guthrie, Horst,	Knecht, Mihm,	Murray, Steckel,	Andrews, Speaker
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 926, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for the transportation of explosives and providing penalties.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill, Mr. Long.



Mr. WM. JOSEPH LONG. Mr. Speaker, a few years ago a dynamite truck containing three and one-half tons of dynamite was coming down into a section outside of our town, Mahanoy City, Schuylkill County. About a mile and a half away, up on top of the mountain the truck driver of this dynamite truck looked in his sideview mirror and saw that the truck was on fire. He immediately stopped the truck and he stopped other traffic, and, when the dynamite truck went up, there were about 10 homes 300 feet from where the truck went off. It broke the ankle of a 13-year-old child; it smashed windows, damaged homes and it hurt other people. It blew the windows out of our local brewery about a mile and a half away.

Mr. Speaker, I know this sounds funny, but, in all seriousness, a lot of people could have been harmed. That truck probably was coming through Mahanoy City at the particular time the high school children were being left out of school. If that truck would have blown up in the town of Mahanoy City, you can imagine what would have happened to, maybe, 800 school children.

I think this is a very good bill. It is a bill which would prohibit caps and electric blasting caps from being carried in the same vehicle with dynamite. Under present regulation, the way I understand it, they are carried in the same truck in a box that is padded. All that it stipulates is that it is padded for shocks. Dynamite, as I understand, will burn, not explode. But, when you are carrying dynamite and caps together, if that truck catches on fire, it is going to go off.

Two years after this truck went off, another went off in our vicinity killing two men. The bigger companies like Atlas and Hercules carry their caps separately from their dynamite. But most of these dynamite trucks that are going off every once in a while are operated by these independent groups.

I am very serious when I say that people on both sides of this House should consider that if one of those trucks ever went off in their home town and killed maybe a couple hundred people, it would not be so funny.

This bill will add a little more expense on some operators, but I am considering the human lives that will be lost if one of those trucks should ever go off.

I think it is a very good bill. It was voted down before. I do not know if many people on both sides of the House understood it. All it does is to tell you that you cannot carry caps or electric blasting caps in the same vehicle carrying dynamite.

I humbly ask everybody on both sides of this House to vote "yes" for this bill.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER pro tempore. Will the gentleman from Schuylkill, Mr. Long, permit himself to be interrogated?

Mr. WM. JOSEPH LONG. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I voted against the bill before, but I can be convinced. If it is a good bill, I would like to know. Do you know how much dynamite today is being hauled all over the Commonwealth of Pennsylvania in the many, many activities of commerce and trade?

Mr. WM. JOSEPH LONG. No, I do not, Mr. Speaker.

Mr. A. W. JOHNSON. Do you know what the gross sales of dynamite are in Pennsylvania?

Mr. WM. JOSEPH LONG. No, sir.

Mr. A. W. JOHNSON. What county are you from?

Mr. WM. JOSEPH LONG. Schuylkill.

Mr. A. W. JOHNSON. You are from Schuylkill County?

Mr. WM. JOSEPH LONG. Yes, sir.

Mr. A. W. JOHNSON. How many trucks a day haul dynamite in and around the environs of Schuylkill County, would you say?

Mr. WM. JOSEPH LONG. I could not answer that, I do not know. What I do know is that two trucks blew up killing people, and it could have injured other people. I do know that.

Mr. A. W. JOHNSON. Then you do not know how many trucks hauling dynamite are operated in Schuylkill County either by the day or by the week or by the month?

Mr. WM. JOSEPH LONG. No, sir. I have no stock in those companies; I just do not know.

Mr. McCANN. Mr. Speaker, could I help the gentleman?

Mr. A. W. JOHNSON. Yes, I am interested in the figures. I think they spoke of business in Pennsylvania. This is a huge industry, and it is a big industry in my county where we use it, not only in coal mining, but in oil and gas operations. This is an important piece of legislation to this industry, so I would like to know just what we are voting on here.

The SPEAKER pro tempore. Does the minority leader desire to interrogate the majority leader?

Mr. A. W. JOHNSON. I will listen to the majority leader.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, first, of course, I am sure the gentleman knows that under the present ICC regulations any major truck line operating under a permit now is not permitted to haul both explosives and caps—under that regulation. This does not pertain to that. But in that field alone that commission saw fit to separate the two for a very wise reason, and that they have done.

In Pennsylvania we do permit the transportation of both caps and blasting materials in the same vehicle, and this, of course, would change the Vehicle Code and would not permit it.

As to amount that is transported, of the major manufacturing plants in this field manufacturing both dynamite and supplying blasting caps where not manufacturing the same, it is estimated that better than one-third of their production is disseminated to all types of outlets. Now we speak of hauling to the mining industry, to the oil industry, to various other industries. I do not have the figures either in number of blasting caps or, if the proper nomenclature would be, cases, as they are ordered, but there is definitely the firm conviction and opinion that where they now are shipping under ICC regulations they must separate the shipment. It would not be any great problem to also separate the shipment of blasting caps and dynamite. For that reason it is not a bill that would hurt in any way this particular industry in its transportation problem if you have a dynamite or explosive factory, many of which are located, for example, in many parts of the State, and a blasting cap manufacturer shipping the other product. There is no bona fide

information that I have been able to receive which would give me a factual answer as to the total amount involved within the confines of the Commonwealth of Pennsylvania.

Mr. A. W. JOHNSON. You have no figures on the enormity of the problem?

Mr. McCANN. I do not have any figures that would give us a true picture of the total amount shipped within Pennsylvania, of either dynamite or explosives or blasting caps.

Mr. A. W. JOHNSON. Let us take the situation in the oil and gas industry where they haul lots of explosives in and around the oil fields and they generally haul them on side roads and early in the morning. They would have to have two trucks to haul these explosives then, would they not, one to haul the caps and the other to haul the explosives? That is the intent of the bill. Or they would have to make two trips, first, deliver the explosives and stash them away somewhere and then go back to the magazine and pick up the caps?

Mr. McCANN. That would be true. They could not be shipped in the same vehicle at the same time. They would have to use an alternative method in delivering either one or the other material to its final destination point. But when it does get there, we do have laws and regulations as to its storage now on the books and the handling from that point on.

Mr. A. W. JOHNSON. Mr. Speaker, I have no further questions. In the absence of any information as to the enormity of the problem—I know in McKean County where we handle literally tons of explosives we have not had an accident in 20 years up there that I know of, or anyone injured, that is, on the highways. Therefore, I am wondering whether in order to prevent an isolated case here and there we should put a burden like this on such a big industry. That is my point.

Mr. McCANN. Mr. Speaker, I would like to say why we should. One time in my life I had the occasion in the little county of Greene, where a truck hauling both explosives and caps on Legislative Route 188 coming down a hill, no accident or anything, exploded. There was nothing found of the body for a funeral. I want you to think that this happened close to a school house located only one-fourth of a mile on down the road. What if it would have happened there?

To me, I can never believe, nor can you, that no matter how hard this would be for this industry that they would want this to happen, and, God forbid, neither would I. I believe that they, also, as hard as this may be in some minor cases, would favor this. We do permit this in the Commonwealth of Pennsylvania. Would you attempt to do the same thing in other States that have now tightened their laws, such as Texas did with their major problems, and New York? I say to you frankly, I cannot give you the answer, but this is legislation that may save someone's life and that can never be valued in dollars.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, in regard to Mr. McCann's last statement, I can verify that because my neighbor was going by in his car when this truck went up and he has been disabled for life as a result of that accident.

Going back to Mr. Johnson's inquiry, the strippers,

coal operators and the people in the oil and gas industries, it is not those who have their explosives hauled to the various jobs and the explosives are stored properly. It is those who may take a case of dynamite and a carton of detonators and put them in a rumble seat or a pickup truck. Those are the people we have to guard against.

Therefore, this bill, I think, is a very good piece of safety legislation and I do not think the explosives people are very much opposed to this legislation. Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Anderson, S. A.,	Gallagher,	Leonard,	Reibman,
Arlene,	Gelfand,	Limper,	Reidenbach,
Ashton,	George,	Lippincott,	Renwick,
Auker,	Gibb,	Long, Wm. Jas.,	Riley,
Bachman,	Gibbons,	Long, Wm. Jos.,	Rovansek,
Backenstoe,	Goldstein, J. H.,	Lutty,	Royer,
Blair,	Goldstein, M. H.,	Magee,	Rubin,
Boles,	Goodrich,	Markley,	Rudisill,
Bonner,	Gramlich,	Marsh,	Rutherford,
Bossert,	Gray,	Maxwell,	Sakulsky,
Bower,	Gremminger,	May,	Scarcell,
Bowman,	Gross,	McCandless,	SchAAF,
Branca,	Guesman,	McCann,	Schuster,
Breth,	Hamilton,	McCormack,	Shelton,
Bush,	Hankins,	McDevitt,	Sherman,
Capano,	Hartley,	McDonald,	Shupnik,
Capitolo,	Haudenshield,	McInroy,	Simmons,
Cauley,	Heavey,	McKeever,	Slack,
Cianfrani,	Heffner,	McLaughlin,	Snare,
Clarke,	Helm,	McNally,	Stank,
Cooley,	Henzel,	Mehlichick,	Stimmel,
Crossin,	Hocker,	Merry,	Strausser,
Curwood,	Holliday,	Miller,	Sullivan, J. A.,
Davis,	Holman,	Mills,	Sullivan, T. F.,
Dengler,	Horst,	Monroe,	Taylor,
Dennison,	Irlis,	Morley,	Thompson,
Donaldson,	Isaacs,	Mullen,	Tomasck,
Dougherty,	Jenkins,	Munley,	Trusio,
Doughten,	Johnson, R. P.,	Murphy,	Ujobal,
Down,	Jones,	Musto,	Verona,
Edwards,	Kamyk,	Needham,	Wall,
Ellberg,	Keiser,	O'Dell,	Walsh,
Elvey,	Kelly,	O'Donnell, J. A.,	Wargo,
Eshback,	Kernaghan,	O'Donnell, J. P.,	Weidner,
Eshleman,	Kessler,	Odorisio,	Welsh,
Ewing,	King,	Ogilvie,	Wescott,
Farabaugh,	Kistler,	Parlante,	Whittaker,
Fetterolf,	Klein,	Pashley,	Willard,
Filo,	Kooker,	Perry,	Willaredt,
Fineman,	Kornick,	Petrosky,	Williams, A. D.,
Flynn,	Korns,	Piper,	Williams, E. S.,
Foerster,	Kramer,	Polaski,	Wood,
Foor,	Lamb,	Polen,	Worley,
Frascella,	Lawson,	Prendergast,	Yetter,
Fry,	Lee, A. M.,	Price,	Zember,
Fulmer,	Lee, K. B.,	Pursley,	Zimmerman,
Galley,			

## NAYS—10

Adams,	Jim,	Stiteler,	Varner,
Anderson, J. H.,	Johnson, A. W.,	Tompkins,	Wilt,
Buchanan,	Manbeck,		

## NOT VOTING—11

Cioffi,	Guthrie,	Murray,	Stone,
Comer,	Knecht,	Seltzer,	Andrews,
Fox,	Mihm,	Steckel,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.



Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1107, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the Bedding Advisory Board within the Department of Labor and Industry and prescribing its powers and duties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—103

Anderson, S. A.,	Galley,	Maxwell,	Reibman,
Arlene,	Gallagher,	McCann,	Reidenbach,
Bachman	Gelfand,	McCormack,	Renwick,
Bonner,	Gray,	McDevitt,	Riley,
Branca,	Gremminger,	McDonald	Rovansek,
Breth,	Guesman,	McKeever,	Rubin,
Capano,	Hamilton,	McLaughlin,	Rudisill,
Capitolo,	Hankins,	McNally,	Sakulsky,
Cauley,	Hartley,	Meholchick,	Scarcelli,
Cianfrani,	Heavey,	Mills,	Schaaf,
Clarke,	Irvis,	Monroe,	Schuster,
Comer,	Jenkins,	Morley,	Shelton,
Cooley,	Jim,	Mullen,	Sherman,
Crossin,	Jones,	Munley,	Shupnik,
Curwood,	Kamyk,	Murphy,	Stank,
Dougherty,	Kelly,	Musto,	Sullivan, J. A.,
Doughten,	Klein,	Needham,	Sullivan, T. F.,
Eilberg,	Kornick,	O'Donnell, J. A.,	Taylor,
Eshback,	Kramer,	O'Donnell, J. P.,	Tomasclik,
Farabaugh,	Lamb,	Parlante,	Trusio,
Filo,	Lawson,	Pashley,	Verna,
Fineman,	Leonard,	Perry,	Walsh,
Flynn,	Limper,	Petrosky,	Wargo,
Foerster,	Long, Wm. Jas.,	Polaski,	Welsh,
Frascella,	Long, Wm. Jos.,	Polen,	Yetter,
Fry,	Lutty,	Prendergast,	

#### NAYS—93

Adams,	Gibb,	Kooker,	Simmons,
Anderson, J. H.	Gibbons,	Korns,	Slack,
Ashton,	Goldstein, J. H.,	Lee, A. M.,	Snare,
Auker,	Goldstein, M. H.,	Lee, K. B.,	Stimmel,
Backenstoe,	Goodrich,	Lippincott,	Stiteler,
Blair,	Gramlich,	Magee,	Strausser,
Bossert,	Gross,	Manbeck,	Thompson,
Bower,	Haudenschild,	Markley,	Tompkins,
Bowman,	Heffner,	Marsh,	Ujobai,
Buchanan,	Helm,	May,	Varner,
Bush,	Henzel,	McCandless,	Wall,
Davis,	Hocker,	McInroy,	Weidner,
Dengler,	Holliday,	Merry,	Wescott,
Dennison,	Holman,	Miller,	Whittaker,
Donaldson,	Horst,	O'Dell,	Willard,
Down,	Isaacs,	Odorisio,	Willaredt,
Edwards,	Johnson, A. W.,	Ogilvie,	Williams, A. D.,
Elvey,	Johnson, R. P.,	Piper,	Williams, E. S.,
Eshleman,	Keiser,	Price,	Wilt,
Ewing,	Kernaghan,	Pursley,	Wood,
Fetterolf,	Kessler,	Royer,	Worley,
Foor,	King,	Rutherford,	Zember,
Fulmer,	Kistler,	Seltzer,	Zimmerman,
George,			

#### NOT VOTING—10

Boles,	Guthrie,	Murray,	Stone,
Cioffi,	Knecht,	Steckel,	Andrews,
Fox,	Mihm,		Speaker

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The house resumed the consideration on final passage of House bill No. 1165, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events under certain conditions.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Heavey.

Mr. HEAVEY. Mr. Speaker, here we go again. We are in the throes of a \$1,300,000,000 educational bill for the building of necessary schools. I say a vote for this bill would make the Phillies more money and at the same time put the kids in the environment of drinking beer. Now, we had two kids in Philadelphia recently who took a car and went out and killed a lady. Their excuse was that they drank four quarts of beer. Now, baseball has by-products today with radio, television and hot dog concessions. Out in Los Angeles they sold 77 home games to television for \$600,000. They let 5,000 kids into the Phillies on Saturday afternoon, and those kids really ate the hot dogs and I, for the life of me, cannot see why we should sell beer in the ball parks with all those kids around.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, this bill came up for the first time on May 3rd and at that time on the vote we had 103 votes and, because we came so close, we felt justified in bringing it up again.

My colleague from Philadelphia has stated primarily that he is concerned with placing children in an environment of drinking beer. Mr. Speaker, the children go to the Phillies' ball park every day and frequently in great numbers and the situation is just that at the present time. You have people bringing in cans of beer and bottles of beer. You have virtually an uncontrolled situation, because people bring in more beer than they can actually consume and they feel the necessity of drinking everything that they have.

Mr. Speaker, if this bill passes, there would be beer served in paper cups and we would have Liquor Control Board agents present to police the operation at all times. People would not be drinking more beer than they could possibly consume because the beer would be purchased in the ball park. Furthermore, any attempt or effort of vendors to sell to children would be picked up by the Liquor Control Board agents and we would have a much better controlled situation than we can possibly have today.

Mr. Speaker, there are perhaps, two major reasons for the bill. First let me say, as we indicated before, there is a real safety problem presently in the Phillies' ball park. The bottles and cans are thrown around and many patrons are injured; occasionally ball players are injured. You have a real hazardous situation. If this bill became law, there would be paper cups only and this safety feature would be taken care of.

On the other hand, the Phillies are contemplating moving within the next couple years. We are sure they are going to move to new quarters and there will be a very great financial burden on them, and the opportunity to

sell beer under these controlled circumstances will enable them to go into this larger operation.

I say to you, Mr. Speaker, this bill is important not only to the Phillies; it is important to Philadelphia and the State of Pennsylvania. I ask everyone who is interested in baseball to vote for this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Eilberg.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. MURPHY. Mr. Speaker, on the previous occasion and again today we are hearing the fine arguments on behalf of professional baseball in Philadelphia, but I would like to ask the gentleman whether or not this bill would also apply to professional basketball in gymnasiums?

Mr. EILBERG. This bill would apply to, and I am reading from page 2, "sporting events in which professional athletes compete on premises having a seating capacity of twenty-five thousand or more." Now, the gentleman is asking me whether this could be served at basketball stadiums. I am not aware of any such stadium in Philadelphia. This bill applies only to Philadelphia.

Mr. MURPHY. However, if it did seat twenty-five thousand or more, Mr. Speaker, it could be served in a gymnasium or a stadium where they might be playing?

Mr. EILBERG. Mr. Speaker, it would be impracticable and inexpedient to build a basketball court or a gymnasium that would seat that number of people, because we simply could not fill such an accommodation.

Mr. MURPHY. Mr. Speaker, would the gentleman say then that it could be served at professional football games in outdoor stadiums and college stadiums where professional football might be played?

Mr. EILBERG. Mr. Speaker, regarding college stadiums, and the gentleman may be referring to Franklin Field of the University of Pennsylvania, I am certain that the University of Pennsylvania would not agree to the sale of beer on Franklin Field and certainly there is no intention to lead in that direction. I would like to say further, that in the last session, when this matter was considered, the term "baseball parks" was specifically used. This time the drafters felt that to identify the stadium in that role, as a baseball park, might be making a special classification which would possibly be unconstitutional. Because of this possible technical defect, the bill was phrased in this way, but the intention is the same. Most emphatically, the intention is to have it apply only to the Phillies and their baseball park.

Mr. MURPHY. Well, Mr. Speaker, will the gentleman be willing to amend the bill so as to only include baseball as a sporting event?

Mr. EILBERG. Mr. Speaker, I think the purpose here is very clear. I would declare it as a matter of legislative intent. I think that should be sufficient for the gentleman. I do not think there is any need to offer the type of an amendment that the gentleman is suggesting.

Mr. MURPHY. Mr. Speaker, would the gentleman from Philadelphia say then that a jockey was a professional athlete, one who rides horses?

Mr. EILBERG. Yes, I would believe that he is.

Mr. MURPHY. In other words then, this would also include race tracks where professional races were being conducted?

Mr. EILBERG. Now, if the gentleman is contemplating a race track that is being considered in Philadelphia, that particular stadium is nowhere near twenty-five thousand capacity, so let me assure the gentleman that the track being contemplated will not come within the provisions of this bill.

Mr. MURPHY. How many seats are contemplated at the track? I have not heard.

Mr. EILBERG. I understand that twelve thousand seats are contemplated.

Mr. MURPHY. In other words, if they double that they can start selling beer?

Mr. EILBERG. If they double it, yes.

Mr. MURPHY. That is all. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tioga, Mr. McInroy.

Mr. McINROY. Mr. Speaker, the gentleman, Mr. Eilberg, has just said that any athletic stadium in Pennsylvania that has over 25,000 people in it can sell beer. In other words, at the Army-Navy game which is annually held in Philadelphia, with a capacity of 100,000 people, I presume it could be sold there. There college athletics would not be concerned.

We are also afraid of the door being opened. If it is opened to the Phillies then we are afraid it would be extended all over Pennsylvania, not to 25,000 but perhaps next session we would bring it down to 5,000 or even a smaller number than that.

We repeat again what we said before, that what the Phillies need is not more beer, but a better ball team. They are now in last place and if they get a better ball team they will be like the Pittsburgh Pirates out in the other end of the State. They are not worrying about beer; they have the ball team and they have the crowds. We do not think that women and children and those who do not like beer around to bother them should have it imposed on them at a ball park or any other park. There is no assurance that the crowds would be larger if beer were permitted to be served.

Therefore, without any wish to prolong this debate, I think the bill should be voted down, as we did on May 3rd.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, I think it is only proper that a statement that Mr. McInroy just made should be corrected, regardless of how we vote on this bill. He stated that at the Army-Navy game they could sell beer. Now the people that play for the Army and Navy are not professional athletes. They are not classed as professional athletes. Those are schools, and those schools are not classed as professional athletes, so I think the statement should be corrected.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, the statement made by the gentleman, Mr. McInroy, regarding the Municipal Stadium and the Army-Navy game is not correct.

We are speaking of stadiums which have professional athletes in them on a regular basis. Now it is true that



occasionally some professional team may play in the Municipal Stadium, but there is no intent, nor is it contemplated, that any permit should be extended to the Municipal Stadium. We in the city of Philadelphia think that this will not be proper.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—109

Anderson, S. A.,	Fry,	Long, Wm. Jas.,	Reidenbach,
Arlene,	Galley,	Long, Wm. Jos.,	Renwick,
Ashton,	Gallagher,	Lutty,	Riley,
Bachman,	Gelfand,	Markley,	Rovansek,
Backenstoe,	Gibbons,	McCann,	Rubin,
Blair,	Gray,	McCormack,	Sakulsky,
Bonner,	Gremminger,	McDevitt,	Scarcelli,
Branca,	Guesman,	McDonald,	Schaaf,
Breth,	Hamilton,	McKeever,	Schuster,
Capano,	Hankins,	McLaughlin,	Shelton,
Capitolo,	Hartley,	Meholchick,	Sherman,
Cauley,	Irviss,	Monroe,	Shupnik,
Cianfrani,	Isaacs,	Morley,	Slack,
Cioffi,	Jenkins,	Mullen,	Stank,
Clarke,	Jim,	Munley,	Stimmel,
Comer,	Johnson, R. P.,	Musto,	Sullivan, J. A.,
Crossin,	Jones,	Needham,	Sullivan, T. F.,
Curwood,	Kamyk,	O'Dell,	Taylor,
Dennison,	Kelly,	O'Donnell, J. A.,	Tomascik,
Dougherty,	Klein,	O'Donnell, J. P.,	Trusio,
Doughten,	Kornick,	O'Dorisio,	Ujobai,
Down,	Kramer,	Parlante,	Varner,
Ellberg,	Lamb,	Pashley,	Verona,
Fetterolf,	Lawson,	Perry,	Wargo,
Filo,	Leonard,	Petrosky,	Welsh,
Fineman,	Limper,	Polaski,	Willaredt,
Flynn,	Lippincott,	Prendergast,	Yetter,
Frascella,			

## NAYS—89

Adams,	Gibb,	Korns,	Rudisill,
Anderson, J. H.,	Goldstein, J. H.,	Lee, A. M.,	Rutherford,
Auker,	Goldstein, M. H.,	Lee, K. B.,	Seltzer,
Bossert,	Goodrich,	Magee,	Simmons,
Bower,	Gramlich,	Manbeck,	Snare,
Bowman,	Gross,	Marsh,	Stiteler,
Buchanan,	Haudenshield,	Maxwell,	Strausser,
Bush,	Heavey,	May,	Thompson,
Cooley,	Heffner,	McCandless,	Tompkins,
Davis,	Helm,	McInroy,	Wall,
Dengler,	Henzel,	McNally,	Walsh,
Donaldson,	Hocker,	Merry,	Weldner,
Edwards,	Holliday,	Miller,	Wescott,
Elvey,	Holman,	Mills,	Whittaker,
Eshback,	Horst,	Murphy,	Willard,
Eshleman,	Johnson, A. W.,	Ogilvie,	Williams, A. D.,
Ewing,	Kelser,	Piper,	Williams, E. S.,
Farabaugh,	Kernaghan,	Polen,	Wilt,
Foerster,	Kessler,	Price,	Wood,
Poor,	King,	Pursley,	Worley,
Fox,	Kistler,	Reibman,	Zember,
Fulmer,	Kooker,	Royer,	Zimmerman,
George,			

## NOT VOTING—8

Boles,	Knecht,	Murray,	Stone,
Guthrie,	Mihm,	Steckel,	Andrews,
			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1098, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 P. L. 789), extending the provisions requiring the licensing of agents to include domestic mutual fire companies and prescribing penalties.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Potter, Mr. Goodrich.

Mr. GOODRICH. Mr. Speaker, I believe that every member of the House knows what this bill does and what the amendments offered by myself and the gentleman from Beaver, Mr. Hamilton, did to the bill.

I would like to point out to the members of the House that in conferences which several of us had with the insurance commissioner, he stated that the amendments offered probably were unconstitutional, that they would be an unreasonable classification. Since that time, I did talk with the personnel of the Attorney General's office, and Mr. Stack in that office himself suggested that the amendments might be unconstitutional. If that were to prove so, the bill would apply to all agents of all types of insurance, mutuals and stock alike.

In my opinion, then, it would be a bill detrimental to the insurance industry of Pennsylvania, detrimental to Pennsylvania, and until someone can assure me that the amendments offered are constitutional I would have to ask the members of the House to vote against the bill.

Mr. McCANN. Mr. Speaker, I would like to say that this is the bill that was cleared in the Insurance Committee and the Insurance Commissioner met with the respective caucuses and discussed it. I hope that they will support the measure by voting in the affirmative.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—134

Anderson, S. A.,	Galley,	Lippincott,	Prendergast,
Arlene,	Gallagher,	Long, Wm. Jas.,	Price,
Auker,	Gelfand,	Long, Wm. Jos.,	Reibman,
Bachman,	Gibb,	Lutty,	Reidenbach,
Backenstoe,	Gibbons,	Markley,	Riley,
Bonner,	Goldstein, M. H.,	Maxwell,	Rovansek,
Bossert,	Goldstein, J. H.,	McCann,	Rubin,
Bower,	Gray,	McCormack,	Rudisill,
Branca,	Gremminger,	McDevitt,	Sakulsky,
Breth,	Guesman,	McDonald,	Scarcelli,
Capano,	Hamilton,	McKeever,	Schaaf,
Capitolo,	Hankins,	McLaughlin,	Schuster,
Cauley,	Hartley,	McNally,	Shelton,
Cianfrani,	Haudenshield,	Meholchick,	Sherman,
Cioffi,	Helm,	Miller,	Shupnik,
Clarke,	Henzel,	Mills,	Simmons,
Comer,	Holliday,	Monroe,	Slack,
Crossin,	Irviss,	Morley,	Stank,
Curwood,	Isaacs,	Mullen,	Stimmel,
Dengler,	Jenkins,	Munley,	Sullivan, J. A.,
Donaldson,	Jim,	Murphy,	Sullivan, T. F.,
Dougherty,	Johnson, A. W.,	Musto,	Taylor,
Doughten,	Johnson, R. P.,	Needham,	Thompson,
Ellberg,	Jones,	O'Donnell, J. A.,	Tomascik,
Eshback,	Kamyk,	O'Donnell, J. P.,	Tompkins,
Ewing,	Kelly,	O'Dorisio,	Ujobai,
Farabaugh,	Kernaghan,	Parlante,	Verona,
Fetterolf,	Klein,	Pashley,	Walsh,
Filo,	Kramer,	Perry,	Wargo,
Fineman,	Lamb,	Petrosky,	Welsh,
Flynn,	Lawson,	Piper,	Willaredt,
Foerster,	Lee, A. M.,	Polaski,	Wilt,
Frascella,	Leonard,	Polen,	Yetter,
Fry,	Limper,		

## NAYS—61

Adams,	Fulmer,	Korns,	Snare,
Anderson, J. H.,	George,	Lee, K. B.,	Stiteler,
Ashton,	Goodrich,	Magee,	Strausser,
Blair,	Gramlich,	Manbeck,	Varner,
Bowman,	Gross,	Marsh,	Wall,
Buchanan,	Heffner,	May,	Weidner,
Bush,	Hocker,	McCandless,	Wescott,
Cooley,	Holman,	McInroy,	Whittaker,
Davis,	Horst,	Merry,	Willard,
Dennison,	Keiser,	O'Dell,	Williams, A. D.,
Down,	Kessler,	Ogilvie,	Williams, E. S.,
Edwards,	King,	Pursley,	Wood,
Elvey,	Kistler,	Renwick,	Worley,
Eshleman,	Kooker,	Rutherford,	Zember,
Foor,	Kornick,	Seltzer,	Zimmerman,
Fox,			

## NOT VOTING—11

Boles,	Knecht,	Royer,	Trusio,
Guthrie,	Mihm,	Steckel,	Andrews,
Heavy,	Murray,	Stone,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1099, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—137

Anderson, S. A.,	Galley,	Lee, A. M.,	Polen,
Arlene,	Gallagher,	Leonard,	Prendergast,
Auker,	Gelfand,	Lippincott,	Price,
Bachman,	Gibb,	Long, Wm. Jas.,	Reibman,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Reidenbach,
Bonner,	Goldstein, J. H.,	Lutty,	Riley,
Bossert,	Goldstein, M. H.,	Markley,	Rovansek,
Bower,	Gray,	Maxwell,	Rubin,
Branca,	Gremminger,	McCann,	Rudisill,
Breth,	Guesman,	McCormack,	Sakulsky,
Capano,	Hamilton,	McDevitt,	Scarcelli,
Capitolo,	Hankins,	McDonald,	Schaaf,
Cauley,	Hartley,	McKeever,	Schuster,
Cianfrani,	Haudenschild,	McLaughlin,	Shelton,
Cioffi,	Heavey,	McNally,	Sherman,
Clarke,	Helm,	Meholchick,	Shupnik,
Comer,	Henzel,	Miller,	Simmons,
Cooley,	Holiday,	Mills,	Slack,
Crossin,	Irvis,	Monroe,	Stank,
Curwood,	Isaacs,	Morley,	Stimmel,
Dengler,	Jenkins,	Mullen,	Sullivan, J. A.,
Donaldson,	Jim,	Munley,	Sullivan, T. F.,
Dougherty,	Johnson, A. W.,	Murphy,	Taylor,
Doughten,	Johnson, R. P.,	Musto,	Thompson,
Ellberg,	Jones,	Needham,	Tomasick,
Eshback,	Kamyk,	O'Donnell, J. A.,	Tompkins,
Ewing,	Keiser,	O'Donnell, J. P.,	Ujobal,
Farabaugh,	Kelly,	Odoristo,	Walsh,
Fetterolf,	Kernaghan,	Parlante,	Wargo,
Filo,	Klein,	Pashley,	Welsh,
Fineman,	Kornick,	Perry,	Willaredt,
Flynn,	Kramer,	Petrosky,	Wilt,
Foerster,	Lamb,	Piper,	Yetter,
Frascella,	Lawson,	Polaski,	
Fry,			

## NAYS—59

Adams,	Fulmer,	Magee,	Stiteler,
Anderson, J. H.,	George,	Manbeck,	Strausser,
Ashton,	Goodrich,	Marsh,	Varner,
Blair,	Gramlich,	May,	Wall,
Bowman,	Gross,	McCandless,	Weidner,
Buchanan,	Heffner,	McInroy,	Wescott,
Bush,	Hocker,	Merry,	Whittaker,
Davis,	Holman,	O'Deli,	Willard,
Dennison,	Horst,	Ogilvie,	Williams, A. D.,
Down,	Kessler,	Pursley,	Williams, E. S.,
Edwards,	King,	Renwick,	Wood,
Elvey,	Kistler,	Royer,	Worley,
Eshleman,	Kooker,	Rutherford,	Zember,
Foor,	Korns,	Seltzer,	Zimmerman,
Fox,	Lee, K. B.,	Snare,	

## NOT VOTING—10

Boles,	Limper,	Steckel,	Trusio,
Guthrie,	Mihm,	Stone,	Andrews,
Knecht,	Murray,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1259, entitled:

An Act relating to State highways roads and bridges and certain use thereof amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto establishing the State Highway System providing for the construction abandonment and vacation of State highways and placing of existing roads and bridges on the State Highway System\*\*\*.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, this is also the second time around for this bill. I believe the members have heard this bill discussed and debated pro and con. There are still some things about the bill that I, personally, do not like and without further debate, I believe, Mr. McCann would like to have a roll call on it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—135

Adams,	Gallagher,	Lippincott,	Prendergast,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Price,
Arlene,	Gibb,	Long, Wm. Jos.,	Reibman,
Auker,	Gibbons,	Lutty,	Reidenbach,
Bachman,	Goldstein, J. H.,	Marsh,	Renwick,
Blair,	Goldstein, M. H.,	Maxwell,	Riley,
Bonner,	Gray,	McCann,	Rovansek,
Branca,	Gremminger,	McCormack,	Rubin,
Capano,	Guesman,	McDevitt,	Rudisill,
Capitolo,	Hamilton,	McDonald,	Sakulsky,
Cauley,	Hankins,	McKeever,	Scarcelli,
Cianfrani,	Hartley,	McLaughlin,	Schaaf,
Cioffi,	Haudenschild,	McNally,	Schuster,
Clarke,	Heavey,	Meholchick,	Shelton,
Comer,	Holiday,	Miller,	Sherman,
Cooley,	Holman,	Mills,	Shupnik,
Crossin,	Irvis,	Monroe,	Simmons,



Curwood,	Isaacs,	Morley,	Snare,
Dengler,	Jenkins,	Mullen,	Stank,
Dennison,	Jim,	Munley,	Sullivan, J. A.,
Donaldson,	Johnson, A. W.,	Murphy,	Sullivan, T. F.,
Dougherty,	Johnson, R. P.,	Musto,	Taylor,
Doughten,	Kamyk,	Needham,	Thompson,
Down,	Kelly,	O'Dell,	Trusio,
Edwards,	Kernaghan,	O'Donnell, J. A.,	Verona,
Ellberg,	Klein,	O'Donnell, J. P.,	Wall,
Farabaugh,	Kooker,	Odorisio,	Walsh,
Filo,	Kornick,	Parlante,	Wargo,
Fineman,	Kramer,	Pashley,	Weidner,
Flynn,	Lamb,	Perry,	Welsh,
Foerster,	Lawson,	Petrosky,	Wilt,
Frascella,	Lee, A. M.,	Piper,	Yetter,
Fry,	Leonard,	Polaski,	Zember,
Galley,	Limper,	Polen,	

## NAYS—61

Anderson, J. H.,	Fox,	Korns,	Stimmel,
Ashton,	Fulmer,	Lee, K. B.,	Stiteler,
Backenstoe,	George,	Magee,	Strausser,
Bossert,	Goodrich,	Manbeck,	Tompkins,
Bower,	Gramlich,	Markley,	Ujobal,
Bowman,	Gross,	May,	Varner,
Breth,	Heffner,	McCandless,	Wescott,
Buchanan,	Helm,	McInroy,	Whittaker,
Bush,	Henzel,	Merry,	Willard,
Davis,	Hocker,	Ogilvie,	Willaredt,
Elvey,	Horst,	Pursley,	Williams, A. D.,
Eshback,	Keiser,	Royer,	Williams, E. S.,
Eshleman,	Kessler,	Rutherford,	Wood,
Ewing,	King,	Seltzer,	Worley,
Fetterolf,	Kistler,	Slack,	Zimmerman,
Foor,			

## NOT VOTING—10

Boies,	Knecht,	Steckel,	Tomasick,
Guthrie,	Mihm,	Stone,	Andrews,
Jones,	Murray,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No 669, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the appointment of special school police defining their powers and duties and providing for their compensation by the borough.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and we as follows :

## YEAS—189

Adams,	Fry,	Lamb,	Renwick,
Anderson, J. H.,	Fulmer,	Lawson,	Riley,
Anderson, S. A.,	Galley,	Lee, A. M.,	Rovansek,
Arlene,	Gallagher,	Lee, K. B.,	Royer,
Ashton,	Gelfand,	Leonard,	Rubin,
Auker,	George,	Limper,	Rudisill,
Bachman,	Gibb,	Lippincott,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Bonner,	Goldstein, M. H.,	Lutty,	Schaaf,
Bossert,	Goodrich,	Magee,	Schuster,
Bower,	Gramlich,	Manbeck,	Seltzer,
Bowman,	Gray,	Markley,	Shelton,
Branca,	Gremminger,	Marsh,	Sherman,
Breth,	Gross,	Maxwell,	Shupnik,
Buchanan,	Guesman,	May,	Simmons,
Bush,	Hamilton,	McCandless,	Slack,
Capano,	Hankins,	McCann,	Snare,
Capitolo,	Hartley,	McDevitt,	Stank,

Cauley,	Haudenshield,	McDonald,	Stimmel,
Cianfrani,	Heavey,	McInroy,	Stiteler,
Cioffi,	Heffner,	McKeever,	Strausser,
Clarke,	Helm,	McLaughlin,	Sullivan, J. A.,
Comer,	Henzel,	McNally,	Sullivan, T. F.,
Cooley,	Hocker,	Meholchick,	Taylor,
Crossin,	Holliday,	Merry,	Thompson,
Curwood,	Holman,	Miller,	Tomasick,
Davis,	Horst,	Mills,	Tompkins,
Dengler,	Irviss,	Monroe,	Trusio,
Dennison,	Isaacs,	Mullen,	Ujobal,
Donaldson,	Jenkins,	Murphy,	Varner,
Dougherty,	Jim,	Musto,	Verona,
Doughten,	Johnson, A. W.,	Needham,	Wall,
Down,	Johnson, R. P.,	O'Dell,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Weidner,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Welsh,
Elvey,	Keiser,	Ogilvie,	Wescott,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Perry,	Willaredt,
Farabaugh,	King,	Piper,	Williams, A. D.,
Fetterolf,	Kistler,	Polaski,	Williams, E. S.,
Filo,	Klein,	Polen,	Wood,
Fineman,	Kooker,	Prendergast,	Worley,
Flynn,	Kornick,	Price,	Yetter,
Foor,	Korns,	Pursley,	Zember,
Fox,	Kramer,	Reibman,	Zimmerman,

## NAYS—4

Foerster,	Munley,	Wargo,	Wilt,
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## NOT VOTING—13

Boies,	Mihm,	Odorisio,	Steckel,
Guthrie,	Morley,	Petrosky,	Stone,
Knecht,	Murray,	Reidenbach,	Andrews,
McCormack,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence,

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 728, entitled:

An Act amending the "Elevator Regulation Law," approved May 2, 1929 (P. L. 1518), changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits inspections and certificates.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—112

Anderson, S. A.,	Galley,	Lutty,	Reibman,
Arlene,	Gallagher,	Marsh,	Renwick,
Bachman,	Gelfand,	Maxwell,	Riley,
Bonner,	Goldstein, M. H.,	McCann,	Rovansek,
Bower,	Gray,	McCormack,	Rubin,
Branca,	Gremminger,	McDevitt,	Rudisill,
Breth,	Guesman,	McDonald,	Sakulsky,
Capano,	Hamilton,	McKeever,	Scarcelli,
Capitolo,	Hankins,	McLaughlin,	Schaaf,
Cauley,	Hartley,	McNally,	Schuster,
Cianfrani,	Heavey,	Meholchick,	Shelton,
Cioffi,	Irviss,	Mills,	Sherman,
Clarke,	Jenkins,	Monroe,	Shupnik,
Comer,	Jim,	Morley,	Snare,
Cooley,	Jones,	Mullen,	Stank,
Crossin,	Kamyk,	Munley,	Strausser,
Curwood,	Kelly,	Murphy,	Sullivan, J. A.,
Dennison,	Kessler,	Musto,	Sullivan, T. F.,
Dougherty,	Klein,	Needham,	Taylor,
Doughten,	Kornick,	O'Donnell, J. A.,	Tomasick,
Ellberg,	Kramer,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lamb,	Parlante,	Ujobal,

Filo,	Lawson,	Pashley,	Varner,
Fineman,	Lee, A. M.,	Perry,	Verona,
Flynn,	Lee, K. B.,	Petrosky,	Walsh,
Foerster,	Limper,	Polaski,	Wargo,
Frascella,	Long, Wm. Jas.,	Polen,	Welsh,
Fry,	Long, Wm. Jos.,	Prendergast,	Williams, A. D.,

## NAYS—82

Adams,	Fox,	Kernaghan,	Rutherford,
Anderson, J. H.,	Fulmer,	King,	Seltzer,
Ashton,	George,	Kistler,	Simmons,
Auker,	Gibb,	Kooker,	Slack,
Backenstoe,	Gibbons,	Korns,	Stimmel,
Blair,	Goldstein, J. H.,	Lippincott,	Stiteler,
Bossert,	Goodrich,	Magee,	Thompson,
Bowman,	Gramlich,	Manbeck,	Tompkins,
Buchanan,	Gross,	Markley,	Wall,
Bush,	Haudenschild,	May,	Weidner,
Davis,	Heffner,	McCandless,	Wescott,
Dengler,	Helm,	McInroy,	Whittaker,
Donaldson,	Henzel,	Merry,	Willard,
Down,	Hocker,	Miller,	Willaredt,
Edwards,	Holliday,	O'Dell,	Williams, E. S.,
Elvey,	Holman,	Ogilvie,	Wilt,
Eshback,	Horst,	Piper,	Wood,
Eshleman,	Isaacs,	Price,	Worley,
Ewing,	Johnson, A. W.,	Pursley,	Zember,
Fetterolf,	Johnson, R. P.,	Royer,	Zimmerman,
Foor,	Keiser,		

## NOT VOTING—12

Boles,	Leonard,	Odorisio,	Stone,
Guthrie,	Mihm,	Reidenbach,	Yetter,
Knecht,	Murray,	Steckel,	Andrews,

Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 837, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

On the question,

Shall the bill pass finally?

Mr. HEFFNER. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. McKeever, permit himself to be interrogated?

Mr. McKEEVER. I shall, Mr. Speaker.

Mr. HEFFNER. Mr. Speaker, under the present voting laws I believe our polls are open 13 hours, is that correct, from 7 o'clock to 8?

Mr. McKEEVER. That is entirely right, sir.

Mr. HEFFNER. Now, if I work an eight-hour shift, would my employer be required to pay me for two hours to vote under this bill?

Mr. McKEEVER. Depending upon how far away the work is from the polls. We have people living in my area who work down at the shore, Atlantic City. They cannot get there prior to the polls opening and would have a hard time getting there before the polls closed. There really are some other cases, and it is to protect these people that the bill was introduced.

Mr. HEFFNER. Mr. Speaker, if that is the intent of the bill, would you please point out to me in this bill

where that situation is allowed in the bill? I refer you to page 2, line 3, and I am reading in the middle of line 3, which says, "This section shall not apply to a voter on the day of election if there are two successive hours while the polls of such election are open in which he is not engaged in his principal service or employment."

Mr. McKEEVER. I cannot understand that, sir. Is that a question or a statement? I cannot understand it.

Mr. HEFFNER. Mr. Speaker, if the intent is as outlined today, will you please show me in this bill where your situation is allowed?

In other words, the way I interpret this bill is that if there are two successive hours in a voting day that I have off from my principal employment, then the employer does not have to pay my two hours off to vote. Is that not correct?

Mr. McKEEVER. A man could vote prior to leaving for his occupation if he lives a distance from his occupation. In other words, if he is working at Egg Harbor but is from Philadelphia, under this bill he is granted two hours off to vote prior to leaving for his occupation.

Mr. HEFFNER. I thank the gentleman.

Mr. Speaker, I would briefly like to clarify this bill as I read it for the members on my side of the House because I think we did misunderstand it.

It seems to me the way this bill is written that if the polls are open 13 hours, and they are in Pennsylvania, and I work an 8-hour shift, my employer would not have to pay me for two hours to go and vote. In other words, it says on page 2, line 3, that this section shall not apply to a voter on the day of election if there are two successive hours while the polls of such election are open in which he is not engaged in his principal service or employment. Most people work eight hours a day, so if the polls are open 13 hours it would not apply in that situation. The only situation in which it probably does apply is if you were working overtime, or overtime was required, then he would have to give you the two hours off. I think we misunderstood that on our side of the aisle. I want to bring that out into the light for our membership.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—112

Adams,	Foerster,	Long, Wm. Jos.,	Prendergast,
Anderson, S. A.,	Frascella,	Lutty,	Reibman,
Arlene,	Fry,	Maxwell,	Reidenbach,
Auker,	Gailey,	McCann,	Renwick,
Bachman,	Gallagher,	McCormack,	Riley,
Boles,	Gelfand,	McDevitt,	Rovansek,
Bonner,	Gray,	McDonald,	Rubin,
Bower,	Gremminger,	McKeever,	Rudisill,
Branca,	Guesman,	McLaughlin,	Sakulsky,
Breth,	Hamilton,	McNally,	Scarcelli,
Buchanan,	Hankins,	Meholchick,	Schaaf,
Capano,	Hartley,	Mills,	Schuster,
Capitolo,	Heffner,	Monroe,	Shelton,
Cauley,	Hocker,	Morley,	Sherman,
Cianfrani,	Irvis,	Mullen,	Shupnik,
Cioffi,	Jenkins,	Munley,	Stank,
Clarke,	Jim,	Murphy,	Sullivan, J. A.,
Comer,	Jones,	Musto,	Sullivan, T. F.,
Crossin,	Kamyk,	Needham,	Taylor,
Curwood,	Kelly,	O'Donnell, J. A.,	Tomasick,
Dougherty,	Kessler,	O'Donnell, J. P.,	Varner,
Doughten,	Klein,	Parlante,	Verona,
Edwards,	Kramer,	Pashley,	Walsh,



Ellberg,  
Farabaugh,  
Filo,  
Fineman,  
Flynn,

Lamb,  
Lawson,  
Leonard,  
Limper,  
Long, Wm. Jas.,

Perry,  
Petrosky,  
Piper,  
Polaski,  
Polen,

Wargo,  
Welsh,  
Williams, A. D.,  
Worley,  
Yetter,

## NAYS—86

Anderson, J. H.,  
Ashton,  
Backenstoe,  
Blair,  
Bossert,  
Bowman,  
Bush,  
Cooley,  
Davis,  
Dengler,  
Dennison,  
Donaldson,  
Down,  
Elvey,  
Eshback,  
Eshleman,  
Ewing,  
Fetterolf,  
Foor,  
Fox,  
Fulmer,  
George,

Gibb,  
Gibbons,  
Goldstein, J. H.,  
Goldstein, M. H.,  
Goodrich,  
Gramlich,  
Gross,  
Haudenshield,  
Helm,  
Henzel,  
Holliday,  
Holman,  
Horst,  
Isaacs,  
Johnson, A. W.,  
Johnson, R. P.,  
Kelser,  
Kernaghan,  
King,  
Kistler,  
Kooker,  
Kornick,

Korns,  
Lee, A. M.,  
Lee, K. B.,  
Lippincott,  
Magee,  
Manbeck,  
Markley,  
Marsh,  
May,  
McCandless,  
McInroy,  
Merry,  
Miller,  
O'Dell,  
Ogilvie,  
Price,  
Pursley,  
Royer,  
Rutherford,  
Seltzer,  
Simmons,  
Slack,  
Snare,  
Steckel,  
Stimmel,  
Stiteler,  
Strausser,  
Thompson,  
Tompkins,  
Trusio,  
Ujobal,  
Wall,  
Weidner,  
Wescott,  
Whittaker,  
Willard,  
Willaredt,  
Williams, E. S.,  
Wilt,  
Wood,  
Zember,  
Zimmerman,

## NOT VOTING—8

Guthrie,  
Heavey,

Knecht,  
Mihm,  
Murray,  
Odorisio,

Stone,  
Andrews,  
Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 895, entitled:

An Act confirming the right of certain persons in the service of the Commonwealth to accept election to and serve in certain elective offices of political subdivisions without affecting civil service status or protection.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—115

Anderson, S. A.,  
Arlene,  
Auker,  
Bachman,  
Boles,  
Bonner,  
Bower,  
Branca,  
Breth,  
Buchanan,  
Capano,  
Capitolo,  
Cauley,  
Cianfrani,  
Cioffi,  
Clarke,  
Comer,  
Cooley,  
Crossin,  
Curwood,  
Dougherty,  
Doughten,  
Ellberg,  
Eshback,  
Farabaugh,  
Filo,  
Fineman,  
Flynn,  
Foerster,

Frascella,  
Fry,  
Galley,  
Gallagher,  
Gelfand,  
Goldstein, M. H.,  
Gray,  
Gremminger,  
Guesman,  
Hamilton,  
Hankins,  
Hartley,  
Heavey,  
Holliday,  
Irvis,  
Jenkins,  
Jim,  
Jones,  
Kamyk,  
Kelly,  
Klein,  
Kornick,  
Kramer,  
Lamb,  
Lawson,  
Leonard,  
Limper,  
Long, Wm. Jas.,  
Long, Wm. Jos.,

Lutty,  
Manbeck,  
Maxwell,  
McCann,  
McDevitt,  
McDonald,  
McKeever,  
McLaughlin,  
McNally,  
Meholchick,  
Miller,  
Mills,  
Monroe,  
Morley,  
Mullen,  
Munley,  
Murphy,  
Musto,  
Needham,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Parlante,  
Pashley,  
Perry,  
Petrosky,  
Polaski,  
Polen,  
Prendergast,  
Price,

Pursley,  
Reibman,  
Reidenbach,  
Renwick,  
Riley,  
Rovanseck,  
Rubin,  
Rudisill,  
Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Seltzer,  
Shelton,  
Sherman,  
Shupnik,  
Snare,  
Stank,  
Sullivan, J. A.,  
Sullivan, T. F.,  
Taylor,  
Tomasick,  
Trusio,  
Varner,  
Verona,  
Wargo,  
Welsh,  
Yetter,

## NAYS—82

Adams,  
Anderson, J. H.,  
Ashton,  
Backenstoe,  
Blair,  
Bossert,  
Bowman,  
Bush,  
Davis,  
Dengler,  
Dennison,  
Donaldson,  
Down,  
Edwards,  
Elvey,  
Eshleman,  
Ewing,  
Fetterolf,  
Foor,  
Fox,  
Fulmer,

George,  
Gibb,  
Gibbons,  
Goldstein, J. H.,  
Goodrich,  
Gramlich,  
Gross,  
Haudenshield,  
Hefner,  
Helm,  
Henzel,  
Hocker,  
Holman,  
Horst,  
Isaacs,  
Johnson, A. W.,  
Johnson, R. P.,  
Kelser,  
Kernaghan,  
Kessler,  
King,

Kistler,  
Kooker,  
Korns,  
Lee, A. M.,  
Lee, K. B.,  
Lippincott,  
Magee,  
Markley,  
Marsh,  
May,  
McCandless,  
McInroy,  
Merry,  
O'Dell,  
Ogilvie,  
Piper,  
Royer,  
Rutherford,  
Simmons,  
Slack,  
Steckel,  
Stimmel,  
Stiteler,  
Strausser,  
Thompson,  
Tompkins,  
Ujobal,  
Wall,  
Weidner,  
Wescott,  
Whittaker,  
Willard,  
Willaredt,  
Williams, A. D.,  
Williams, E. S.,  
Wilt,  
Wood,  
Worley,  
Zember,  
Zimmerman,

## NOT VOTING—9

Guthrie,  
Knecht,  
McCormack,

Mihm,  
Murray,

Odorisio,  
Stone,

Walsh,  
Andrews,  
Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 980, entitled:

An Act relating to the payment of wages or compensation for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—162

Adams,  
Anderson, S. A.,  
Arlene,  
Auker,  
Backenstoe,  
Boles,  
Bonner,  
Bower,  
Bowman,  
Branca,  
Breth,  
Buchanan,  
Capano,  
Capitolo,  
Cauley,  
Cianfrani,  
Cioffi,  
Clarke,  
Comer,  
Cooley,  
Crossin,  
Curwood,  
Dengler,  
Dougherty,  
Doughten,  
Down,  
Edwards,  
Ellberg,  
Elvey,  
Eshback,

Gallagher,  
Gelfand,  
Gibbons,  
Goldstein, J. H.,  
Goodrich,  
Gray,  
Gremminger,  
Gross,  
Guesman,  
Hankins,  
Hartley,  
Haudenshield,  
Heavey,  
Hefner,  
Helm,  
Henzel,  
Hocker,  
Holliday,  
Holman,  
Horst,  
Irvis,  
Isaacs,  
Jenkins,  
Jim,  
Johnson, A. W.,  
Jones,  
Kamyk,  
Kelser,  
Kelly,  
Kernaghan,

Long, Wm. Jas.,  
Long, Wm. Jos.,  
Lutty,  
Manbeck,  
Markley,  
Marsh,  
Maxwell,  
May,  
McCandless,  
McCann,  
McCormack,  
McDevitt,  
McDonald,  
McKeever,  
McLaughlin,  
Meholchick,  
Miller,  
Mills,  
Monroe,  
Morley,  
Mullen,  
Munley,  
Murphy,  
Musto,  
Needham,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Parlante,  
Pashley,  
Renwick,  
Riley,  
Rovanseck,  
Rubin,  
Rudisill,  
Rutherford,  
Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Seltzer,  
Shelton,  
Sherman,  
Shupnik,  
Simmons,  
Snare,  
Stank,  
Steckel,  
Stimmel,  
Strausser,  
Sullivan, J. A.,  
Sullivan, T. F.,  
Taylor,  
Tompkins,  
Trusio,  
Ujobal,  
Varner,  
Verona,  
Walsh,  
Wargo,

Farabaugh,	Kessler,	Perry,	Weldner,
Fetterolf,	King,	Petrosky,	Welsh,
Filo,	Klein,	Piper,	Wescott,
Fineman,	Kooker,	Polaski,	Willard,
Flynn,	Kornick,	Polen,	Williams, A. D.,
Foerster,	Kramer,	Prendergast,	Williams, E. S.,
Fox,	Lawson,	Price,	Worley,
Frascella,	Lee, A. M.,	Pursley,	Yetter,
Fry,	Lee, K. B.,	Reibman,	Zember,
Fulmer,	Leonard,	Reidenbach,	Zimmerman,
Galley,	Limper,		

## NAYS—32

Anderson, J. H.,	Eshleman,	Kistler,	Slack,
Ashton,	Ewing,	Korns,	Stiteler,
Blair,	Foor,	Lippincott,	Thompson,
Bossert,	George,	Magee,	Wall,
Bush,	Gibb,	McInroy,	Whittaker,
Davis,	Goldstein, M. H.,	Merry,	Willard,
Dennison,	Gramlich,	O'Dell,	Wilt,
Donaldson,	Johnson, R. P.,	Royer,	Wood,

## NOT VOTING—12

Bachman,	Knecht,	Mihm,	Stone,
Guthrie,	Lamb,	Murray,	Tomascik,
Hamilton,	McNally,	Odorisio,	Andrews,

Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## FORMER SPEAKER WELCOMED

The SPEAKER pro tempore. The Chair notes the presence in the House today of a former Speaker of this House, former Lieutenant-Governor of the Commonwealth, the Honorable Roy Furman. Will the gentleman please rise in his place?

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 985, entitled:

An Act relating to the effect and priority of liens for taxes and municipal or other claims in cities of the first class.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—145

Adams,	Gallagher,	Long, Wm. Jos.,	Renwick,
Anderson, J. H.,	Gelfand,	Lutty,	Riley,
Anderson, S. A.,	George,	Marsh,	Rovansek,
Arlene,	Gramlich,	Maxwell,	Royer,
Ashton,	Gray,	May,	Rubin,
Bachman,	Gremminger,	McCann,	Rudisill,
Boles,	Gross,	McCormack,	Sakulsky,
Bonner,	Guesman,	McDevitt,	Scarcelli,
Bower,	Hamilton,	McDonald,	Schaaf,
Bowman,	Hankins,	McInroy,	Schuster,
Branca,	Hartley,	McKeever,	Shelton,
Breth,	Heavey,	McLaughlin,	Sherman,
Capano,	Heffner,	McNally,	Shupnik,
Capitolo,	Henzel,	Meholchick,	Slack,
Cauley,	Hocker,	Mills,	Snare,
Cianfrani,	Holliday,	Monroe,	Stank,
Cioffi,	Irvs,	Morley,	Sullivan, J. A.,
Clarke,	Jenkins,	Mullen,	Sullivan, T. F.,
Comer,	Jim,	Munley,	Taylor,
Cooley,	Johnson, R. P.,	Murphy,	Tomascik,
Crossin,	Jones,	Musto,	Tompkins,
Curwood,	Kamyk,	Needham,	Trusio,
Davis,	Kelser,	O'Donnell, J. A.,	Ujobai,

Dennison,	Kelly,	O'Donnell, J. P.,	Verona,
Dougherty,	Kessler,	Ogilvie,	Wall,
Doughten,	Klein,	Parlante,	Walsh,
Elberg,	Kooker,	Pashley,	Wargo,
Elvey,	Kornick,	Perry,	Weidner,
Eshback,	Kramer,	Petrosky,	Welsh,
Farabaugh,	Lamb,	Piper,	Willard,
Filo,	Lawson,	Polaski,	Willard,
Fineman,	Lee, A. M.,	Polen,	Williams, E. S.,
Flynn,	Lee, K. B.,	Prendergast,	Wood,
Foerster,	Leonard,	Price,	Worley,
Frascella,	Limper,	Reibman,	Yetter,
Fry,	Long, Wm. Jas.,	Reidenbach,	Zember,
Galley,			

## NAYS—53

Auker,	Fox,	Kernaghan,	Seltzer,
Backenstoe,	Fulmer,	King,	Simmons,
Blair,	Gibb,	Korns,	Steckel,
Bossert,	Gibbons,	Lippincott,	Stimmel,
Buchanan,	Goldstein, J. H.,	Magee,	Stiteler,
Bush,	Goldstein, M. H.,	Manbeck,	Strausser,
Dengler,	Goodrich,	Markley,	Thompson,
Donaldson,	Haudenshield,	McCandless,	Varner,
Down,	Helm,	Merry,	Wescott,
Edwards,	Holman,	Miller,	Whittaker,
Eshleman,	Horst,	O'Dell,	Williams, A. D.,
Ewing,	Isaacs,	Pursley,	Wilt,
Fetterolf,	Johnson, A. W.,	Rutherford,	Zimmerman,
Foor,			

## NOT VOTING—8

Guthrie,	Knecht,	Murray,	Stone,
Kistler,	Mihm,	Odorisio,	Andrews,

Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1025, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—174

Anderson, J. H.,	Gelfand,	Limper,	Renwick,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Riley,
Arlene,	Gibb,	Long, Wm. Jos.,	Rovansek,
Auker,	Gibbons,	Lutty,	Royer,
Bachman,	Goldstein, J. H.,	Magee,	Rubin,
Backenstoe,	Gramlich,	Manbeck,	Rudisill,
Bonner,	Gray,	Markley,	Rutherford,
Bossert,	Gremminger,	Marsh,	Sakulsky,
Bower,	Gross,	Maxwell,	Scarcelli,
Branca,	Guesman,	May,	Schaaf,
Breth,	Hamilton,	McCandless,	Schuster,
Buchanan,	Hankins,	McCann,	Seltzer,
Bush,	Hartley,	McCormack,	Shelton,
Capano,	Haudenshield,	McDevitt,	Sherman,
Capitolo,	Heavey,	McDonald,	Shupnik,
Cauley,	Heffner,	McInroy,	Snare,
Cianfrani,	Helm,	McKeever,	Stank,
Cioffi,	Henzel,	McLaughlin,	Steckel,
Clarke,	Hocker,	McNally,	Stimmel,
Comer,	Holliday,	Meholchick,	Strausser,
Cooley,	Holman,	Merry,	Sullivan, J. A.,
Crossin,	Horst,	Miller,	Sullivan, T. F.,
Curwood,	Irvs,	Mills,	Taylor,
Davis,	Jenkins,	Monroe,	Tomascik,
Dennison,	Jim,	Morley,	Trusio,
Donaldson,	Johnson, A. W.,	Mullen,	Ujobai,



Dougherty, Doughten, Edwards, Ellberg, Elvey, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Fox, Fry, Fulmer, Galley, Gallagher,	Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Munley, Murphy, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach,	Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember,
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## NAYS—22

Adams, Ashton, Blair, Bowman, Dengler, Down,	Ewing, Foor, Goodrich, Isaacs, Kernaghan, Lippincott,	O'Dell, Ogilvie, Price, Simmons, Slack,	Stiteler, Thompson, Tompkins, Walsh, Zimmerman,
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## NOT VOTING—10

Boies, Frascella, Goldstein, M. H.,	Guthrie, Knecht, Mihm,	Murray, Odorisio,	Stone, Andrews, Speaker
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1032, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), requiring meetings of the Pennsylvania Fish Commission to be open to the public.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—148

Adams, Anderson, S. A., Arlene, Blair, Boies, Bonner, Bossert, Bower, Bowman, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Ellberg, Eshback, Eshleman,	Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Gramlich, Gray, Gremminger, Gross, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Hocker, Irvs, Jim, Jones, Kamyk, Kelser, Kelly, Kessler, Klein, Kooker, Kornick, Korns,	Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Mullen, Munley, Murphy, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley,	Reidenbach, Renwick, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Tomasck, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Wargo, Waldner,
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Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Fox,	Kramer, Lamb, Lawson, Lee, A. M., Leonard, Limper, Lippincott,	Perry, Petrosky, Piper, Polaski, Polen, Price, Reibman,
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## NAYS—48

Anderson, J. H. Ashton, Auker, Backenstoe, Buchanan, Bush, Down, Edwards, Elvey, Ewing, Foor, Gibb,	Goldstein, M. H., Goodrich, Guesman, Haudenshield, Henzel, Holliday, Holman, Horst, Isaacs, Jenkins, Johnson, A. W., Johnson, R. P.,	Kernaghan, King, Kistler, Lee, K. B., Magee, Markley, McInroy, Miller, O'Dell, Prendergast, Pursley, Simmons,	Slack, Snare, Stank, Steckel, Stimmel, Thompson, Wescott, Whittaker, Willard, Wilt, Yetter, Zimmerman,
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## NOT VOTING—10

Bachman Frascella, Guthrie,	Knecht, Mihm, Murray,	Odorisio, Stiteler,	Stone, Andrews, Speaker
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1076, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Anderson, J. H., Anderson, S. A., Arlene, Auker, Bachman, Backenstoe, Blair, Boies, Bonner, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards,	Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser,	Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie,	Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Steckel, Stimmel, Stiteler, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner,
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Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Kelly, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lawson, Lee, A. M., Lee, K. B., Leonard,	Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman,
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## NAYS—9

Adams, Ashton, Fetterolf,	Gibbons, Isaacs,	Kernaghan, Lippincott,	Stank, Tompkins,
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## NOT VOTING—9

Guthrie, Jenkins, Knecht,	Lamb, Mihm,	Murray, Odorisio,	Stone, Andrews, Speaker
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1185, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), further providing for the keeping of records and papers at the county seat.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Adams, Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh;	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guesman, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Kooker,	Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Ujobai, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S.,
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Filo, Flynn, Foerster, Fox, Frascella, Fry, Fulmer,	Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Wilt, Wood, Worley, Yetter, Zember, Zimmerman,
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## NAYS—9

Anderson, J. H., Fetterolf, Foor,	Klein, Lippincott,	Magee, Murphy,	O'Dell, Walsh,
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## NOT VOTING—11

Dougherty, Fineman, Goldstein, M. H.,	Guthrie, Knecht, Mihm,	Murray, Odorisio, Stone,	Trusto, Andrews, Speaker
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1300, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing the appointment of an assistant treasurer requiring him to be bonded and fixing his powers and duties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

## YEAS—173

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Fox,	Frascella, Fry, Fulmer, Gallagher, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Irviss, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb,	Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McNally, Merry, Miller, Monroe, Morley, Mullen, Murphy, Musto, Needham, O'Dell, O'Donnell, J. P., Ogilvie, Parlante, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley,	Reibman, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Ujobai, Varner, Verona, Walsh, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman,
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## NAYS—23

Bossert, Cauley, Cianfrani, Curwood, Fineman, Galley,	Gelfand, Gross, Guesman, Horst, Jenkins, Meholchick,	Mills, Munley, O'Donnell, J. A., Pashley, Renwick, Schaaf,	Strausser, Wall, Wargo, Wescott, Williams, A. D.,
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## NOT VOTING—10

Guthrie, Knecht, McLaughlin,	Mihm, Murray, Odorisio,	Reidenbach, Stone,	Trusilo, Andrews, Speaker
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1367, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed \* \* \*" increasing penalties for violation and providing injunctive relief.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, today we had a situation on our calendar in connection with the strike-breakers' bill when we offered amendments to try to make it a bill having to do with both sides of the street and make it a fair bill, so the amendments were turned down. Recently a bill passed this House denying employers the temporary injunction in case of a labor dispute in four limited categories. That bill passed.

Here, however, is a bill that grants a temporary injunction against industry. It is the reverse of the bill which was passed; I believe it was House bill 863. I think that we have adequate ways of enforcing the safety laws of this Commonwealth in the rules and regulations of the Department of Labor and Industry. If you read the industrial magazines that are being put out today by industry, you will note they all pride themselves on their splendid safety record in the tremendous precautions they are taking to safeguard their employees and I want to tell you the last two or three weeks the things that this session is heaping on the businessman in this State, being a small businessman or a big businessman, I do not see how business is going to come to Pennsylvania. I know I have been saying this. You had a small businessman's conference here in Harrisburg on the 13th of May when we were not here. What they should have done was to hand out copies of a calendar to every businessman there and show him the things that are on this calendar to literally put the businessman on his knees in Pennsylvania.

This is just another thing that you are heaping on industry. You are saying a temporary injunction is not good against labor but it is good against industry. I believe it is time we people stood up and gave everybody a square deal in Pennsylvania. I think this is getting to be a one-sided situation here, and, believe me, the eyes of industry and businessmen in Pennsylvania are upon us.

This bill is not needed. You are doubling the penalties and until you show us there is a frightful situation pre-

vailing in this State of wholesale disregard of the rules and regulations of the Department of Labor and Industry which warrant this, I am urging the members on this side of the House to vote "no."

Mr. SCHAAF. Mr. Speaker, I am going to suggest to the membership of the House that the minority leader has befogged the issue when he says that this does the reverse of what was done to the so-called anti-injunction act here a few days ago. I think he misstates the facts. The minority leader is a lawyer. He can correct me if I am wrong.

My recollection is, Mr. Speaker, that the prior bill, and I only refer to it for the sake of his comparison, removed the privilege of the employer to secure an ex parte restraining order. It does not deny him the right to a temporary injunction following a hearing.

Mr. Speaker, I am going to refer to the specific piece of legislation which is before us. He says that here we are now providing for an immediate restraining order against the employer. I suggest, Mr. Speaker, that the minority leader has not read the bill. The offensive language with which he may have been concerned previously has been stricken out. The bill has been amended; three days notice is required. I think under the circumstances the two problems are very far apart.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—109

Anderson, S. A., Arlene, Auker, Bachman, Boies, Bonner, Bower, Branca, Breth, Buchanan, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Eilberg, Farabaugh, Filo, Fineman, Flynn, Foerster,	Frascella, Fry, Gailey, Gallagher, Gelfand, Goldstein, M. H., Gray, Gremminger, Guesman, Hamilton, Hankins, Hartley, Irviss, Jenkins, Jim, Jones, Kamyk, Kelly, Kessler, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Forster,	Long, Wm. Jos., Lutty, Maxwell, McCann, McCormack, McDevitt, McKeever, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Price,	Reibman, Reidenbach, Renwick, Riley, Rovanssek, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Stank, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Trusilo, Verona, Walsh, Wargo, Welsh, Williams, A. D., Worley, Yetter,
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## NAYS—85

Adams, Anderson, J. H., Ashton, Backenstoe, Blair, Bossert, Bowman, Bush, Davis, Dengler, Dennison, Donaldson, Down, Elvey, Eshback,	Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gross, Haudenschild, Helm, Henzel, Hocker, Holliday, Holman, Horst, Isaacs, Johnson, A. W.,	Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Marsh, May, McCandless, McDonald, McInroy, Merry, Miller, O'Dell, Ogilvie,	Slack, Snare, Steckel, Stimmel, Stiteler, Strausser, Thompson, Tompkins, Ujobal, Varnar, Wall, Weldner, Wescott, Whittaker, Willard,
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Eshleman,  
Ewing,  
Fetterolf,  
Foor,  
Fox,  
Fulmer,  
George,

Johnson, R. P.,  
Kelser,  
Kernaghan,  
King,  
Kistler,  
Kooker,

Piper,  
Pursley,  
Royer,  
Rutherford,  
Seltzer,  
Simmons,

Willaredt,  
Williams, E. S.,  
Wilt,  
Wood,  
Zember,  
Zimmerman,

## NOT VOTING—12

Edwards,  
Guthrie,  
Heavey,

Heffner,  
Knecht,  
Markley,

McLaughlin,  
Mihm,  
Murray,

Odorisio,  
Stone,  
Andrews,  
Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1414, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), empowering the Governor to abolish special funds transfer balances in bond fund to the General Fund utilize balances in the sinking funds to extinguish the public debt and providing powers and duties of the Auditor General and State Treasurer.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, on House bill 1414 the amendments that were discussed dealing with the balance in the Korean conflict bonds, the amendments are placed in there that they cannot be used or transferred. These amendments were suggested in the Rules Committee by the Republican members and have been inserted in the bill at their suggestion.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Would the majority leader please otherwise explain the bill? Is this the bill that would give the Governor the right to transfer during the year from one fund to another, or is this merely the bill which says if there are any sums of money left in a sinking fund that it can be transferred to the general fund?

Mr. McCANN. Mr. Speaker, this would be the bill that gives the Governor the power to abolish special funds, transfer balances in funds, and utilize balances in sinking funds when the original purpose of these funds has been accomplished. In other words, it has served its purpose and there is a balance in the fund.

The bill also includes the limitations that we have discussed dealing with requiring the Auditor General and the State Treasurer to concur in the case of the abolition of special funds, and requiring the State Treasurer to certify to the facts in the case of the funds and the sinking funds.

In addition, the amendment was placed in there specifically dealing with the Korean bonus bond balance, since it was brought out that there was perhaps \$30 million worth of bonds not used that were authorized by the voters of the Commonwealth in the Korean conflict bonus bond item.

Therefore, the bill, in our opinion, meets what has been

discussed and gives the Governor the power to do this with any funds after it has accomplished its specific purpose. For that reason I ask that the membership do support this.

Mr. A. W. JOHNSON. This is the bill that deals with the special funds when the purpose of the fund is no longer necessary and there are balances remaining, and it permits the Governor to transfer it to the general fund?

Mr. McCANN. That is correct.

Mr. A. W. JOHNSON. This is not the bill we defeated previously which gave the Governor the right to borrow from various funds during the interim?

Mr. McCANN. This is not that bill. That I believe is 1216; this is 1414. You are right.

Mr. A. W. JOHNSON. As far as I am personally concerned, I cannot see anything wrong with that, particularly with the Korean bonus protection in there, although there may be some on our side who may feel that the Governor should not have that power. We are, therefore, not making any party policy on the bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. This bill provides that the Governor shall have the power to abolish any special fund and transfer the balance therein into the general fund, when in the opinion of the Governor, the Auditor General, and the State Treasurer there is no further need for such special funds.

How many special funds are there in the Commonwealth of Pennsylvania at the present time?

Mr. McCANN. Mr. Speaker, I could not answer how many are left now. We have tried by various acts to abolish a good many in which the special fund had served its purpose and a balance was left. I would have gotten the information gladly as to how many more special funds are left. The idea is to give the Governor, the State Treasurer and the Auditor General the right, when the fund has served its purpose, has paid its obligation, to transfer the balance into the general fund where it properly belongs.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, I do not have the information before me now, I have it on my desk, but in the early part of this session I asked for information regarding what special funds were in existence in the Commonwealth of Pennsylvania, and I was furnished with a list by the Governor's budget office of 63 special funds in the Commonwealth of Pennsylvania. Those special funds included such funds as the Fish Fund, the Game Fund, the Liquor Control Fund, and funds of that type. Are we by this bill going to give the Governor the right to transfer these funds back and forth, to abolish any particular special fund without our knowing how much is in it, and transfer it to the general fund? Just what kind of power are we granting under this bill?

Mr. McCANN. Mr. Speaker, if I may, I believe the gentleman requested a list of all the special funds and, properly, those funds would be listed. But what are we



doing in this piece of legislation? You are giving to the Governor, the Auditor General, and the State Treasurer the power to abolish the fund after it has served its purpose whenever there may be a balance there to be transferred into the general fund. That certainly would not be true of all the funds that are on the list that you have in your possession. I believe your inquiry was to itemize every special fund, and, properly so, you received that information. For example, as you recall, there were times in which there were special funds going back to the old Mother's Assistance Act, items dealing with the 1930's, in which there were such items as low as \$1,000, and even less in some cases, where the fund had completely served its purpose and this was the balance. We were trying to straighten all of those up, and we believe that the Auditor General, the State Treasurer, and the Governor should have the right, after it has served its purpose, after everything has been paid, to help the general fund by transferring that money to the general fund.

Mr. TOMPKINS. Mr. Speaker, can the gentleman give me any information as to how much money is in special funds today to which this bill might apply?

Mr. McCANN. No, Mr. Speaker, I do not have the amount of money nor the number of funds as of today that it would apply to should it become law. I am sure we can give you that information. We have discussed this before. It is published every month, I believe, but I will get the information.

Mr. TOMPKINS. Mr. Speaker, I thank the gentleman.

I want to call the attention of the members of this House to the fact that earlier this year we passed several bills abolishing certain special funds and transferring them to the general fund, and among some of the funds that were abolished and transferred were some to make up the deficiency appropriation which we passed the first or second week of this session. Among those funds was an item amounting to close to \$2 million. When I interrogated in connection with that \$2 million, they said that could be done by executive order. Later, when I asked them to furnish me the authority for the executive to transfer those funds, the first answer I had to it was a bill on the calendar to accomplish it by legislative action, which gave the General Assembly information as to the fund in question and the amount involved.

I do not see why we should by general legislation surrender our power to transfer any fund without it being brought before this General Assembly in a bill for that purpose.

For that reason I am asking the members on this side of the House to vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—111

Anderson, S. A.,	Fry,	Maxwell,	Reidenbach,
Arlene,	Galley,	McCann,	Renwick,
Bachman,	Gallagher,	McCormack,	Riley,
Boles,	Gelfand,	McDevitt,	Rovansek,
Bonner,	Gray,	McDonald,	Rubin,
Bower,	Gremminger,	McKeever,	Rudisill,
Branca,	Guesman,	McLaughlin,	Sakulsky,
Breth,	Hamilton,	McNally,	Scarcelll,
Capano,	Hankins,	Meholchick,	Schaaf,
Capitolo,	Hartley,	Mills,	Schuster,

Cauley,	Heavey,	Monroe,	Shelton,
Cianfrani,	Irvia,	Morley,	Sherman,
Cioffi,	Jenkins,	Mullen,	Shupnik,
Clarke,	Jlm,	Munley,	Stank,
Comer,	Jones,	Murphy,	Sullivan, J. A.,
Cooley,	Kamyk,	Musto,	Sullivan, T. F.,
Crossin,	Kelly,	Needham,	Taylor,
Curwood,	Kessler,	O'Donnell, J. A.,	Tomascik,
Dougherty,	Klein,	O'Donnell, J. P.,	Truslo,
Doughten,	Kornick,	Parlante,	Verona,
Elberg,	Kramer,	Pashley,	Wall,
Farabaugh,	Lamb,	Perry,	Walsh,
Filo,	Lawson,	Petrosky,	Wargo,
Fineman,	Leonard,	Piper,	Welsh,
Flynn,	Limper,	Polaski,	Whittaker,
Foerster,	Long, Wm. Jas.,	Polen,	Worley,
Fox,	Long, Wm. Jos.,	Prendergast,	Yetter,
Frascella,	Lutty,	Reibman,	

## NAYS—86

Adams,	Fulmer,	Kistler,	Simmons,
Anderson, J. H.,	George,	Kooker,	Slack,
Ashton,	Gibb,	Korns,	Snare,
Auker,	Gibbons,	Lee, K. B.,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Blair,	Goldstein, M. H.,	Lippincott,	Stiteler,
Bossert,	Goodrich,	Magee,	Strausser,
Bowman,	Gramlich,	Manbeck,	Thompson,
Buchanan,	Gross,	Markley,	Tompkins,
Bush,	Haudenshield,	Marsh,	Ujohai,
Davis,	Helm,	May,	Varner,
Dengler,	Henzel,	McCandless,	Weldner,
Dennison,	Hocker,	McInroy,	Wescott,
Donaldson,	Holliday,	Merry,	Willard,
Down,	Holman,	Miller,	Willaredt,
Edwards,	Horst,	O'Dell,	Williams, A. D.,
Elvey,	Isaacs,	Ogilvie,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Price,	Wilt,
Eshleman,	Johnson, R. P.,	Pursley,	Wood,
Ewing,	Kelser,	Rutherford,	Zember,
Fetterolf,	Kernaghan,	Seltzer,	Zimmerman,
Foor,	King,		

## NOT VOTING—9

Guthrie,	Mihm,	Odorislo,	Stone,
Heffner,	Murray,	Royer,	Andrews,
Knecht,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, this will be all the roll calls for today, but we have bills which will be amended. I think there are announcements for committee meetings tomorrow, and, of course, the House will convene at 10 a. m., daylight saving time, tomorrow.

The gentleman from Bucks, Mr. Gallagher, has asked to be recognized on the floor regarding a statement. I understand the electric roll call ran its last item. It would have to be recharged at this point anyway and that would take five minutes.

## PERMISSION TO ADDRESS HOUSE

Mr. GALLAGHER asked and obtain unanimous consent to address the House.

Mr. Speaker, there has been a great amount of interest from Philadelphia in having the surrounding suburban counties participate in the city of Philadelphia's mass transportation program. While the city has done a very fine job in improving mass transportation in and about the city, the mayor suggests that the surrounding counties join and participate in what is actually a subsidization of transportation companies.

While the aims of this program are commendable, the problem arises in the suburban counties of how to finance this venture along with the city of Philadelphia and still provide the basic necessities for their constituents.

However, Mr. Speaker, there might be a solution to this momentous program if the mayor of Philadelphia is willing to cooperate with the people in the surrounding counties.

Therefore, Mr. Speaker, in order to start the ball rolling in the direction of cooperation between the city of Philadelphia and the five counties surrounding Philadelphia, today myself and Representatives Fry and Gremminger from Montgomery and Delaware Counties introduced a bill that would, I believe, help to pave the way for serious consideration of the mayor's proposals. This bill will exempt all non-residents of Philadelphia from paying the Philadelphia wage tax. When this measure becomes law, I am sure the five counties surrounding Philadelphia will be in a better position to sit down with the mayor to try to establish a basis for cooperation in this area.

#### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SNARE asked and obtain unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. FOERSTER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

#### COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Wednesday, May 24, at 9:30 a.m.

CITIES-COUNTIES FIRST CLASS, Mr. Dougherty, chairman, Room 521, Wednesday, May 24, at 9:45 a.m.

CITIES-COUNTIES SECOND CLASS and SECOND CLASS A, Mr. Luty, chairman, Room 131-B, Wednesday, May 24, at 9:30 a.m.

GAME and CONSERVATION, Mr. Curwood, chairman, Room 323, Wednesday, May 24, at 9:45 a.m.

INSURANCE, Mr. Hamilton, chairman, Room 522, Wednesday, May 24, at 9:45 a.m.

LABOR RELATIONS, Mr. Wargo, chairman, Room 131-G, Wednesday, May 24, at 9:45 a.m.

MILITARY AFFAIRS, Mr. Needham, Chairman, Room 324, Wednesday, May 24, at 9:45 a.m.

MINES and MINERAL INDUSTRIES, Mr. Rovanseck, chairman, Room 131-E, Wednesday, May 24, at 9 a.m.

#### ALL TIMES ARE DAYLIGHT SAVING TIME

Mr. McCANN. Mr. Speaker, I desire to call up at this time bills for reconsideration and amendment. I call up on page 2 of today's calendar, House bill No. 826, bills on second reading.

#### BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 826, entitled:

An Act amending "The Permanent Registration Act of Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487), providing for registration by roving registrars and providing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. EILBERG offered the following amendment:

Amend Sec. 2 (Sec. 18), page 3, line 15 by striking out "chairman of each party" and inserting "county chairman respectively of the political party enrolling the largest and second largest number of voters within the county at the preceding election."

Amend Bill, page 4, by inserting after line 9: "Section 3. This act shall take effect immediately."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

#### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1106, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the form of the official primary ballot.

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 1002), page 3, line 5 by inserting after "[Opposite]": "In other than State-wide primary elections-at-large of congressional candidates."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1190, entitled:

An Act reenacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act" approved June 11, 1947 (P. L. 551), including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act and providing for a uniform classification of accounts and records.

On the question,

Shall the bill pass finally?



## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HAMILTON asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 13.1), page 28, lines 9 and 10, by striking out "WHICH WRITE ONLY COVERAGES OTHER THAN INSURANCE UPON AUTOMOBILES" and inserting: as to policies covering only those classes of insurance

Amend Sec. 1 (Sec. 13.1), page 28, line 13, by inserting after "1921" other than insurance upon automobiles.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1216, printer's No. 1739, on page 13 of today's calendar, bills on final passage postponed.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 816, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), further regulating the issuance of artificial propagation licenses for fish bait fish and fish bait and the fees for such licenses providing for the issuance of such licenses for propagation of frogs tadpoles and turtles and making special provision for live bait dealers licenses and transportation permits.

On the question,

Will the House agree to the bill on third reading?

Messrs. GRAMLICH, JIM, WILLARD and EDWARDS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by striking out "and"

Amend Title, page 1, last line of Title, by inserting after "PERMITS" and requiring live bait being brought into the State to be inspected

Amend Sec. 2 (Sec. 1701.1), page 4, line 2, by striking out "TWENTY DOLLARS (\$20.00)" and inserting: one hundred dollars (\$100.00)

Amend Sec. 2 (Sec. 170.1), page 4, by inserting between lines 2 and 3: No resident live bait dealer and no non-

resident dealer shall bring live bait into the State without first having it inspected and approved for desirability of species by the Pennsylvania Fish Commission.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 880, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), changing provisions governing the change of the place of business of a branch the period of public notice for the discontinuance of a branch and the provisions relating to honorary directors emeritus and members of advisory boards \* \* \*

On the question,

Will the House agree to the bill on third reading?

Mr. SHERMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 2 (Sec. 204.1), page 6, line 8, by striking out "and for such period"

Amend Sec. 2 (Sec. 204.1), page 6, line 8, by striking out the bracket before "at"

Amend Sec. 2 (Sec. 204.1), page 6, line 9, by inserting brackets before and after "ninety" and inserting immediately thereafter: thirty

Amend Sec. 2 (Sec. 204.1), page 6, line 9, by striking out the bracket after "discontinuance"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1439, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the use of return receipts from registered or certified mail as an operator's license or learner's permit in certain cases after a period of suspension has elapsed and until a surrendered license or permit is returned.

On the question,

Will the House agree to the bill on third reading?

Mr. GOODRICH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 618), page 2, line 12, by inserting after "receipt" provided that the time of mailing is in compliance with the notice of suspension.

Amend Sec. 1 (Sec. 618), page 2, line 13, by inserting after "recipt" together with the notice of suspension sent by the department

Amend Sec. 1 (Sec. 618), page 3, line 2, by inserting after "interim" Such use shall not be valid in any case in which an additional period of suspension is imposed during the original period of suspension or in any case in which the notice of suspension sent by the department requires proof of financial responsibility as a condition for return of the license or permit.

Whenever suspension is for a set period of time, the notice of suspension sent by the department shall notify the operator of his rights under this subsection.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

#### SENATE MESSAGE

##### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 154.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing for an assistant township secretary.

##### HOUSE BILL No. 808.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for the fiscal period June 1, 1961 to June 30, 1962 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending May 31, 1961.

##### HOUSE BILL No. 892.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring the Secretary of Highways to erect signs at major entrance points into the Commonwealth giving notice of the law regulating passing of school buses and the penalty for violation thereof.

##### HOUSE BILL No. 947.

An Act amending the "Municipal Claim and Tax Lien Law" approved May 26, 1923 (P. L. 207), extending the period for revival of suggestions and averments of non-payment and default and the time for the filing and re-

newal of all taxes and municipal claims in cities and school districts of the first class to twenty years.

##### HOUSE BILL No. 1154.

An Act transferring inheritance tax commissions of the Register of Wills of Philadelphia County to the Department of Revenue.

With the information that the Senate has passed the same without amendment.

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

##### HOUSE BILL No. 808.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for the fiscal period June 1, 1961 to June 30, 1962 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending May 31, 1961.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bills returned for concurrence Nos. 734 and 936.

Senate insists on amendments non-concurred in by House to House bill No. 678.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 719, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), eliminating duplicate revocations or suspensions arising out of same event or occurrence.

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GELFAND. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GELFAND asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2 (Sec. 618), page 3, line 17, by inserting after "OCCURRENCES" also if the operator's privileges of such person has been suspended in the other state, then such suspension shall be for the same period of time as that provided in the suspension by the other state and no part of the suspension ordered by the secretary shall be



served after the expiration of the suspension imposed by the other state.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### ADJOURNMENT

Mr. DOUGHERTY. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 24, 1961, at 9:00 a.m., e.s.t.

The motion was agreed to, and (at 5:26 p.m., e.s.t.) the House adjourned.





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Session 1961.

145th of the General Assembly.

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HARRISBURG, PA., WEDNESDAY, MAY 24, 1961.

No. 53.

## SENATE

WEDNESDAY, MAY 24, 1961

The Senate met at 11:30 a.m., Eastern Standard Time.

The PRESIDING OFFICER (Benjamin R. Donolow) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM J. ARNOLD, Pastor of Church of The Manger, United Church of Christ, Bethlehem, offered the following prayer:

Almighty God, it is only fitting and proper that as we open our deliberations, we pause and acknowledge Thy Holy Presence here and center our attention upon Thee.

Eternal God, Who, with infinite wisdom, dost govern this entire vast universe, grant us guidance to govern the affairs of this Commonwealth. We pray that the decisions made here today will be in accordance with Thy holy will and have Thy blessing, for we know full well, in our personal experience and in the history of mankind, that that which is done contrary to Thy will and apart from Thee, ultimately fails.

Father, bless each Senator with continued life, good health and a heart filled with Thy Holy Spirit. As Thou dost have a deep personal concern for each one of them, so may they be moved by a deep concern for other persons. Help them to propose and enact legislation with as much concern for others as if they were as close to them as their own flesh and blood, which indeed they are, since we are all Thy children.

We humbly offer this, our prayer, in the Name of Jesus Christ, our Lord and Savior. Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. Lane, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGE

### AMENDMENTS TO HOUSE BILLS, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence, **HB 369** and **638**, said bills having been recalled from the Governor for amend-

ment, the votes had on final passage and third reading were reconsidered in the House and the bills amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bills, as amended, will be placed on the Calendar.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

## BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:

**SB 307, 315, 433, 485, HB 31, 55, 154, 157, 171, 264, 331, 392, 409, 489, 493, 497, 498, 500, 635, 636, 663, 808, 827, 892, 947, 1091, 1119, 1120, 1121, 1154 and 1290.**

The PRESIDING OFFICER (Benjamin R. Donolow) in the Chair.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 48**, which was referred to the Committee on Judiciary General.

He also presented for concurrence **HB 257, 728, 980 and 1367**, which were referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 669, 985, 1185 and 1300**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 837**, which was referred to the Committee on Elections.

He also presented for concurrence **HB 895**, which was referred to the Committee on State Government.

He also presented for concurrence **HB 926 and 1259**, which were referred to the Committee on Highways.

He also presented for concurrence **HB 1025, 1075 and 1076**, which were referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1032**, which was referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 1098 and 1099**, which were referred to the Committee on Insurance.

He also presented for concurrence **HB 1165**, which was referred to the Committee on Law and Order.

He also presented for concurrence **HB 1414**, which was referred to the Committee on Finance.

## REPORT FROM COMMITTEE

Mr. SHAFER, from the Committee on Historical Preservation, reported, as committed, **SB 398**.

## RESOLUTION REPORTED FROM COMMITTEE

Mr. SHAFER, from the Committee on Historical Preservation, reported without amendment, Senate Resolution, **Serial No. 29**, entitled: Expressing Confidence in the Present Independent Structure and Operation of the Pennsylvania Historical and Museum Commission.

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

## REPORTS FROM COMMITTEES

Mr. LANE, from the Committee on Local Government, reported, as amended, **HB 680** and **1042**.

Mr. WARE, from the Committee on Historical Preservation, reported, as committed, **SB 535** and **HB 247**.

Mr. PECHAN, on behalf of Mr. CHAPMAN, from the Committee on Historical Preservation, reported, as committed, **SB 503**.

Mr. SILVERT, from the Committee on Law and Order, reported, as committed, **SB 298, 317, 318, 351, 472, 508, 509, 522, 527, HB 146, 208, 832, 1036, 1049 and 1084**; as amended, **HB 607** and **868**.

Mr. KALMAN, from the Committee on Historical Preservation, reported, as committed, **SB 202** and **224**.

Mr. HAYS, from the Committee on Education, reported as committed, **HB 351, 639, 740, 1115 and 1116**; as amended, **HB 932**.

## BILL REREFERRED

Mr. MULLIN, from the Committee on State Government, returned to the Senate, **SB 531**, which was rereferred to the Committee on Appropriations.

## BILLS INTRODUCED AND REFERRED

Messrs. SEYLER, HAYS and ROONEY presented to the Chair **SB 683**, entitled:

A Joint Resolution proposing an amendment to article three, section eighteen of the Constitution of the Commonwealth of Pennsylvania, providing for grants or loans to residents of the Commonwealth for higher educational purposes.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. SEYLER and HAYS presented to the Chair **SB 684**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," removing provisions relating to the districting of State colleges.

Which was committed to the Committee on Education.

They also presented to the Chair **SB 685**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the administration of allocation of unencumbered funds.

Which was committed to the Committee on Education.

Messrs. WEINER, RIPP and BERGER presented to the Chair **SB 686**, entitled:

An Act relating to atomic energy; defining powers and

duties of State departments, offices, boards, commissions, and of political subdivisions in connection therewith; creating the Office of Atomic Development, and prescribing its powers and duties.

Which was committed to the Committee on State Government.

Messrs. WEINER, SEYLER and PECHAN presented to the Chair **SB 687**, entitled:

An Act amending the act of August 5, 1941 (P. L. 752), entitled "Civil Service Act," providing exceptions to certain provisions of the act when professional and technical positions concerned with the administration of the Public Assistance Law and related statutes are being considered.

Which was committed to the Committee on State Government.

## SENATE CONCURRENT RESOLUTION

## JOINT COMMITTEE TO AID IN OBSERVING SEVENTIETH ANNIVERSARY OF DREXEL INSTITUTE OF TECHNOLOGY

Messrs. McCREESH, STIEFEL and KESSLER offered the following resolution (Serial No. 119), which was read, considered and adopted:

In the Senate, May 24, 1961.

WHEREAS, among Pennsylvania's institutions of higher learning, Drexel Institute of Technology is found in the very vanguard of Pennsylvania's cultural and technological progress; and

WHEREAS, in the fall of the year Nineteen Hundred and Sixty One, Drexel Institute of Technology will celebrate the Seventieth Anniversary of its founding; and

WHEREAS, this great Seat of Learning, located in the heart of Philadelphia, has served with exemplary and intensity of dedication the interests of Pennsylvania from which over three-fourths of its students hail and where an equal percentage of its graduates make their homes and careers following graduations; and

WHEREAS, with an exemplary efficiency of operation from early morning until late at night throughout the year, the Drexel Institute of Technology has been able to provide programs of higher education in science, technology, industrial management, home economics, and library science for over 125,000 men and women during its seven decades of operation; and

WHEREAS, through its program of cooperative education the Drexel Institute of Technology has now conducted for forty years many programs serving as a means whereby young people of ability can complete a college program as well as enhance the meaning of that education by applying same through internships in the professions and in industry; and

WHEREAS, through its evening undergraduate and graduate programs, the Drexel Institute of Technology has made it possible for thousands of men and women, employed by day, to grow in understanding and in professional competence, thereby achieving their baccalaureate and master's degrees, while still remaining fully productive in the working force; and

WHEREAS, through its Graduate School of Library Science, the oldest in Pennsylvania and one of the three oldest in the United States, it has been—and with an expanding program will increasingly be—one of the major sources of professional librarians now so urgently needed in Pennsylvania; and

WHEREAS, under the inspiring leadership of its great President, Dr. James Creese and almost exclusively through efforts to obtain support from private sources, the Drexel Institute of Technology has, within the last fifteen years, doubled its capacity for educational service so that, annually, it accommodates now some 9,000 students and graduates nearly 1,000 young men and women; and



WHEREAS, the President, the officers and the trustees of the Drexel Institute of Technology, fully cognizant of the educational needs of Pennsylvania generally, and of our National progress in Technology in particular, are initiating a program of construction that will increase the capacity of the Institute to serve nearly 14,000 students by the end of another decade; and

WHEREAS, the Drexel Institute of Technology has persistently endeavored to create, in Philadelphia, a center of higher scientific and technological education and research conducive to the advancement of the commercial and industrial potentialities and interests of the Delaware Valley and the Commonwealth; and

WHEREAS, the corporate example of good citizenship of the Drexel Institute of Technology is equally matched by the examples of responsible citizenship given by members of its staff and their public services on behalf of the City of Philadelphia, the Commonwealth, and the Federal Government, and notably in the case of President Creese who has assumed numerous responsibilities, including that of the chairmanship of the Governor's Committee on Unemployment Compensation; and

WHEREAS, at the time of the celebration of the seventieth anniversary of the founding of the Drexel Institute of Technology, in the fall of 1961, the General Assembly of Pennsylvania will not be in session; and

WHEREAS, the House of Representatives and the Senate of the General Assembly of Pennsylvania are desirous to join the people of Pennsylvania generally, and the citizens of Philadelphia in particular, in paying tribute to the Drexel Institute of Technology at the time of the festivities, in the fall of 1961;

NOW THEREFORE BE IT RESOLVED, that the House of Representatives and the Senate of the General Assembly of Pennsylvania extend to the President, Trustees and officers of the Drexel Institute of Technology, on behalf of the people of Pennsylvania, their profound appreciation of the services rendered by the Institute to the Commonwealth of Pennsylvania in the past and the services being rendered there at the present time,

AND BE IT FURTHER RESOLVED, that the President pro-tempore of the Senate of Pennsylvania appoint three Senators and the Speaker of the House of Representatives of Pennsylvania appoint three State Representatives, in order that they may convey to the Drexel Institute of Technology at the time of the observance of the seventieth anniversary of the founding of the Institute, this Resolution of appreciation and greetings,

AND BE IT FURTHER RESOLVED, that upon the passage of this Resolution, the Secretary of the Senate forward an official copy of the Resolution to Dr. James Creese, President of the Drexel Institute of Technology.

Ordered, that the clerk present the same to the House of Representatives for concurrence.

### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the resolution which I am about to introduce deals with the Centennial of the Civil War. Unfortunately, of all the States, Pennsylvania is lagging in preparation for that celebration. You, I and all of us can envisage that from all over the world and from all over the United States, people will be coming to the Gettysburg Battlefield in 1963 in order to celebrate that great combat which forged the future of the United States.

Unfortunately, because membership on the Centennial Commission in many instances, meant becoming an Ambassador to another Country, like General Biddle and Senator Rice, this commission has been depleted. Personally, I believe that we do not have the utmost effort in making preparations for the celebration of the Centennial.

This is my reason, Mr. President, for offering this resolution and asking for its immediate adoption.

### SENATE RESOLUTION

REQUESTING A REPORT FROM THE COMMISSION ON THE ONE HUNDREDTH ANNIVERSARY OF THE BATTLE OF GETTYSBURG AND LINCOLN'S GETTYSBURG ADDRESS

Mr. STIEFEL offered the following resolution (Serial No. 61), which was read, considered and adopted:

In the Senate, May 24, 1961.

WHEREAS, The commemoration of the centennial years of the Civil War is of especial significance to Pennsylvania because of the large number of Pennsylvanians who fought and died in this great conflict to preserve the Union, because the great battle which was the turning point of the war took place on Pennsylvania soil, and because Abraham Lincoln's brief address in dedicating the cemetery on that battlefield stated the case for the preservation of the Union in imperishable words which will never be forgotten; and

WHEREAS, The General Assembly by an Act approved on April 20, 1956, established a commission to consider and arrange plans for a proper and fitting recognition and observance of the One Hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address, which commission was to make report of its actions to the next regular Session of the General Assembly; and

WHEREAS Both the executive and the legislative branches of the government of this Commonwealth have given due and appropriate attention to the opening of the observance of the Centennial of the Civil War, Governor David L. Lawrence issuing a magnificent proclamation which opened Pennsylvania's observance on January 15, 1961, the one hundredth anniversary of the inauguration of Andrew Gregg Curtin, the great Civil War Governor; and the General Assembly paying tribute to its predecessor's role in supporting and strengthening the Union cause by an re-enactment of Lincoln's reception by the Legislature on February 22, 1861; and

WHEREAS, It is now a matter of concern that the commemoration of the Battle of Gettysburg and Lincoln's Gettysburg Address be an equally fitting and appropriate observance of the two greatest events associated with Pennsylvania's part in the Civil War; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania hereby calls upon the One Hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission to report to the General Assembly on the plans and preparations for the commemoration of these two highly significant centennial dates, whose observance should be the high point of this Commonwealth's part in the Civil War Centennial activities; and be it further

RESOLVED, That the said report shall be delivered to the General Assembly at least one week prior to the final adjournment of the present Session of 1961.

### SENATE CONCURRENT RESOLUTION

#### WEEKLY ADJOURNMENT

Mr. HALUSKA offered the following resolution, which was read, considered and adopted:

In the Senate, May 24, 1961.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Wednesday, May 31, 1961 at ONE-THIRTY p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene Monday, June 5, 1961 at THREE o'clock p. m., E. S. T. unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

## SENATE RESOLUTION

## DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE PROBLEMS OF THE AGED

Mr. BELL offered the following resolution (**Serial No. 62**), which was read and referred to the Committee on Public Health and Welfare:

In the Senate May 24, 1961.

WHEREAS, Many elderly citizens of the Commonwealth of Pennsylvania live to older ages due to higher living standards and medical and scientific advancement; and

WHEREAS, Many of these elderly citizens are no longer capable of self-support and require the attention and care normally found in a nursing home or in their own home if they had families to furnish such care; and

WHEREAS, Many of our elderly citizens lack the care and affection of their own families and are economically unable to obtain proper nursing home services; therefore be it

RESOLVED, by the Senate of Pennsylvania, That the Joint State Government Commission conduct a study as to the problems of the aged, particularly with respect to the care and attention needed by those who lack care and attention due to economic circumstances or to lack of a family; and be it further

RESOLVED, That the Joint State Government Commission report to the 1963 Session of the General Assembly as to its findings in this field.

## SENATE CONCURRENT RESOLUTION

## DESIGNATING THE FOURTH SATURDAY IN SEPTEMBER AS PENNSYLVANIA INDIAN DAY

Mr. WAGNER offered the following resolution (**Serial No. 120**), which was read and referred to the Committee on Historical Preservation:

In the Senate, May 24, 1961.

WHEREAS, The American Indian is the original American and has resided on this continent since time immemorial; and

WHEREAS, He has made an indelible imprint on our national character and culture and history is replete with names and deeds of many outstanding American Indians who have contributed immeasurably to our way of life, our moral standards and our love of nature; and

WHEREAS, Indian woods and water lore arts and handicraft are basic in the manuals of the Boy Scouts, Girl Scouts, Camp Fire Girls and the many other American patriotism-building youth groups, while outdoor enthusiasts, young and old, all over the world rely on Indian folkways for guidance and inspiration; and

WHEREAS, The American Indian has made such other outstanding contributions to our American economy and the cultivation of corn, cotton, tobacco, beans, squash, tomatoes, peanuts, melons and other vegetables, which have today become basic American industries; and

WHEREAS, A number of states celebrate "Indian Days" in September when traditional Indian festivals are held in recognition of the contributions the American Indian has made to our national life; and

WHEREAS, The ancient Pennsylvania American Indian contributed philosophies of confederacy, cooperative democracy and the brotherhood of man, which have been embodied in our modern way of life which makes fitting recognition by our Commonwealth; therefore be it

RESOLVED (the House of Representatives concurring), That the fourth Saturday in September of every year is designated as Pennsylvania American Indian Day, and the Governor of this Commonwealth is authorized and directed to issue annually a proclamation setting aside that day as a public occasion and inviting the people of the Commonwealth to observe that day with appropriate ceremonies.

## STUDENTS WELCOMED TO THE SENATE

Mr. WARE. Mr. President, it is my pleasure to request of the Chair that he present to the Senate and recognize the pupils from the third grade of the Terry School, at Coatesville, Pennsylvania. They are accompanied by Mrs. Ursula Wallace, Mrs. Newton Duitch, Mrs. Roland Shilladay, Mrs. William Ward Jr., Mrs. Lewis C. Richard, Mrs. Davis Boice, Mrs. Mary Pierce, Mrs. Donald Myer, Mrs. Stephen Kent, Mrs. Santina Di Ferdinando, Mrs. William Lancaster, Mrs. Mildred Davis, Mrs. Phyllis Wagner, along with their teachers, Mrs. Mahlon H. Kent and Mrs. Arthur R. Jarvis.

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, would ask the guests of Senator Ware to rise and be welcomed. We are very happy to have this group from the Terry School, in Coatesville, with us. We hope that you will have an interesting and well-informed afternoon.

Will you please stand and be recognized by the Senate?

## PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President the three bills which I am about to introduce are an outgrowth of the Report of the Governor's Committee on Education and, for your instruction, should be referred to the Select Committee on Education.

## BILLS INTRODUCED AND REFERRED

Messrs. HAYS, WAGNER, SEYLER, SILVERT, SHAFER, STROUP and KALMAN, by unanimous consent, presented to the Chair **SB 688**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," providing for the composition and organization of the State Council of Education.

Which was committed to the Select Committee on Education.

Messrs. HAYS, SILVERT, WAGNER, SHAFER, STROUP and KALMAN, by unanimous consent, presented to the Chair **SB 689**, entitled:

An Act amending the act of April 9 1929 (P. L. 177), entitled "The Administrative Code of 1929," establishing the State Council of Education as an independent body and creating a State Professional Teacher Education Standards Board as a board within the Department of Public Instruction and granting to the board certain powers.

Which was committed to the Select Committee on Education.

Messrs. HAYS, SEYLER, WAGNER, SILVERT, SHAFER, STROUP and KALMAN, by unanimous consent, presented to the Chair **SB 690**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," granting powers to and imposing duties upon the State Council of Education, granting and imposing certain powers to and duties upon the Department of Public Instruction, and requiring a biennial report to the General Assembly.

Which was committed to the Select Committee on Education.



Messrs. ROONEY and MURRAY, by unanimous consent, presented to the Chair **SB 691**, entitled:

An Act amending the act of July 17, 1935 (P. L. 1092), entitled "Fraternal Benefit Societies Act," further extending the benefits that may be provided by a fraternal benefit society.

Which was committed to the Committee on Insurance.

Messrs. SEYLER and WEINER, by unanimous consent presented to the Chair **SB 692**, entitled:

An Act amending the act June 1, 1937 (P. L. 1168), entitled "Pennsylvania Labor Relations Act," changing the definition of "employer."

Which was committed to the Committee on Labor and Industry.

STUDENTS WELCOMED TO THE SENATE

Mr. KESSLER. Mr. President, I ask the Chair to recognize at this time the senior class from the Elizabethtown Area High School, Lancaster County, headed by Daniel A. Hoopers. They are seated in the balcony.

The PRESIDING OFFICER. The Chair wishes to recognize the students from the Elizabethtown Area High School, in Lancaster County, who are the guests of Senator Kessler. We hope you have an interesting and enjoyable afternoon visiting the State Capitol. Will you please rise so that the Senate can recognize you?

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

**SB 172**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

**HB 508**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

**HB 757**—Read at length the third time and agreed to, On the question, Shall the bill pass finally? The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer
NAYS—0			

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 766**—Read at length the third time and agreed to On the question, Shall the bill pass finally? The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 768**—Read at length the third time and agreed to, On the question, Shall the bill pass finally? The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 804**—Read at length the third time and agreed to, On the question, Shall the bill pass finally? The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 914**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 915**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 916**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 917**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 918**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 919**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 920**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 921**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 922**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 983**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1112**—Read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1113**—Read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 67** and **SB 76**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 133**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 242**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 295**—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 315**—Read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has has passed the same without amendments.

#### BILLS OVER IN ORDER

**HB 323**—Without objection the bill was passed over in its order at the request of Mr. BERGER.

**HB 420**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON THIRD READING AMENDED

**HB 428**—Read at length the third time,  
On the question,  
Will the Senate agree to the bill on third reading?  
Mr. ROONEY, by unanimous consent, offered the following amendments:

Amend Title, page 2, second line of Title, by inserting after "department": and in certain cases the second assistant chief

Amend Sec. 1 (Sec. 820), page 6, line 5 by inserting after "department": and when a fire company has three (3) or more pieces of apparatus a second assistant chief

On the question,  
Will the Senate agree to the amendments?  
They were agreed to.

On the question,  
Will the Senate agree to the bill on third reading, as amended?

Mr. DEVLIN. Mr. President, I ask unanimous consent to offer an additional amendment to this bill.

The PRESIDING OFFICER. There being no objection, the Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 618), page 3 line 14 by inserting after "shall" where it appears the second time: not

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.  
Without objection, the bill, as amended, was passed over in its order at the request of Mr. DEVLIN.

**SB 431**—Read at length the third time,  
On the question,  
Will the Senate agree to the bill on third reading?  
Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Bill, page 2, by inserting after line 16:  
Section 4 This act shall take effect immediately but shall not be applicable to any litigation concerning the rights of persons who have died or who have been adjudged incompetent prior to said effective date

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.  
Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

#### BILLS OVER IN ORDER

**SB 448** and **455**—Without objection the bills were passed over in their order at the request of Mr. WEINER.

**SB 469**—Without objection, the bill was passed over in its order at the request of Mr. EHRGOOD.

**SB 493**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 517**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### BILLS OVER IN ORDER

**SB 544** and **616**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 715** and **716**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 879**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 953**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 1082, 1139 and 1144**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 1369**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## STUDENTS WELCOMED TO THE SENATE

Mr. VAN SANT. Mr. President, seated in the balcony today is another distinguished group of school children from the "Land of the Golden Touch" Lehigh County. These children are from the Lanark School, of Lehigh County, and their teacher, Tony J. Zarzeka, is accompanying the group, as well as the school nurse, Mrs. Sylvia Ettingo, of Allentown.

It affords me great pleasure to present to the Presiding Officer of the Senate and to the Senators this very fine group of students.

The PRESIDING OFFICER. The Chair takes a great deal of pleasure in welcoming, on behalf of the Senate, the sixth grade students from the Lanark School in Lehigh County, who are the guests of Senator Van Sant. Will you please rise and be welcomed by the Senate?

## RECESS

Mr WEINER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a Democratic Caucus.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

## BILLS INTRODUCED AND REFERRED

Messrs. SEYLER, SCOTT and DONOLOW, by unanimous consent, presented to the Chair **SB 693**, entitled:

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of the abolition of capital punishment in Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. HAYS and SEYLER by unanimous consent, presented to the Chair **SB 694**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," clarifying and changing provisions relating to the keeping open of schools.

Which was committed to the Committee on Education.

They also, by unanimous consent, presented to the Chair **SB 695**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the election of district superintendents and assistant superintendents in districts of the third class.

Which was committed to the Committee on Education.

They also, by unanimous consent, presented to the Chair **SB 696**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," designating certain schools senior high schools and junior high schools.

Which was committed to the Committee on Education.

They also, by unanimous consent, presented to the Chair **SB 697**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for reconsideration of decisions in annexation proceedings.

Which was committed to the Committee on Education.

They also, by unanimous consent, presented to the Chair **SB, 698**, entitled :

An Act amending the act of June 24, 1939 (P. L. 872),



entitled "The Penal Code," making it illegal to buy, sell, alter or attempt to obtain by fraudulent means a diploma, certificate, or similar instrument and providing penalties.

Which was committed to the Committee on Education.

### REPORTS FROM COMMITTEE

Mr. MILLER, by unanimous consent, from the Committee on Military Affairs and Aeronautics, reported as committed, **SB 583**, **HB 828** and **1381**; as amended, **HB 503**.

### SECOND READING CALENDAR

#### BILL ON SECOND READING

**SB 45**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**HB 246**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

#### BILL REREFERRED

**SB 249**—Mr. LANE. Mr. President, I move that Senate Bill 249 be rereferred to the Committee on Appropriations. Mr. MCGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDING OFFICER. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. BERGER. Mr. President, will the gentleman advise us whether the purpose of this rereferral is for the approval of the money which this bill will cost, only?

Mr. LANE. That is right, Mr. President.

Mr. BERGER. Mr. President, does the gentleman anticipate that the bill will reappear?

Mr. LANE. It will reappear on the Calendar.

Mr. BERGER. Mr. President, I wish to thank the gentleman.

Mr. WEINER. Mr. President, for the record I would just like to add that there was an agreement made by the committee that his bill would be handled in this manner. We are creating a new Cabinet post, or Cabinet status, and the purpose of this bill is to find out what the cost will be in order for us to write up the appropriate legislation, if that becomes necessary.

Mr. BERGER. Mr. President, I consider that perfectly proper.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

#### BILLS OVER IN ORDER

**SB 333**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

**SB 350** and **353**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 408**, **410**, **430** and **SB 441**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

#### BILL ON SECOND READING

**HB 451**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 452**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

**SB 473**—Without objection, the bill was passed over in its order at the request of Mr. CONFAIR.

**HB 484**, **SB 498** and **511**—Without objection the bills were passed over in their order at the request of Mr. BERGER.

**HB 522** and **SB 538**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

#### BILLS ON SECOND READING

**SB 555**, **556**, **557** and **570**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 574**, **576** and **578**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 579**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

**HB 580** and **581**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**SB 582**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 584**, **585**, **587** and **588**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**SB 589**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 589**, **SB 593**, **611** and **613**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**SB 629**, **631**, **HB 731** and **856**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**HB 857**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 869** and **870**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 871**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 874, 875, 876, and 929**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL REREFERRED

Upon motion of Mr. LANE, seconded by Mr. HAYS, and agreed to **HB 929**, the bill just read, was rereferred to the Committee on Appropriations.

## BILLS ON SECOND READING

**HB 970 and 1086**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 1102**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 1131, 1146 and 1169**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

**HB 1179**—Upon motion of Mr. LANE, seconded by Mr. HAYS, and agreed to, the bill was recommitted to the Committee on State Government.

## BILLS OVER IN ORDER

**HB 1204, 1220 and 1254**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

## BILL ON SECOND READING

**HB 1371**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

**SB 202, 224, 298, 317, 318, 351, 398, 472, 503, 508, 509, 522, 527, 535, 583, HB 146, 208, 247, 351, 503, 607, 639, 680, 740, 828, 832, 868, 932, 1036, 1042, 1049, 1084, 1115, 1116 and 1381.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR  
REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the

Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

## JUSTICE OF THE PEACE

May 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest E. Sowards, R. D. 1, Stuber Road, New Brighton, Beaver County, for appointment as Justice of the Peace in and for the Township of Daugherty, Beaver County, until the first Monday of January 1962, vice Lawrence E. McCandless, resigned.

DAVID L. LAWRENCE.

MEETING OF COMMITTEE ON  
APPROPRIATIONS

The PRESIDING OFFICER. It is the understanding of the Chair that the Committee on Appropriations is desirous of holding a meeting at this time. If there is no objection, the Senate will remain in Session and conduct its business while the Appropriations Committee meets.

## PETITIONS AND REMONSTRANCES

Mr. VAN SANT. Mr. President, on April 11, 1961, Senate Bill No. 114 was passed by the Senate. In investigating the Legislative Journal, I noticed that I was not recorded as voting for or against this bill.

I do want to put into the record the fact that if I would have been present I would have voted for this bill. I was here in Harrisburg and voted on the previous bill and succeeding bills. Evidently, I was either on the telephone, answering the request of a constituent, or doing something in the interest of my duties here as a Senator.

Therefore, Mr. President, I would like the record to show that I favored Senate Bill No. 114. Let me amend my statement by saying that I am resentful of a letter I received from a lobbyist, who implied that I took a walk on that bill. I have been a Member of the General Assembly for eleven years and on no occasion have I ever walked off of the floor to avoid voting for a bill.

I would like to put into the record the following:

"Note that either you were not on the floor or did not vote when **SB No. 114** came up.

"If it was a case of not wanting to vote against us, we are most grateful.

"With best personal wishes, . . ."

Mr. President, I resent this type of implication and I think it is about time those, who surround us, as members of the legislative engineers corps, stop implying things which do not exist. In my years in the General Assembly, I have never walked off the floor to avoid voting for or against a bill. I will vote for or against any bill. I take this means to openly express my resentment against the type of individual who would imply that I would do such a thing.

Mr. PECHAN. Mr. President, on my way to Harrisburg this past Sunday, and again observing the same thing on Monday, I noticed that all highway projects were having new signs put up saying: "Your gas tax dollars at work."

Mr. President, on one occasion at one of these projects,



I noticed a truck with a driver and four men delivering such a sign. It is my understanding that in the House there is a bill outlawing lobbyists. Also, we in the Senate passed a billboard bill. I do not see why we need to pass such bills, if we are going to resort to cluttering up our highways with billboards, especially billboards which remind the poor taxpayer that his money is at work and lobbying at the same time.

First of all, I would be very happy if the money that is being spent by the Administration for this lobbying—or these billboards—were spent either in Armstrong County or Butler County for several miles of badly needed roads in the rural sections.

I think that the public is still sick about being taxed an extra two cents for gasoline. To be reminded of it every time they come to a road, I do not think is going to help either the Administration or the taxpayers' feelings toward it.

Mr. President, if I may, I was told by four or five Members of the House a little while ago that members of the press correspondents were attacked for various reasons. I am not here to defend them. However, I think all fifty of us have a very fine and cordial feeling and relation toward the members of the press. I can truthfully say that in the thirteen years that I have been here, I can only recall one instance in which I felt that the press, by innuendo, hurt me. That is all right. Everybody has a right to hear something wrong or perhaps misinterpret what was said. However, I think that in the thirteen years, I have only one complaint. I can say that the press has been fair.

I know that in all of the capitols of the United States and in our National capitol, the press enjoys having an area where they can quickly disseminate the news, rather than to be located downtown or away from the news where it is immediately made.

I would like to say that I am in opposition to any move that might be in the making, as I understand, to remove the press correspondents from the Capitol Building. I think it is part of our democratic process to have this news disseminated fairly and squarely. I want to say that I feel that in most instances they have done this.

Mr. WEINER. Mr. President, I just want to answer the gentleman and I want to take the points one at a time, because there were two subjects.

First, let us take the signs that appear on the roads. I do not think that it is bad form nor do I think it is out of keeping with keeping the public advised on where their money is going or where their tax dollars are going. I am sure many people would be very happy to hear about it.

I have seen these signs. They are not permanent billboards, as such. They put down the amount of money being spent by the Federal Government, the amount of money being spent by the State, and where it is being done. I remember many years back that most Governors proudly proclaimed, and their Highway Secretaries after them proclaimed, what they were doing. If this be publicity, I guess you make the most of it.

I am sure every Senator here has received a mimeographed report, as I have, telling about the contracts that are being let, the money that is being spent, and the kind of highway programs that are going on.

I feel that if anyone has any complaints about this or

feels that it is not going into the proper areas, he ought to speak up or go to see the Secretary, who just had a breakfast this morning, I understand, in connection with some of the highway celebrations they are having here this week. I am sure he would be very happy to hear from every one of you if you have some sort of problem about it.

If anyone has a reason to complain, it is people like myself and the other Senators who come from the big cities. We are constantly being discriminated against on the amount of dollars spent, on the formula set up and on the entire handling of this entire problem, which is strictly geared away from the population centers and from where the heavy traffic is concentrated.

I have complained about this from time to time. I admit that I have not gotten too far with my complaints, only because we do not have enough Members, possibly, representing the big cities and we are limited in that by the Constitution. A city the size of Philadelphia, with almost two and one-half million people, is limited by the Constitution to eight Senators; whereas, in other areas where the population has increased, they could possibly get another Senator under reapportionment, or if they have more people in these areas, they would be entitled to more representation.

Placing a sign to tell where the money is being spent, I hardly think is publicity. I hardly think it is under the guise of putting up more billboards. I think the purpose is to let the public know. I think if it serves that purpose, we certainly ought to encourage it rather than discourage it.

On the second problem about which the gentleman spoke, I do not know what the attack was in the House. I happen not to be a Member of the House. If I am going to go around answering attacks that are made elsewhere, other than in this Chamber, I am going to have a difficult time. I do not know what the problem is or why they are into it. The only thing I can say is that on my own behalf, my relationship with the press, as with most of the Members here, is probably only fair. Maybe it is because I speak my mind and, at times, when I felt they were in error, I have addressed myself to that. Generally, I think that they are workingmen, like many people who work for a living, and they try to do the best job under the facilities that they have available to them. Sometimes they are not of the best. Sometimes they work under very difficult conditions. Sometimes they meet people under trying situations. I think there ought to be some give and take on both sides and some room allowed for the human element to enter into it.

The gentlemen who are here certainly have no cause for complaint. They are well-quartered and well-situated and they sometimes even partake of some of the levity that goes on here so that their job does not get too dull.

I am sure their editors do not realize the kind of tough situations that they always face because if they did realize it, it is not always reflected in the amount of money that they receive at the end of the week. I am sure all of them could stand a little bit more money and probably better working conditions. I am sure they have taken care of that problem. They are well-organized. They have a guild. From time to time, they have little problems which are expressed by the same means as every

workingman, by going on strike or meeting at a bargaining table to try to straighten out these problems. Sometimes they are successful; sometimes they are unsuccessful.

I do not know what abuse they took in the House. However, I am sure that the people who might have heaped this abuse upon them did not do so without either cause or justification. If there is no cause or justification, those people ought to apologize like anybody who is in error or who has done the wrong thing.

I think what you are talking about is the use of certain facilities around the Capitol by certain of the news services, for which they pay no rent and pay no compensation back to the government. I think this is not too well-known by the public, and I do not know that it is a matter of public concern. However, I think this being a public building and belonging to the people in the State of Pennsylvania, perhaps this ought to be a matter of public concern, just as much as anything is or anything that we do.

Unfortunately, Senator,—and I think all of us realize it—the Members of the Legislature are a large group, consisting of 260 Members, none of whom can very well defend himself as the Governor might because he is an individual, or a cabinet officer, who has a corps of press relation people to help him to get his problem across. When they say that the Legislature did this, the Legislature did that, or the Legislators are no damned good or some other kind of abuse that they heap upon us, who is here to defend us? Who ever speaks up for us?

What happens is that you usually get not only a complaint in a general story, but you get editorial abuse besides. Many times the people who are writing this, write it from a jaundiced point of view. They are not looking at the entire picture. They are not going into all of the problems that you and I face as Members of the General Assembly and of the hundreds of thousands of people that we represent from our areas who have all kinds of problems—myriad problems—that are so complex that they are impossible for any one person to solve.

You also have the other problem where you have to be here three or four days a week to do a job and do it properly. You must also take homework home besides if you want to be advised or informed of what is going on. This never gets across to the people.

For some reason, the image of a Legislator is blurred. It somehow comes out confused and no one quite sees him as a hard working man. The answer to this abuse is that some of these men have died here in service. Some of these men have suffered severe physical incapacities as a result of their service here. Some have had strokes. Some have had heart attacks. This does not come from an easy life or living here without the pressures of all of the other things that come upon you.

By the same token, these fellows also have this problem. However, sometimes they are not apprised of our situation or our problem, and we do not appear to the general public as human beings who are trying to do a job, trying to do it well, and trying to do it in an honest way and to do the best we possibly can under the information available to us.

I am not saying that we do not have our share of rogues and that we do not have our share of people who are perhaps not up to the standard that we would like

them to be. By the same token, we also have people who are above the standards that we are trying to set, in the sense that they are high type people who are giving of themselves, giving of their time and giving of their energies.

When you take all of this into consideration, you have a much different picture than has been presented to the public at large about legislators at large. As a matter of fact, in many audiences—and I am sure that every Member in this room has had this experience—people are quite shocked to see a human being step forward when a legislator is introduced. They do not quite know what is going to appear. This is only because we do not have the kind of press relation, or the kind of press relationship, that gets across the message to the people and advises them that these are human beings who are trying to do a job, who must stand for office every so often and may not come back if the people so decide.

As I started to say earlier, if the abuse—I was not there, I have not heard it, and I do not want to either defend or not defend anybody—was uncalled for, I think these people owe the members of the press an apology. Most of them are hard working people. If it was not an attack, but a statement of position and the press might be in error, I think this whole thing ought to be reviewed by the General Assembly and both sides brought to the fore.

The PRESIDING OFFICER. I would like to have the privilege of just making a statement in reference to newspaper attacks. As one who has been an old veteran of such attacks, I would just like to say that if you cannot stand the heat, then you should stay out of the kitchen.

Mr. WADE. Mr. President, I would like to remonstrate very briefly on the first subject touched on by Senator Pechan and Senator Weiner.

I think this Legislature and the Administration is somewhat inconsistent in this matter of outdoor advertising. These signs are really a recommendation of the advertising industry of Pennsylvania. I have heard it stated on the floor of this Senate and elsewhere, by those who advocate the regulation or the elimination of outdoor advertising, that they are most dangerous. If they are dangerous anywhere, they are certainly dangerous in the positions in which the Department of Highways is currently placing them. Every place where they are erecting these signs, there is road construction going on. That is always dangerous to the motorist.

Secondly, I might refer to the Majority Leader, in particular, regarding a bill which was introduced very early in the Session; namely, Senate Bill No. 4, sponsored by Senator McMennamin and myself. This bill would regulate this entire outdoor advertising industry. There is no question that they abuse their privileges. They place signs on the highway right-of-way, where we only have an easement and where we do not have a fee simple title to that land. Certainly, these signs, being currently placed by the Department of Highways, are placed on private property.

Then again, Mr. President, House Bill No. 560 was introduced, passed the House, passed this Senate and later became Act No. 46, wherein we take private property. In that bill, we specified that beyond the right-of-way which we buy and take a fee simple deed—because all Interstate Highways are built on land acquired by the



Department of Highways or the Commonwealth—then we go back of that line and say to private property owners that they cannot place a sign within 600 feet of that line. That 600 feet is on each side of the right-of-way which is purchased by the Commonwealth. We take away from that property owner a right which is properly his, under our system of government.

I question very much whether Act No. 46 will hold up in court. We pay no money for that at all. We simply say, by legislation: "You no longer have the right to use that property in every way in which it should be possible for a property owner to use it.

On the second subject, I agree with the other gentlemen. These gentlemen who honor us with their presence, day in and day out, are fine men. They do a good job, by and large. Whether they are sufficiently paid or not is a matter between them and their employers. I hope that Senator Weiner may get them additional money. I do not know what to do about it, but they are good fellows.

In conclusion, Mr. President, let me say that I am hurt very much that our local newspaper seems to be losing prestige. Not always are they successful in electing the candidates they advocate. Particularly, within very recent weeks, an issue which they strongly advocated here in the city of Harrisburg went down at the hands of the voters to ignominious defeat. That proves they no doubt either never had prestige or lost it.

Mr. BELL. Mr. President, I believe that the Majority Leader did not quite understand the problem which took place earlier today in the House.

The proposal, by a veteran Legislator of the Majority Party in the House of Representatives, was to "remove the wigwam where the hatchet men have their abode and move the newsmen from down in the front to back in the gallery." He also proposed to wipe out the News Room on Capitol Hill. We all realize this was a facetious remark.

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. WEINER. Mr. President, I believe the gentleman is out of order by debating what took place in another Chamber and what was stated by someone else. When we discussed this thing, I believe I stated this matter was not before us. It might have been that I was out of order when I stated that. However, I am not here to debate or discuss what went on in the House. This matter is not before us, nor is the Journal before us to even apprise us of what took place.

The PRESIDING OFFICER. The Chair will permit the gentleman from Delaware to continue. We are under the order of business of Petitions and Remonstrances and the gentleman, therefore, may continue.

Mr. BELL. Thank you, Mr. President.

I was not seeking a debate because I do not think the subject matter is debatable. Mr. President, I am really on my feet regarding another matter.

In Delaware County, we have United States Highway No. 1, which runs from Senator Weiner's City of Brotherly Love south, through the hills and dales of Delaware County, Chester County and, eventually, I think it runs down to as far as Florida. They have one of

these large signs stating that this road is being built with your tax dollars.

Several weeks ago, I noticed that all the work was being done by an out-of-State contractor, with brand-new equipment, bearing State of Delaware license tags. I also noticed other contractors from out-of-State bringing their equipment into Pennsylvania to do the work on our highways. True, they received the bids as the lowest responsible bidder. However, this intrigued me because in the State of Delaware, there is no sales tax when they buy equipment. When you come into the Commonwealth of Pennsylvania, it is my understanding there should be a use tax on that equipment.

I wrote to the Governor of Pennsylvania and called his attention to this lack of tax revenue, since we are so tight for revenue in this Commonwealth. I asked him if they would look into whether these out-of-State contractors are paying the Sales and Use Tax on the equipment they are bringing across the border to work in Pennsylvania. I know very well that if you went into the State of Delaware, they would grab you at the start of the job.

I am, perhaps, remonstrating against the fact that I have not received an answer to this inquiry. I feel that if these out-of-State contractors can bring their equipment into Pennsylvania without paying the Sales and Use Tax, then that is discriminating against our Pennsylvania contractors. I am not saying this is true, because I have not received an answer to my inquiry. However, if it is true, this might be a reason why Pennsylvania contractors are not getting more work on our State highways.

Mr. WEINER. Mr. President, I believe if the gentleman will peruse the Act on the sales tax, he will find there is a six-month hiatus. If you bring in your equipment and you intend to keep it here—six months is the trial period which has been set—you then have to pay the tax. Otherwise, we would have to have police manning every one of our entrances in and out of Pennsylvania in order to make sure that anyone who brought equipment in or out of the Commonwealth was paying the tax. This would be very difficult to enforce. Generally, one of the problems which exists with the sales tax is the problem of enforcement.

Following through with what the gentleman said, Mr. President, if we gave the job to the lowest responsible bidder in Pennsylvania and excluded everyone else, I am sure that the gentleman would be, and properly so, up here pounding away at the fact that we are giving away Pennsylvania money when we could get someone from somewhere else to do the job cheaper. I guess this a part of the Gordian knot which you can never untie or cut, in the sense that if you do one thing they hammer away at you and if you attempt to do the other thing to meet certain other requirements, they will be hammering away at you. By doing either thing, would be wasting the taxpayers' money. I am afraid this is the kind of argument that you can never win, regardless of which side you are on.

I have not seen any of these huge signs about which the gentleman spoke. The signs I have seen have been small signs, placed alongside of the road, probably about three or four feet high and about a foot or two wide.

I think if this is a serious problem and it annoys the

gentleman here, I certainly will be very happy to advise the Secretary of Highways that this is a cause of annoyance, and perhaps we can limit these signs to those areas where the Senators in those areas are not annoyed by them, so that this will not offend anyone.

Mr. BELL. Mr. President, if the Majority Leader will not mind my answering on a technical basis, I would like to say this. I do not object to these signs, because down in my county, the people do not like the gas tax increase, and it sort of reminds them that they had an increase. I have no objection to that.

However, what I do object to is—and if what the Senator says is the law, it should be changed—that if an out-of-State contractor can bring his equipment into Pennsylvania and work on our highways for six months without paying a sales or use tax on the equipment he brings in then that is discriminating against our Pennsylvania contractors. I would be most happy to sponsor a bill to eradicate that evil because we have to take care of our own contractors. They have to pay the sales tax. They would have to pay the use tax, and so should these out-of-State contractors who are getting the contracts on the State Highway System.

Mr. PECHAN. Mr. President, I desire to interrogate the Majority Leader, briefly.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President, even if it is not briefly.

Mr. PECHAN. Senator Weiner, do you not believe that it would be better to spend that money for roads—whether it be in Philadelphia, Pittsburgh or the rural areas—that to spend it for such foolishness as these signs?

Mr. WEINER. Mr. President, I would answer that question very simply. It depends on whether giving information to people is foolishness and it depends on who is defining it. For example, if you were to mimeograph the material they hand out from day to day on the goings-on in certain departments and certain areas of government, you could save that money and use it for departmental work by not giving out any information. If you consider that foolishness, I would say: "Yes, let us not use it for that purpose." However, if you consider it important that the people have a right to know and have a right to the access of this information which many of your newspapers and television stations depend upon as part of the media of getting the information, then this is not foolishness.

Mr. PECHAN. Mr. President and Senator Weiner, the people in Ford City and Butler do not know anything about a road that is being built in Philadelphia. All of the roads they know about are the ones they see.

I do think it is extreme foolishness to spend that money inasmuch as you people on the other side tried to sell to the Members of the Senate that we were twenty years behind in our road building and that we needed this additional two cents to build roads. However, you are building signs.

Mr. WEINER. Mr. President, I would simply point out to the gentleman that we never said we were twenty years behind. All we said was that we wanted money to start this planning which must take place almost

twenty years or ten years in advance, and we must be looking ahead.

Secondly, you heard stated here by one of the more affluent Members of the Senate, Senator Bell—who comes from an area where there are many affluent people who do a lot of traveling—that he saw these signs all over the Commonwealth. It might be that the people in Ford City are offended by this, and I will speak to the Department and see that one of them appear in Ford City.

I am also advised that some of the people who live in that area do get into an automobile once in awhile and travel out of their happy confines and go elsewhere in this State. Therefore, I think when they go to these other places, they have a right to be advised.

If you think this is a foolish way to spend money in the sense that you advise people where their money is going, I am sure that the amount being spent is very nominal compared to the entire amount being spent. You will have to agree this is not foolish in the sense that you are letting people know what is going on.

Mr. PECHAN. Mr. President, I would like to remind the Majority Leader that he need not come to Ford City and have them take down any signs because they are building no roads in Ford City. You do not have to bother. May I continue, Mr. President.

The PRESIDING OFFICER. You may continue, Senator.

Mr. PECHAN. Mr. President, with reference to Senator Weiner's picture of a legislator, in so far as the press painting this picture, I would like to say that I feel in my community and in my area, I command as much respect as any citizen there, and I think I get it. Whether it is because I am an outstanding legislator or not, I do not know. However, I want to say that the press has never hurt me one-tenth or one-fiftieth as much as some of my Democratic opponents.

Mr. LANE. Mr. President, I think this is going to be a gab-fest here today.

Actually, Mr. President, I think the distinguished gentleman from Armstrong County must be very picayune when he talks about disseminating information. The way I understood his conversation was that he objected to the signs because of the cost. I believe he must be opposed to disseminating information, because those signs inform the public as to where their tax dollars are going.

I think probably the reason why Senator Pechan objects to this is because, under this Democratic Administration, the people are receiving the proper and correct information.

Getting over to the problem of newsmen, let me say this. I know nothing of what has taken place in the House. I feel that it is improper that we even discuss anything which we might hear about as far as what is taking place in another Legislative Hall.

However, I am happy indeed to have the news reporters here. We have them closer to us on this side than the Republicans do on the other side, and if they were to be moved, I believe I would be disappointed because I would miss their smiling countenances. I see them here every-day, and I have the opportunity once in a while to perhaps get a pointer or two from them. Frankly, their information is very good.

I do not criticize them as to what they may write. I think they have a right to write anything they may want



to. All I hope is that they give us all a fair break because I have the greatest respect for every Member of this Senate. I am very sincere when I make this statement. I think that we have a hard working group here. We have men here who are dedicated in various fields, and if we were to pay these men actually what they are worth, some of them are worth about \$50,000 a year, in my opinion, for the work they are doing right in the senate and in the various committee rooms. I could name quite a few. I do not want to embarrass them, and they are not all Democrats. Some of them are Republicans. They are doing a mighty good job as far as the welfare of the people of Pennsylvania is concerned.

Let me say also, Mr. President, that if Senator Pechan wishes to demonstrate, it is all right with me. However, I believe his picayunish approach today is going to backfire because he has nothing to argue about. I believe the case is that he is a little disappointed because those signs are up in the various counties, disseminating this information. I, for one, am very happy to have those signs in my county because I want the people to know that we are getting our proportionate share of the taxpayer's dollar.

Mr. McGINNIS. Mr. President, talking about advertising in newspapers, years ago in Pittsburgh we had a great Republican leader, Joe Armstrong. He was Commissioner and he was Mayor. He was very nice to me. The Pittsburgh Leader, which is not published anymore, caught him in a barroom, drinking beer, and they published that fact everyday until election. Joe Armstrong said that was the best advertising he ever got.

He told me: "McGinnis, in politics, get your name in the paper. Good or bad, get it in there."

Mr. WADE. Mr. President, with your permission, I would like to limit my remarks to the first subject which was brought up by Senator Pechan.

I would like to raise a constitutional question about taking highway funds and building signs, regardless of the size and regardless of the amount involved; whether it is one dollar, five dollars, \$500,000 or \$5,000,000.

A question still remains in my mind.

I would now like to read, from the Constitution of Pennsylvania, an amendment which was adopted by the people of the Commonwealth on November 6, 1945, and which states as follows:

"All proceeds from gasoline and other motor fuel excise taxes, motor vehicle registration fees and license taxes, operators' license fees and other excise taxes imposed on products used in motor transportation . . . shall be used solely for construction, reconstruction, maintenance and repair of and safety on public highways and bridges . . . and shall not be diverted . . ."

Mr. President, I must say that I did not read the entire amendment. However, in my mind, I read the part which applies to this situation. I repeat that it does not matter how much money is involved, whether it is one dollar or \$100,000, the principle is the same. This practice of putting up these small signs to call to the attention of the motoring public that this Administration is making an effort to serve them is just as unconstitutional as, in my judgment, it could be.

Mr. WEINER. Mr. President, I hope you will not rule me out of order, but I want to say something positive

for one moment, on behalf of the Members of the Senate.

I think this week was rather a hallmark week in the work of this Session. The Members here dealt with rather an important matter, which was the general appropriation bill, and I believe they handled it well. By their actions, it was revealed that they spent time in studying this measure during the time we were away last week. They came back here and went to work on it in a businesslike manner.

I believe that the cooperation and the assistance given by everyone here on this measure, and getting it through, is something which not only is deserving of comment, but which also merits praise. This will be the first time in many, many Sessions when no stopgap measures had to be introduced to cover this same type of area, thereby causing all kinds of problems. All the Members were present this week and I think they should take great pride in being able to accomplish this kind of a task. It involved a great deal of money, it involved a great many of the departments, and it involved a vast area of government. Being able to do this during this one week and, especially, having the time to study and intelligently approach this matter, I believe is something to be commented upon and something about which to be concerned. I think it is something which occurs very often during a Session and too little is ever made or noted of it.

Mr. BERGER. Mr. President, there was a matter mentioned by Senator Weiner, in the discussion which went on a little while ago, that I believe should not be lightly passed over, but should be made more of a matter of record.

He stated that it was not a foolish expenditure for the various departments to publish the information and material which they do for the edification of the people of the Commonwealth. I do not question that a great deal of it is probably very informative and is read. However, it is my opinion that a high percentage of it is superfluous and is rarely ever read, and that a great deal of money could be saved by some editing and care in what printed material goes out to the people of this Commonwealth. A great deal of it, I am sure, is wasted effort and, I am afraid, wasted money.

#### BIRTHDAY FELICITATIONS EXTENDED TO SENATOR BENJAMIN R. DONOLOW

Mr. STASEY. Mr. President, I should like to call to the attention of the Members of the State that the gentleman who is presiding today is celebrating his birthday. I am sure, on behalf of his associates and my colleagues, we want to wish him the best of good luck, good health and the best of good practice and service in this Senate.

It is wonderful to have you with us, Senator Donolow. The sound of my voice does not mean that I am choked with emotion. I merely have a cold. I think your associates should extend to your their approbation by applause.

The PRESIDING OFFICER. I thank the Members of the Senate for their generous recognition of my old age. Thank you very much.

#### REPORTS FROM COMMITTEE

Mr. McGINNIS, by unanimous consent, from the Committee on Appropriations, rereported, as committed, **SB**

258; reported, as committed, **SB 391** and **693**; as amended, **SB 373**.

### HOUSE MESSAGE

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:  
Weekly Adjournment

The **PRESIDENT** pro tempore (Anthony J. DiSilvestro) in the Chair.

### BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:  
**HB 315, 757, 766, 768, 804, 879, 914, 915, 916, 917, 918, 919, 920, 921, 922, 953, 983, 1112, 1113** and **1369**.

The **PRESIDING OFFICER** (Benjamin R. Donolow) in the Chair.

### BILLS ON FIRST READING

Mr. SEYLER. Mr. President, I move that the Senate do now proceed to the first reading of the bills previously reported from committee for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

**SB 373, 391** and **693**.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

### ANNOUNCEMENT OF MEETING OF SELECT COMMITTEE ON EDUCATION

Mr. HAYS. Mr. President, I would like to announce that the Select Committee on Education, which is considering bills growing out of the Report of the Governor's Committee on Education, will meet on May 31, at 7:30 p.m., in Room 302.

The **PRESIDING OFFICER** (Harry E. Seyler) in the Chair.

### BILLS INTRODUCED AND REFERRED

Messrs. YATRON, WADE, HAYS and MILLER, by unanimous consent, presented to the Chair **SB 699**, entitled:

An Act amending the act of March 30, 1905 (P. L. 78), entitled "An act to further define the duties and powers of the State Live Stock Sanitary Board; . . ." further limiting the injection of virus.

Which was committed to the Committee on Agriculture.

They also, by unanimous consent, presented to the Chair **SB 700**, entitled:

An Act providing for and regulating the licensing of artificial insemination technicians by the Secretary of Agriculture for the purpose of artificial insemination of farm animals and providing penalties.

Which was committed to the Committee on Agriculture.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

#### COMMITTEE MEETINGS

WEDNESDAY, MAY 31, 1961

Eastern Daylight

Saving Time

COMMITTEE

ROOM

7:30 P.M. SELECT COMMITTEE ON EDUCATION 302  
DEMOCRATIC CAUCUS 3:30 P. M., D.S.T.

(Please note the Senate will convene on Wednesday, May 31, 1961 at three-thirty o'clock P.M., E.S.T. instead of 1:30 P.M., E.S.T. as was read in the adjournment resolution.)

THURSDAY, JUNE 1, 1961

9:00 A.M. LABOR AND INDUSTRY

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#### NOTICE

The Committee on Banking will hold a Public Hearing in the Senate Majority Caucus Room at ten o'clock a.m., D.S.T., on June 7, 1961, on Senate Bill 375, regulating collection agencies.

### ADJOURNMENT

Mr. LANE. Mr. President, I move that the Senate do now adjourn until Wednesday, May 31, 1961, at 3:30 p.m., Eastern Standard Time.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:15 p.m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, May 24, 1961.

The House met at 9 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. Before the House proceeds to its regular order of business, without objection, we will be entertained by a musical group from Scotland School for Veterans Children, Franklin County. They are here under the direction of Dr. Willard M. Stevens, the Superintendent, Mrs. Haulman, who is in charge of the vocal music of the institution, and Mr. Single, who is in charge of the instrumental division at the institution.

The members of this musical group are the guests of the lady from Lackawanna, Mrs. Munley, the lady from Bucks, Mrs. Kooker, the gentleman from Luzerne, Mr. Shupnik, the gentleman from Huntingdon, Mr. Snare, the gentleman from Dauphin, Mr. Ogilvie, and the gentleman from Westmoreland, Mr. Jim.

(A PROGRAM OF MUSIC WAS PRESENTED)

The SPEAKER. The Chair requests the gentleman from Beaver, Mr. Hamilton, to preside.

Mr. HAMILTON IN THE CHAIR

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Most Loving and Gracious Lord God, we humbly confess unto Thee that by our evil doings and continual disobedience, we have deserved Thy righteous wrath and indignation against us; but we earnestly pray that Thou wilt spare us in Thy tender mercy, restrain the powerful forces of our enemy, and relieve the suffering of all Thy faithful peoples; that Thy Word may be proclaimed by thought, word, and deed in our lives, and we, turning to Thee in repentant dedication, may walk obediently to Thy holy commandments and live to the setting forth of Thy glory to all mankind; in Thy dear name. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. If there is no objection, the approval of the Journal for Tuesday, May 23, 1961, will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. KAMYK, BOIES and WILT.

HOUSE BILL No. 1601.

An Act amending the "Second Class County Port Authority Act," approved April 6, 1956 (P. L. 1414), authorizing the authority to provide group and party services.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Mr. FRY and Mrs. HENZEL.

HOUSE BILL No. 1602.

An Act making an appropriation to the Township of Abington, Montgomery County, to be paid to the volunteer fire companies thereof for protection from and extinguish-

ment of fires at the Ogontz Center of Pennsylvania State University.

Referred to the Committee on State Government.

By Messrs. KORN, STITELER, SCARCELLI

and NEEDHAM.

HOUSE BILL No. 1603.

An Act making an appropriation to the Department of Military Affairs for a training area and armory site in Somerset County.

Referred to the Committee on Military Affairs.

By Messrs. McLAUGHLIN, LAMB, and WILT.

HOUSE BILL No. 1604

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1913 (P. L. 507), increasing assessments when returns are filed later than a certain date.

Referred to the Committee on Ways and Means.

By Messrs. WILT, KAMYK and FOERSTER.

HOUSE BILL No. 1605.

An Act amending the act of April 14, 1949 (P. L. 482), entitled, as amended, "An act authorizing and requiring cities \* \* \* and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage or sewage treatment rentals, rates or charges imposed by municipal authorities organized by counties of the second class, \* \* \*" authorizing and requiring water utilities to shut off water to premises upon the request of municipalities or townships which impose charges for sewage against such premises.

Referred to the Committee on Municipal Corporations.

By Messrs. CAULEY and DONALDSON.

HOUSE BILL No. 1606.

An Act amending the act of May 12, 1887 (P. L. 96), entitled "A supplement to an act, entitled 'An act supplementary to an act relative to burial grounds and cemeteries situated in incorporated boroughs,' \* \* \*, further empowering courts to direct removal of remains in boroughs, cities, and towns from burial grounds where interments have ceased or have become so neglected as to become a public nuisance, or such remains interfere with the improvements, extensions, and interests of such cities, boroughs, or towns," extending the act to counties of the second class.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. CAULEY and DONALDSON.

HOUSE BILL No. 1607.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), empowering the exercise of eminent domain for certain purposes in regard to graveyards and cemeteries.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. GALLAGHER, GREMMINGER and FRY.

HOUSE BILL No. 1608.

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of certain additional taxes for general revenue purposes; \* \* \*" prohibiting the imposition of wage, income or occupation taxes on nonresidents.

Referred to the Committee on Municipal Corporations.

By Messrs. GIBBONS, GALLAGHER, MILLS  
and EDWARDS. HOUSE BILL No. 1609.

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class; to provide the time of paying the same and to repeal certain acts.

Referred to the Committee on Counties.

By Messrs. LIPPINCOTT, FINEMAN, CLARKE  
and GIBBONS. HOUSE BILL No. 1610.

An Act making an appropriation to the Supreme Court of Pennsylvania for a portrait of Chief Justice Charles Alvin Jones.

Referred to the Committee on Appropriations.

By Messrs. BACKENSTOE, FLYNN, McNALLY  
and Mrs. MARKLEY. HOUSE BILL No. 1611.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for the appointment of alternate members to the board of adjustment.

Referred to the Committee on Townships.

By Mr. GUESMAN. HOUSE BILL No. 1612.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring that all students of schools competing in athletic events shall be admitted to such athletic events free of charge.

Referred to the Committee on Education.

By Mr. GUESMAN. HOUSE BILL No. 1613.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), prohibiting secondary schools from holding athletic events or games of any kind after six o'clock post meridian.

Referred to the Committee on Education.

By Messrs. MURRAY and GUESMAN.  
HOUSE BILL No. 1614.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), further limiting the levy, assessment and collection of taxes.

Referred to the Committee on State Government.

By Messrs. MURRAY and GUESMAN.  
HOUSE BILL No. 1615.

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; \* \* \*" further limiting the levy, assessment and collection of taxes.

Referred to the Committee on State Government.

By Mr. FRY. HOUSE BILL No. 1616.

An Act amending "The Permanent Registration Act of Cities of the Second Class, cities of the Second Class A, Cities of the Third Class, Borough, Towns and Townships," approved April 29, 1937 (P. L. 487), requiring that registration cards delivered to electors must be uniform.

Referred to the Committee on Elections.

By Messrs. DONALDSON, YETTER, PRENDERGAST  
and STIMMEL. HOUSE BILL No. 1617.

An Act amending "The Vehicle Code," approved April

29, 1959 (P. L. 58), providing for the issuance of temporary registration plates or markers for vehicles which are not to be registered in Pennsylvania, and removing the requirement that application for annual registration plates must be made for such vehicles.

Referred to the Committee on Motor Vehicles.

By Messrs. WILT, R. P. JOHNSON, ESHLEMAN  
and WESCOTT. HOUSE BILL No. 1618.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing salaried police officers of townships of the second class, whenever a summary offense is committed in his presence, to present the alleged offender with a printed notice to appear before the nearest available magistrate.

Referred to the Committee on Motor Vehicles.

By Messrs. KAMYK, JENKINS, EWING  
and THOMPSON. HOUSE BILL No. 1619.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the printing and reproducing of study and curriculum materials by county commissioners in second class counties; and providing for reimbursements therefor.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. PRENDERGAST, DENNISON, CIOFFI  
and HORST. HOUSE BILL No. 1620.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further defining "dealer," further providing for the use of dealer's registration plates, providing for the issuance of special moving permits for mobile-homes, house trailers and office trailers in lieu of registration thereof, \* \* \*.

Referred to the Committee on Motor Vehicles.

By Messrs. WARGO, WM. JOSEPH LONG, STIMMEL  
and SCHAAF. HOUSE BILL No. 1621.

An Act amending the "Vocational Rehabilitation Act of one thousand nine hundred forty-five," approved May 22, 1945 (P. L. 849), authorizing certain persons injured by accidents incurred in the course of their employment or disabled by occupational disease.

Referred to the Committee on Workmen's Compensation.

By Messrs. CAPANO, FLYNN, T. F. SULLIVAN,  
CIANFRANI, J. A. SULLIVAN and WELSH.  
HOUSE BILL No. 1622.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), changing provisions relating to liability of employers and benefits and persons entitled thereto; regulating practice and procedure; changing subrogation rights; providing for attendance of witnesses; requiring payments into the Second Injury Reserve and Rehabilitation Fund.

Referred to the Committee on Workmen's Compensation.

By Messrs. WARGO, CROSSIN, MURPHY  
and SELTZER. HOUSE BILL No. 1623.

An Act amending the "Employment Agency Law," approved July 31, 1941 (P. L. 616), to amend certain definitions, to provide that proposed employment agencies shall advertise their intention to become licensed and that employment agents shall have had prior training or experience as well as financial integrity; \* \* \*.

Referred to the Committee on Rules.



By Messrs. K. B. LEE, DONALDSON, FINEMAN  
and E. S. WILLIAMS. HOUSE BILL No. 1624.

An Act defining and regulating installment sales of goods and services used or furnished in the modernization, \* \* \* or improvement of real property, and providing for licensing of home improvement contractors and home financing agencies; \* \* \* and providing penalties for violations.

Referred to the Committee on Rules.

By Messrs. McCANDLESS, KING  
and MAGEE. HOUSE BILL No. 1625.

An Act to provide for an additional law judge of the court of common pleas in the fiftieth judicial district, and making an appropriation.

Referred to the Committee on Judiciary.

By Messrs. McCANN, GAILEY  
and CIANFRANI. HOUSE BILL No. 1626.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further specifying the notice which shall be given prior to the adoption of the annual budget in school districts of the second, third and fourth class.

Referred to the Committee on Education.

By Mr. A. M. LEE. HOUSE BILL No. 1627.

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, \* \* \*," changing the compensation of the judges of the Municipal Court of Philadelphia.

Referred to the Committee on Cities—Counties First Class.

By Messrs. SELTZER and BOWMAN.  
HOUSE BILL No. 1628.

An Act amending the act of April 14, 1949 (P. L. 482), entitled, as amended, "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates or charges imposed by municipal authorities organized by counties of the second class, \* \* \*," removing the notice requirement prior to shutting off water.

Referred to the Committee on State Government.

By Messrs. O'DONNELL, BRANCA, FRASCELLA  
and EILBERG. HOUSE BILL No. 1629.

An Act amending the "Criminal Procedure Act of 1860," approved March 31, 1860 (P. L. 427), broadening the power of magistrates to take bail.

Referred to the Committee on Cities—Counties First Class.

By Messrs. GOODRICH, POLEN, HAMILTON  
and PURSLEY. HOUSE BILL No. 1630.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

Referred to the Committee on Education.

By Messrs. FILO, WALSH, OGILVIE  
and BOWMAN. HOUSE BILL No. 1631.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing third class cities to erect traffic signs on State highways without approval of the Secretary of Highways.

Referred to the Committee on Motor Vehicles.

By Mr. MURPHY. HOUSE BILL No. 1632.

An Act amending the "Real Estate Brokers License Act of 1929" approved May 1, 1929 (P. L. 1216), permitting attorneys to secure real estate brokers licenses.

Referred to the Committee on Professional Licensure.

By Messrs. FOERSTER, KRAMER, CAULEY,  
McLAUGHLIN and WILT. HOUSE BILL No. 1633.

An Act amending the act of August 10, 1951 (P. L. 1189), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes \* \* \* in bureaus of police in cities of the second class; \* \* \*" changing the method of selection of courts of trial or inquiry.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Mr. JIM, Mrs. MUNLEY, Mrs. KOOKER,  
Messrs. SHUPNIK and SNARE.  
HOUSE BILL No. 1634.

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian Gertrude Martin Rohrer, as the State song of the Commonwealth.

Referred to the Committee on Rules.

By Messrs. BACHMAN and SHUPNIK.  
HOUSE BILL No. 1635.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the exposure of poison.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. BACHMAN and SHUPNIK.  
HOUSE BILL No. 1636.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting the spraying of poison and the use of certain rodenticide.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. BACHMAN and FOERSTER.  
HOUSE BILL No. 1637.

An Act prescribing qualifications and the procedure for the admission of certain United States Senators, Congressman and members of the General Assembly to practice as attorneys-at-law; \* \* \*.

Referred to the Committee on Rules.

By Messrs. CAPANO, FLYNN, MURPHY  
and RENWICK. HOUSE BILL No. 1638.

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), changing provisions relating to liability of employers and benefits and persons entitled thereto; regulating practice and procedure; changing subrogation rights; providing for at-

tendance of witnesses and generally clarifying and changing the provisions of the act.

Referred to the Committee on Workmen's Compensation.

By Messrs. McCANN and PETROSKY.

HOUSE BILL No. 1639.

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), changing the coverage provisions, and making technical changes in the operation of the act.

Referred to the Committee on Rules.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 312.

An Act amending the act of July 24, 1913 (P. L. 965), entitled "Commodities Weight and Measure Law" requiring additional markings on certain packages.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 361.

An Act concerning the ownership of securities by minors providing for the transfer of and dealing with such securities and prescribing the powers duties liabilities and immunities of certain persons in their transactions in connection therewith.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 417.

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein. . ." establishing an alternative appeal procedure in certain cases.

Referred to the Committee on Education.

SENATE BILL No. 428.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" enlarging the powers of banks bank and trust companies and savings banks to deal in fractional interest of evidences of debt.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 442.

An Act amending the act of June 9, 1911 (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" limiting the terms of such liens to twenty years.

Referred to the Committee on Appropriations.

SENATE BILL No. 462.

An Act amending the act of September 8, 1959 (P. L. 846), entitled "An act providing for the destruction of cer-

tain records and papers upon petition in counties of the third and fourth class" removing the requirement of reproduction in counties of the third class.

Referred to the Committee on State Government.

SENATE BILL No. 497.

An Act amending the act of April 4, 1925 (P. L. 127), entitled "Adoption Law" further prescribing which persons must appear in court.

Referred to the Committee on Judiciary.

SENATE BILL No. 529.

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" excluding from taxation transfers of property between divorced spouses.

Referred to the Committee on Rules.

SENATE BILL No. 569.

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the third class . . ." clarifying the provisions of existing law.

Referred to the Committee on Counties.

SENATE BILL No. 573.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" changing limitations on driver-education expenses of the Department of Public Instruction changing the basis for reimbursement by the Commonwealth on account of standardized driver-training programs and extending provisions relating to driver-education programs to joint school organizations.

Referred to the Committee on Education.

SENATE BILL No. 575.

An Act amending the act of June 20, 1919 (P. L. 521), entitled as amended "Transfer Inheritance Tax Law" changing the provisions relating to the collection of taxes by the registers of wills in counties of the first class.

Referred to the Committee on Cities—Counties First Class.

## RESOLUTION INTRODUCED AND REFERRED

By Messrs. A. M. LEE, BOWMAN and

TOMPKINS. (Concurrent) RESOLUTION No. 72.

In the House of Representatives, May 23, 1961.

In recent years the Governor has presented to the General Assembly a new type of budget. This format is commonly known as a Program Budget having the commendable objective of clearly defining each purpose and program for which the General Assembly is asked to provide funds. It has been hoped that by such presentation the General Assembly would be able to make intelligent decisions on the types of programs which it authorizes and the amounts of money required to be appropriated to carry out such programs.

A fair-minded appraisal of the form and content of recent budgets submitted to the General Assembly indicates that despite this commendable objective, budget documents are inadequate as intelligible instruments through which the members of the Legislature may make a reasonable analysis of budgeted programs and reach ultimate decisions on appropriations. Under the Constitution of our Commonwealth, such actions are the legal responsibility of the General Assembly. Among the existing deficiencies in the format of the budget, three may be mentioned as of primary concern:



(1) Appropriations are requested in lump sums of some departments and departmental units with no clear identification of the purposes (except in broadly stated terms) for which the funds requested are to be used. Little or no information is provided which would permit appraisal or justification of the amounts requested. As an illustration of this point, and with no intention of singling out any specific department or suggesting that the amount requested may not be entirely appropriate, the 1961-62 budget requests appropriations in this manner.

Auditor General, Executive and General Administration, \$3.5 Million

Department of Treasury, Executive and General Administration, \$1.075 Million

Department of Forests and Water:

Water Resources—Maintenance and Regulation, \$1.25 Million

Forest and Park Services—Maintenance, \$4.63 Million

Department of Health:

Executive and General Administration, \$1.7 Million

Preventive Disease Services, \$3.8 Million

Environmental Health Services, \$3.0 Million

(2) While in a few instances (such as in the appropriations requested for the Legislature and the Judiciary), the budget identifies the purpose and amounts of the appropriations requested by what is commonly termed "objects of expenditure," the budget document generally fails to reflect the portions of the appropriations requested which are required for different objects of expenditure, i.e., personal services, contractual services, materials and supplies, etc. The new classification and budget formats recently established through the Department of Internal Affairs for use by Pennsylvania municipalities may be indicative of the type of information and basis for appropriation which might be reflected in the budgets of the Commonwealth.

(3) The budget provides little information, either in the basic documents or appendices, of the magnitude of many programs or the basis for appropriations in terms of the numbers and types of personnel required, types of materials and services, and other objects of expenditure, which are essential for an understanding of programs and the adequacy or inadequacy of the appropriations requested to support such programs. While the General Assembly has the opportunity, through its committees and through hearings, to explore such questions, there is no orderly provision for the presentation of such vital information in conjunction with the budget, the financial document through which such programs are supported.

In recognition of the need for a budget document which adequately informs the General Assembly, as well as the general public, of the bases for the appropriations requested of the General Assembly, and in recognition of the fact that a number of technical and administrative problems may be involved in expanding the content of the present budget format, be it

Resolved (the Senate concurring), That the Joint State Government Commission evaluate the format in which the budgets of the Commonwealth are presented to the General Assembly for adoption, and present to the General Assembly and the Governor its conclusions and such recommendations as may appear desirable for expanding the content of the budgets in order to more adequately inform the General Assembly of the bases for the appropriations requested and any changes which may appear desirable in the form of the appropriations themselves, including such recommendations for changes in overall accounting procedures as might be required to facilitate such presentation; and be it further

Resolved, That the Joint State Government Commission engage such consultants or technical advisors as may be necessary and feasible within the general appropriations of the commission to assist in such evaluation; and be it further

Resolved, That the Joint State Government Commission make a report of its conclusions and recommendations as promptly as possible, but in no event later than January 15, 1962.

Referred to the Committee on Rules.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. McCANN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

House Bill No. 154.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing for an assistant township secretary.

HOUSE BILL No. 157.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), providing for an assistant township secretary.

HOUSE BILL No. 264.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

HOUSE BILL No. 392.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) authorizing the designation of 4-way stop and other multi-way stop intersections.

HOUSE BILL No. 409.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further regulating compensation to aged employees.

HOUSE BILL No. 663.

An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes \* \* \* authorizing rules and regulations and providing penalties for violations thereof and making an appropriation.

HOUSE BILL No. 827.

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and regulation and maintenance thereof \* \* \*" further providing for the compensation of pension or retirement benefits.

HOUSE BILL No. 892.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring the Secretary of Highways to erect signs at major entrance points into the Commonwealth giving notice of the law regulating passing of school buses and the penalty for violation thereof.

HOUSE BILL No. 947.

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207), extending the period for revival of suggestions and averments of non-payment and default and the time for the filing and renewal of all taxes and municipal claims in cities and school districts of the first class to twenty years.

HOUSE BILL No. 1091.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), requiring auditors to elect a chairman and a secretary.

## HOUSE BILL No. 1154.

An Act transferring inheritance tax commissions of the Register of Wills of Philadelphia County to the Department of Revenue.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 328, 480, 507, 662, 721, 744, 745, 746, 747, 984, 992, 1045, 1130, 1135, 1137.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg.

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 328, printer's No. 357, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' redesignating the burgess as the mayor."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 480, printer's No. 523, entitled "An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended 'An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws' by continuing the provisions of section 211.1 in effect for a further period."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 507, printer's No. 1341, entitled "An Act amending the act of May 22, 1935 (P. L. 233) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act' changing the method of computing service increments to be paid from the pension fund to employees of the police force after retirement."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 662, printer's No. 1346, entitled "An Act amending the act of May 25, 1933 (P. L. 1050), entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' changing the method of computing service increments to be paid from the pension fund to employees of the bureau of fire after retirement."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 721, printer's No. 794, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' authorizing the appointment of educational specialists in lieu of assistant county superintendents."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 744, printer's No. 1444, entitled "An Act amending the act of June 24, 1931 (P. L. 1206), entitled 'The First Class Township Code' authorizing the establishment and maintenance of certain places used and maintained for the collection storage and disposal of certain goods and materials to be licensed."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 745, printer's No. 818, entitled "An Act amending the act of May 1, 1933 (P. L. 103), entitled 'The Second Class Township Code' authorizing the licensing of junk dealers junk yards and scrap yards."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 746, printer's No. 819, entitled "An Act amending the act of June 23, 1931 (P. L. 932), entitled 'The Third Class City Code' authorizing the regulation and licensing of junk dealers junk yards and scrap yards."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 747, printer's No. 820, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code' authorizing the establishment and maintenance of places used and maintained for the collection storage and disposal of certain goods and materials to be licensed."

DAVID L. LAWRENCE



May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 984, printer's No. 1086, entitled "A Supplement to the act of May 28, 1915 (P. L. 596), entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions' providing a period during which certain persons may join the pension fund created under the act."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 992, printer's No. 1094, entitled "An Act amending the act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' conforming provisions relating to preparation of the State budget to correspond with the fiscal year."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1045, printer's No. 1162, entitled "An Act amending the act of June 12, 1923 (P. L. 692), entitled as amended 'An act fixing the salary of city commissioners of Philadelphia formerly known as county commissioners in counties of the first class' increasing annual salaries of city commissioners of Philadelphia."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1130, printer's No. 1262, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to lease under certain conditions real property now under the jurisdiction of the Department of Public Welfare and located at the Dixmont State Hospital Allegheny County."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1135, printer's No. 1267, entitled "An Act authorizing the Department of Property and Supplies to sell and convey land situate in the borough of Polk Venango County Pennsylvania with the approval of the Governor."

DAVID L. LAWRENCE

May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1137, printer's No. 1269, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Public Welfare to sell and convey certain lots or tract of ground with improvements thereon in Mill creek Township Erie County."

DAVID L. LAWRENCE

## REPORTS FROM COMMITTEE

Mr. OGILVIE from the Committee on Military Affairs, reported as amended, House bill No. 749, entitled:

An Act amending the "Korean Conflict Veterans' Compensation Act," approved July 8, 1957 (P. L. 569), defining "veteran" so as to include career servicemen.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as amended, House bill No. 244, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743), changing compensation and allowances for magistrates.

Mr. ROVANSEK from the Committee on Labor Relations, reported as amended, House bill No. 1111, entitled:

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286), further prescribing work in which minors may engage; providing for the issuance of special permits for minors engaging in the entertainment and related fields, changing provisions relating to working hours, employment certificates, regulations; prescribing penalties and providing a short title.

Mr. WILLAREDT from the Committee on Insurance, reported as amended, House bill No. 1510, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), requiring certain domestic mutual insurance companies to accumulate unearned premium reserves within a prescribed period.

Mr. FRY from the Committee on Game and Conservation, reported as committed, House bill No. 1031, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), requiring meetings of the Pennsylvania Game Commission to be open to the public.

Mr. HARTLEY from the Committee on Labor Relations, reported as committed, House bill No. 1234, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), increasing liability for burial costs.

Mr. JIM from the Committee on Game and Conservation, reported as committed, House bill No. 1249, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting the Game Commission to sell deer killed by accident.

Mr. WM. JOS. LONG from the Committee on Military Affairs, reported as committed, House bill No. 1549, entitled:

An Act amending "The Military Code of 1949," approved May 27, 1949 (P. L. 1903), discontinuing restricted use of funds realized from sale of armories and providing for expenditure of remaining balance in such restricted funds.

Mr. FINEMAN from the Committee on State Government, reported as committed, House bill No. 1415, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), exempting Jewish Community Centers from payment of title or registration fees.

Mr. NEEDHAM from the Committee on Cities—Counties Second Class and Second Class A, reported as committed, Senate bill No. 94, entitled:

An Act amending the act of June 25, 1895 (P. L. 275), entitled "City Classification Law" further regulating the

change of classification of cities changing the method of reclassifying cities of the second class A upon a decrease in population authorizing retention of existing classification authorizing elections and permitting selection of a form of city government in such cases from among several optional plans.

Mr. FOOR from the Committee on Insurance, reported as committed, Senate bill No. 309, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" providing for the merger or consolidation of domestic and foreign life insurance companies.

Mr. PURSLEY from the Committee on Insurance, reported as committed, Senate bill No. 427, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" authorizing purchase or investment of bonds notes and obligations issued assumed or guaranteed by the Inter-American Development Bank.

Mr. CROSSIN from the Committee on Military Affairs, reported as committed, Senate bill No. 542, entitled:

An Act amending the act of June 11, 1947 (P. L. 565), entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 644, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), exempting municipal authorities incorporated under the Municipality Authorities Act of 1945 from certificate of title and registration fees.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 1212, entitled:

An Act amending the act of July 5, 1917 (P. L. 693), entitled "An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children . . ." providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

Mr. McCORMACK from the Committee on Appropriations, re-reported as amended, House bill No. 1331, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County.

Mr. MUSTO from the Committee on Appropriations, re-reported as amended, House bill No. 1402, entitled:

An Act to provide for the creation and administration of an Anthracite Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers thereto. . . .

Mr. KORNICK from the Committee on Mines and Mineral Industries, re-reported as amended, House bill No. 1222, entitled:

An Act relating to bituminous coal mines amending revising consolidating and changing the laws relating thereto for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania

and for the protection and preservation of property connected therewith. . . .

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 1297, entitled:

An Act amending the act of December 20, 1933 (1933-34, P. L. 89), entitled "An act appropriating the moneys in The States Stores Fund" providing for additional kinds of insurance.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1031, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), requiring meetings of the Pennsylvania Game Commission to be open to the public.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1234, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), increasing liability for burial costs.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1249, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting the Game Commission to sell deer killed by accident.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1549, entitled:

An Act amending "The Military Code of 1949," approved May 27, 1949 (P. L. 1903), discontinuing restricted use of funds realized from sale of armories and providing for expenditure of remaining balance in such restricted funds.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1415, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), exempting Jewish Community Centers from payment of title or registration fees.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 94, entitled:

An Act amending the act of June 25, 1895 (P. L. 275), entitled "City Classification Law" further regulating the change of classification of cities changing the method of reclassifying cities of the second class A upon a decrease



in population authorizing retention of existing classification authorizing elections and permitting selection of a form of city government in such cases from among several optional plans.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 309, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" providing for the merger or consolidation of domestic and foreign life insurance companies.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 427, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" authorizing purchase or investment of bonds notes and obligations issued assumed or guaranteed by the Inter-American Development Bank.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 542, entitled:

An Act amending the act of June 11, 1947 (P. L. 565), entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### NINTH GRADE STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair at this time desires to welcome to the House the ninth grade students from Northern Bedford County High School, teachers Harry F. Swavely, Anna Swavely and William Reed, who are guests of the gentleman from Bedford, Mr. Foor.

### PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, what I have to say this morning I feel is of great importance to every member of this General Assembly. The reason I am saying it is that Governor Lawrence yesterday told his news conference that the Attorney General had agreed with him that the amendment to the general appropriation bill, which would prevent the loss of some \$8 million in school aid to 2,000 school districts, was unconstitutional, and the inference being made, very strongly, was that he would veto that item of the general appropriations bill.

Many of us have been around here a long time. It seems that whether Republicans are in power or Democrats are in power you can get the Attorney General to pretty much give you an opinion on any subject which will coincide with the administration view.

I realize that is a strong statement to make. That is

one of the reasons why we have advocated down through the years the election of the Attorney General by the people. It depends on, apparently, as I say, what opinion you want. Why? Because there is a Supreme Court of Pennsylvania case which says precisely that this item which we put in the general appropriation bill is constitutional and, for those of you who want to refer to this case, it is the case of *Greene v. Gregg*, 161 Pennsylvania Supreme Court Reports, page 582.

This decision was rendered in 1894, 20 years after the adoption of our present constitution. In that case, for the first time, this General Assembly created the office of clerk in the prothonotary's office in Philadelphia. The Supreme Court provided a two-years' salary of \$4,800.

The question before the court was, was this an unconstitutional item inserted into the general appropriation bill. The court said:

We have no doubt that the legislature could legally create the office of clerk to the prothonotary of the Supreme Court and provide for his compensation by a salary, just as they could by law increase the fees or compensation of the prothonotary himself.

Then the court went on to say,

. . . it is conceded on all hands that the legislature had ample power to do the substantial thing that it did, to wit, to authorize the appointment of a clerk in the office of the prothonotary and provide for his salary out of the public treasury, and as the purpose of such appointment and the duties of the appointee were to secure the performance of the regular and ordinary work of the office, we are of the opinion that the legislature might constitutionally do it in the form they did, by an item in the general appropriation bill . . .

That is exactly what we did in putting the freeze clause in the general appropriation bill. We provided for a way of allocating the school money. It is on all fours with this particular case and I cannot see how anybody could say it is unconstitutional.

If that clause is unconstitutional in the bill, as I pointed out the other day in the argument, there are three other clauses which are equally unconstitutional in that bill. But we say under the authority of this *Greene* case, decided by the Supreme Court of Pennsylvania, it is absolutely constitutional and the Governor should not veto it out of the bill on those grounds.

There is another question as to whether it is an item that the Governor can veto out of the bill anyhow. If you will read section 16 of our Constitution having to do with partial disapproval of appropriation bills, it says:

The Governor shall have power to disapprove of any item or items of any bill, making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriations disapproved shall be void, unless repassed according to the rules.

In other words, repassing it over the Governor's veto.

We say that this clause we added does not appropriate money; it has to do with the spending of what money is appropriated. A court could well say that it is not such an item that could be vetoed out of the bill within the purview of this constitutional prohibition.

Now why do I say this? I say it is important because the school districts of this State, if you go around Pennsylvania, are in dreadful shape as a result of the findings

of the Tax Equalization Board. The only way that we this session are going to give any relief to our school districts is through this freeze clause.

When I was home over the week end I was called by various counties' school boards, representatives of school boards, who said, for goodness sake leave that freeze clause in that bill. I hope the Governor does not veto it. It is immensely important to our schools.

Why? Because the Governor's budget does not have any money, any increases, for the school districts. It only provides for increase in the teaching units.

I know one little school district that will lose \$30,000.

As far as Philadelphia and Pittsburgh are concerned, under these amendments they will get the increases they would have received under the Tax Equalization Board report, so some of them from Pittsburgh and elsewhere went along on this because in some instances in Allegheny County there were school districts that were terribly harmed.

Now I am calling on the Governor to have his Attorney General read this Greene case. For goodness sake, do not veto this out of the bill. There is enough money in that budget by good husbandry and saving that the \$8 million can be picked up.

I would just like to repeat what I said on the floor the other day. There is \$39 million that he picked up in these two years and less. There is no reason why he cannot find another \$7 million or \$8 million in the budget as it exists now to cover this item.

Also, Dr. Kurtzman in today's paper says that while we are going to be a little bit behind, maybe, at the close of this biennium, we look for a roaring 1961-62, to a point where corporations will be paying a lot more taxes and they expect, maybe, an increase in their revenue estimates. In fact, they are thinking about increasing their revenue estimates, according to this morning's paper.

I say there is money in the budget for it.

For goodness sake, Governor Lawrence, do not veto that out of this bill, in the name of the beleaguered school districts of Pennsylvania.

I do not know what will happen. I certainly shall, as a Representative of the minority, ask this House to override his veto. I realize that it takes a two-thirds vote and we do not have any chance to do that, but right now the Governor has this bill on his desk and he is going to sign it in a few days and I hope that he does not rip out the freeze clause which our school districts are depending on all over Pennsylvania.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, the gentleman from McKean, Mr. Johnson, of course, has made a most passionate plea for the legislation that was put in the general appropriation bill which passed this House a week ago and today lies on the Governor's desk for approval. There is no question that the general appropriation bill will be signed into law.

I would like to say honestly and fairly that on the revenue estimate measures he speaks about there is no question of what has happened. The corporation tax yield for the present year, and, of course, in the corporation tax reports they have a choice of using the first quarter reports or using the ones from the previous year

in making their estimates. It seems, without checking the first 230 of the reports, there is no question that they are using the lesser of the two in submitting their reports on the tax yield.

At this point it is fairly assumed that it will be \$25 million under estimate or lower. But we are also well aware, as the gentleman states, that that will be in the coming fiscal year. There is no question but that a great portion of that will be recuperated by the Commonwealth when they adjust and pay their taxes, since they are using the low quarter for estimates in submitting their reports.

But it does make a difficult situation in the first fiscal year of this Commonwealth, which is the fiscal year that starts next month, when the revenue yielded will not be as had been anticipated for the fiscal year. There is no question that there is no one, including any member of this House, who does not have a keen interest in the school districts of this Commonwealth and a hope that something can be done and will be done to assist them with their financial problems in operating public education.

The Tax Equalization Board is not the entire answer, but there are answers to this problem in the Governor's Committee on Education Report in which we, in the House and the Senate, must eventually face reality and certainly attempt to pass legislation which will assist school districts. This will be debated at the time when this legislation will be before this House, before the education and bipartisan committee that has been created by resolution in the House and Senate.

Mr. Speaker, I am sure that the statements indicated in the Governor's press conference are correct, that that section of the bill will be declared, as he states, unconstitutional, as there are Supreme Court decisions on the matter both ways. They have been given by the courts and he is correct in the statement of the particular case that he speaks of in which the decision was opposite from this. So, actually, it is true it can be done both ways, but the one we speak of that is part of the debate here, is the one that also is going to be used in this particular case.

So I say that later, as the legislation will be debated from the report, it will certainly give us an opportunity to speak out in behalf of all the school districts of this Commonwealth.

### QUESTION OF PERSONAL PRIVILEGE

Mr. FINEMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. I have been reading with continuing interest the series of articles that have been written by our Speaker in his lively little journal called "Dispelling the Fog."

I refer to those portions of the articles wherein he takes up the cudgels on behalf of legislators against the unfair, distorted and unseemly attacks against the members of the legislature.

My only comment about those articles is this: I say, God bless you, Mr. Speaker, for coming to our defense. I hope you will continue to use your facile pen to defend us, because we truly are without a voice when it comes



to the attacks that have been made upon us by the newspapers.

Now I rise to a question of personal privilege because of recent date I was subjected to an editorial in one of the Harrisburg newspapers that was manifestly unfair, entirely out of order and distorted the fact. It held me up to disrepute and degradation. Needless to say, I am quite offended by what I read in the newspaper.

The article, which was an editorial, concerned itself with the lobbying registration bill. That bill is now on the calendar. It was reported out of the Committee on State Government, of which I have the honor of being chairman.

One day last week I received a telephone call from a reporter for this newspaper, who inquired about the status of this bill. And he said, "Herb, has anybody pressured you or bothered you about this bill?" And, in fairness to the gentleman, I said, "No, no one has bothered me and I have not bothered anybody either." I went on to explain in response to his interrogation why the bill had not as yet been considered, that the Committee on State Government is probably the most active committee on the Hill. There was, in truth, an avalanche of bills that had been reported from this committee and it was simply a matter of not having had time to get to consideration of this bill, I said, "In all probability, it will be considered in the very near future."

In keeping with that indication, the bill was considered and reported out. When the editorial appeared it had this comment:

"Representative Fineman said no one has bothered him and he hasn't bothered anybody, and he said this laughingly."

The inference was clearly that I did not intend to report this bill out, that I was going to submerge it, that I was going to kill this bill. This was never the inference that could truthfully be drawn from that conversation.

When I confronted the reporter with this situation, he, in all fairness and frankness, admitted to me that my conversation as reported in the editorial was taken completely out of context. That is why I am so happy, Mr. Speaker, that you have taken it upon yourself to defend these distortions, things that have been taken out of context, because the newspaper editorials have made the legislators look like a bunch of dim-witted, slow, graft-minded, stupid individuals who could not get gainful employment elsewhere and have to be thankful they are political hacks who can get a job either as a Senator or as a member of the House of Representatives.

I say there are too many dedicated and devoted men who work diligently and at a sacrifice of their own pursuits, their own occupations, and at a sacrifice of their respective health—and we have seen all too truthfully lately evidence of that this session when so many of our members have been stricken. There are too many men of this ilk, of this caliber, to have to be unfairly subjected day after day to this type of editorializing.

I say it is about time that the newspapers, who are the fourth estate, as Mr. Speaker said, assume the responsibilities and the obligations that are theirs. I have yet to see any newspaper article which has complimented any legislator or any legislative body for the work that we

have done. No one is going to say that we have not done a job in some respects, at least, that we have not worked diligently toward a goal and that we have gone a long way toward that goal. Is it their function only to castigate and criticize and subject legislators to humiliation day after day?

The newspapers have a responsibility to give the public the truth, and I say, so far as the legislators are concerned and as to what the legislators are doing, they are not giving the public the truth.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I welcome this opportunity to have my distinguished colleague from Philadelphia open the first barrage on editorials that are written, that have no place and are not correct, and yet they speak as the editorial policy of that paper. I was a part of that editorial.

If you take time to read that editorial you will see it stated that I was the principal sponsor of the bill and that I said the bill would be considered sometime in May. The Committee on State Government had over 200 bills dealing with pieces of land that we must handle, all housekeeping bills. That committee met day after day, the subcommittee, and reported these bills to the House, doing the work that has to be done, and never was there one kind word said about the committee. When the editorial writers write, they speak the editorial policy of the paper.

We have had the sad occasion in this House of having four of our young distinguished colleagues pass on during this session.

We have stated time and time again that 95 percent of the work that is done in a legislative body is completed before we arrive on the floor of this House. That work is done in your committees and subcommittees that you members work on. They never, as yet, have given credit in any newspaper for the numerous hours of meetings that you meet in the numerous committee meetings that are held and for the number of bills that you are asked to act on in any given committee meeting. When too many bills are passed in a given period of time, quickly you are chastised that you act on legislation without giving it proper consideration, that you hastily pass a bill or act on a bill in a committee, and yet the distinguished members of those committees will call time and time again throughout the week, and I can verify this, when we are not in session on the days of Thursday, Friday and Saturday, and yes, every Sunday night. In fact, from Sunday afternoon, if you please, until Sunday at midnight there are committees that meet here in this main Capitol Building, and the reporters who are here know that because they call us at night during those meetings asking what has taken place.

Yet, very few of the public of Pennsylvania, our own constituents, are ever aware of this. For example, last Sunday, on the Democratic side of the House, our committees started at 3 o'clock in the afternoon, and I bring to your attention that when I ask members to come here at 3 o'clock on a Sunday afternoon some must leave as early as 11 o'clock that day to arrive on time. The meetings took place from 3 until 11:15 that night. I have many times, on many Sunday evenings, had occasion to confer

with the policy committee of the minority party, who meet on the fourth floor of this Capitol on Sunday nights, Sunday after Sunday, in addition to many other members who are here and meet with us about amendments to a particular bill scheduled on the calendar during that week. And yet, in this session for some particular reason we have been the people whom the newspapers day after day talk about and they talk about the things we do not do.

Well, whether you are Democratic or Republican you can speak with pride on some of the major legislative points that you have enacted in this session. We never disagreed entirely, nor did we agree entirely. We can take credit for major accomplishments that we know will be laws or are laws in this session—the highway safety program with which you may disagree or agree, but radar, drunk-o-meter, intoxication meter bills, the various bills that are good sound legislation. Some are law and the balance will be law. The library program, the highway program, the welfare program, you have voted across party lines in enacting this legislation, and this legislation, when the final session is written, will be credited to Republican and Democratic legislative members as the accomplishments of this session.

I say to the editorial writers, and particularly to those who talk on the editorial page of the misgivings of this legislative branch, the House, I say to them that we also try to work on timetables, and we set timetables. We are not always able to follow them, but we certainly do try to move major legislative programs within certain given timetables.

There is no question that anyone is pressured or that we are pressuring anyone on the bills. As the gentleman from Philadelphia, Mr. Fineman, so well stated when he was talking about that bill, there were committee meetings in the Committee on State Government, and you who are members here can vouch that in some given meetings you acted on as high as 25 individual pieces of legislation in a given committee meeting. That is a major piece of work.

The wheels of justice have always ground rather slowly to do a fine job, and they always will. In years to come they will do the same to do the job that in the opinion of the members of the committee is essential to accomplish, a good workable piece of legislation that the people of this Commonwealth need or want.

Therefore I say and I ask, as we start from this day forward, that the editorial policy and pages of the newspapers also give an equal break to accomplishments of this legislature and its program and the work of these members who have worked on these committees. I stand here to say that I am proud of the work they have done, Republicans and Democrats. I am proud of the positions they have taken in committees and on the floor in agreeing and disagreeing on major programs, and I am sure that in years to come, both in their accomplishment and in the record of this session, they can stand with their heads high and walk down the street of their own legislative districts and speak with pride of these accomplishments and never have to bow their heads to any editorial writers in this State.

Mr. BOIES. Mr. Speaker, it is my impression that the courtesies the House has always extended to the newspapermen were in the interests of the public, that they

served a useful purpose in informing the public as to what the legislature was doing.

I do not know, Mr. Speaker, whether the committee which made a study of trying to find necessary space for the House to operate in is still in force, or still active, but I would suggest, Mr. Speaker, if this committee is still in force, that we look into the possibility of taking over the wigwam to the right of the Speaker's rostrum where the hatchetmen have their abode.

I would suggest, Mr. Speaker, that we rescind some of the privileges that we have extended to these gentlemen over the years, put them up in the gallery, let them do without desk space and without telephones, and take away their home to the rear on this floor, the press room, with telephone service and all the rest of it on E floor, and let them show that they will do what is expected of them, to give the public some service, and not spend their time detracting from the legislature.

Mr. M. H. GOLDSTEIN. Mr. Speaker, my part in this particular debate may be prejudiced, because like the Speaker, Mr. Andrews, I am a former newspaperman, and I have such a hybrid status on this floor. I respect the legislators and I respect the newspapermen. They work hard and they are doing their job trying to make an honest living, just the same as we are trying to serve the people of the Commonwealth of Pennsylvania.

Methinks we protest too much. When the gentlemen of the press are needed, we go down into the well of the House, and, when the gentlemen of the press want to criticize, they have a perfect right to do so. We are trying to place a blanket indictment. They make mistakes and we make mistakes, but we are so overwhelmed by our actions in connection with certain recent affairs that we cannot see the forest for the trees.

The way for us to upgrade ourselves in the eyes of the citizens of this Commonwealth is not by attack upon somebody else. Stand upon our own feet by action, and, since the gentleman from Philadelphia, Mr. Fineman, is chairman of the Committee on State Government, I am going to make a statement, and, if he wants to answer my statement, he can do so.

House bill No. 330, which involves conflict of interests, has been in his committee for months. It is my recollection that this bill is part of the Democratic program. Its intent is to carry out the same principles that President Kennedy wants in Washington, D. C. If I am wrong as to what committee it is in, I will correct myself, but whatever committee it is in, it is still buried there.

By the grapevine and without telling anybody the source, I understand the reason it is being buried in the nether regions is that they are afraid of the possibility that there will be amendments made on the floor of the House.

#### POINT OF ORDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GELFAND. My point of order is that I think the gentleman has gone distinctly beyond the privileges granted to him in making any comments or criticisms with respect to a committee, or bills within a committee, and I believe he should be called to order on that point.



The SPEAKER pro tempore. As yet the gentleman has not transgressed any particular line. As long as he keeps himself where he is, he may proceed.

Mr. M. H. GOLDSTEIN. What I am going to do—

Mr. GELFAND. Mr. Speaker,—

The SPEAKER pro tempore. Mr. Gelfand—

Mr. M. H. GOLDSTEIN. I have not yielded, Mr. Speaker.

#### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Gelfand, rise?

Mr. GELFAND. I rise to a question of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GELFAND. Is it within the purview—

The SPEAKER pro tempore. You cannot interrupt by a parliamentary inquiry.

Mr. GELFAND. All right, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. I will summarize by saying, number one, you can get more by—

Mr. SHERMAN. Mr. Speaker—

Mr. M. H. GOLDSTEIN. It seems I have the entire Philadelphia delegation.

Mr. SHERMAN. Mr. Speaker—

The SPEAKER pro tempore. The gentleman from Allegheny has the floor.

#### POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Sherman, rise?

Mr. SHERMAN. I rise to a point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHERMAN. The gentleman from Allegheny has a right to speak, we agree with that, but we disagree with the fact that he has the right to make misstatements of fact and distort them, whether in committee or on the floor, and to that extent I rise to a point of order.

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Goldstein, has the right to make as many mistakes as he cares to.

Mr. SHERMAN. Mr. Speaker, I disagree that the gentleman from Allegheny has a right to make any statement criticizing committees, or otherwise, which are absolutely untrue and are distortions and misstatements of facts.

The SPEAKER pro tempore. The gentleman is out of order.

The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Are there any other lawyers from Philadelphia who wish to intervene?

And I might say now, methinks they protest too much because I am interested in House bill 330. The only mistake I made was that I said it was in the Committee on State Government. It is in the Judiciary Committee. For that error I apologize humbly. But I would like to see that bill out on the floor of the House so we can debate it and so we can put a provision in there, which will affect lawyers from Philadelphia, to the effect that no member of the legislature shall have the right to practice before any State body.

Now, I challenge them to bring out House bill 330, and we will have action and not attack.

The SPEAKER pro tempore. The Chair will say that regardless of what the speaker has just said to Mr. Goldstein, the bill will come out of committee at the proper time.

The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, now that we have heard this intelligent discourse where we have mixed buttons and lights, I will proceed to answer the gentleman.

It seems we have to call a spade a spade here this morning and pull out all the stops, and I intend to do that.

Let us examine the gentleman's remarks in the true framework in which they are made. I imagine, if I were a candidate for the judiciary, I, too, might make such comments as he has made here this morning. I seriously question the sincerity of the motivation of the gentleman in getting up and taking the position he is taking here this morning. Parenthetically, let me say just as an aside, I have no quarrel with the men of the press who sit in this House day after day. As a matter of fact, our sharpest rebuke comes from two craftsmen of the press who have never put their foot in the House one day this year. I think the members of this House know to whom I refer.

No one is going to tell me how hard I have labored as a chairman of a committee, because I, and I alone, know that much, know how I toil. Perhaps, the members of our committee know it all too well, too, because they have been subjected to harassment by me in pushing bills on them in great numbers, in greater numbers than they should have been pushed on them. Likewise, the gentleman from Allegheny knows nothing about the incident to which I referred concerning the distortion of the statements that were made to me by the member of the press, or the editor, who proceeded to paint a caricature of me as a result of this conversation I had with the reporter from a Harrisburg newspaper. The gentleman from Allegheny is as inaccurate in his expression of opinion about the substance of this debate as he was inaccurate about where House bill 330 was lodged.

No bill, be it in my committee or any other committee, is just going to be summarily dismissed, whitewashed, submerged, or killed, however you want to put it. It will receive its consideration, and if in the consideration, the mature consideration of the chairman of the committee and the members of that committee, the bill does not merit being reported out to this floor, it will not be reported out to the floor, newspapers to the contrary notwithstanding.

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Goldstein, has successfully diverted attention from the major issues that were before the House.

Mr. M. H. GOLDSTEIN. Mr. Speaker, since the gentleman from Philadelphia, who is the epitome of decency in this State, has seen fit to castigate me and to question my character and I did not interrupt him, I feel that I am going to answer him, not in kind; I would not degrade myself so to do.

First of all, I am going to look at my legislative record, and I am a candidate for judge of the Court of Common Pleas, and I want this gentleman to know that—

Mr. SCHAAF. Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I do not want to be interrupted.

Mr. SCHAAF. Mr. Speaker.

The SPEAKER pro tempore. For what purpose does the gentleman from Erie, Mr. Schaaf, rise?

#### POINT OF ORDER

Mr. SCHAAF. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. SCHAAF. Mr. Speaker, by virtue of what order of business is the gentleman from Allegheny speaking?

Mr. M. H. GOLDSTEIN. On a question of personal privilege.

Mr. SCHAAF. I ask for the Chair's decision in that regard.

Mr. M. H. GOLDSTEIN. Parliamentary inquiry.

Mr. SCHAAF. Mr. Speaker, is the gentleman speaking by unanimous consent of this House or is he speaking on a point of personal privilege?

Mr. M. H. GOLDSTEIN. On a point of personal privilege.

Mr. SCHAAF. As to the latter, I do not think he raised the point.

The SPEAKER pro tempore. The gentleman has the right of defend himself on the floor of the House.

Mr. SCHAAF. It is the ruling of the Chair that he is speaking on a point of personal privilege?

The SPEAKER pro tempore. He is speaking on a point of personal privilege.

Mr. SCHAAF. Thank you, Mr. Speaker.

Mr. M. H. GOLDSTEIN. The fact that I am a candidate I wish to be dismissed, because it has nothing to do with my actions.

You know when the gentleman from Philadelphia has bills in the public interest over the years in which he wants an independent Republican to vote on his side, I am a great man. But when I stand up to my beliefs and disagree with him, I am just a little lower than a snake. I challenge him, in his legislative record, to show me one time when he crossed the party line. I have done it.

The SPEAKER pro tempore. Will the gentleman from Allegheny—

Mr. M. H. GOLDSTEIN. I am talking because of the type of talk he gave, and I intend to answer him in the same character.

May I continue?

#### THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. As long as the gentleman from Allegheny observes the usual rules of propriety in a chamber such as this, he will be privileged to speak. When he infringes upon the rules of propriety regarding the discussions and the courtesies that can be expected in parliamentary debate, he is not privileged to talk.

Mr. M. H. GOLDSTEIN. Thank you, Mr. Speaker.

It is pretty hard to complete your chain of thought when you have an avalanche of spearmen on the other side casting verbal thrusts at you.

The SPEAKER. The Chair would like to say this: You see what happens when we begin discussing personalities. They should never occupy the attention of this House, personalities.

Mr. M. H. GOLDSTEIN. I want to call to your atten-

tion that I did not institute that action, but I have a right to reply.

The SPEAKER. The gentleman erred by continuing in the possible sins of someone else.

Mr. M. H. GOLDSTEIN. All right, Mr. Speaker.

The SPEAKER. I hope by keeping within the range of propriety that the gentleman from Allegheny absolves himself from any further offenses.

Mr. M. H. GOLDSTEIN. Mr. Speaker, you are trying to quiet the troubled waters, and I will try to follow through. But, when the gentleman from Philadelphia, without warrant, stated that I had taken action because I desire reluctantly to leave the House and go on the bench—

The SPEAKER. This Speaker would have questioned the propriety of that personal reference. The Chair would like to see that particular reference deleted from the Journal and return to debate proper matters before us.

Mr. M. H. GOLDSTEIN. I would want it to be in the Journal so that he can read it 20 years from now.

The SPEAKER. The gentleman will proceed.

Mr. M. H. GOLDSTEIN. All I want to say is this: I have taken actions politically on the floor of the House that would not get me votes either on the Republican or the Democratic side, so, I am not expedient. I take a risk, politically, on things that I do. I think that the gentlemen on the other side of the House who know my attitude on legislation, particularly my friends from Allegheny County, realize that I try, within my limited ability, to judge cases upon their merits. I am really disturbed, saddened and disheartened at the actions of the gentleman from Philadelphia. All I said at that particular time was that we were coming out with a blanket indictment of the press. I said it was not warranted. I stated that we all make mistakes, both in the House and in the press. And, to use a phrase used many times before, it is better to forgive. That is all, Mr. Speaker.

The SPEAKER. The Chair suggests that we now resume today's calendar and bills on first reading.

For what purpose does the gentleman from Allegheny rise?

Mr. AUKER. Mr. Speaker, I asked for recognition—before anyone else—back at this button here.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Leonard.

#### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Allegheny, Mr. Leonard, rise?

Mr. LEONARD. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LEONARD. Should we not be working under the rules now?

The SPEAKER. There were no objections. Both the floor leaders spoke with unanimous consent because they were discussing matters not pending directly before the House. Their remarks were privileged and they led up to the discussion that we had with the remarks of the gentleman from Philadelphia, Mr. Fineman, which, in the opinion of the Chair were privileged.

Mr. LEONARD. Mr. Speaker, I object to any further



unanimous consent to speak on the subject that has been before us.

The SPEAKER. The Chair would ask the gentleman from Allegheny not to bear down on the gentleman from Blair. I hope that the gentleman from Blair will be discreet and will permit us soon to return to the consideration of the calendar.

The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I merely rise to say that I think we have had enough of this sort of debate for one day at least. We have a hard schedule. The Lord only knows when we are going to get out of here this year with the amount of legislation still before us that has not been reported out of committee. I think it is high time now that we get down to business and proceed with the business so we can get home today sometime.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Fineman, rise?

Mr. FINEMAN. Mr. Speaker, since I was the one who sort of picked the scab on this sore, I was wondering if I might ask the indulgence of the House to be the one to pull the zipper up the back of this affair and close it out, so to speak.

The SPEAKER. For what purpose does the gentleman from Somerset, Mr. Stiteler, rise?

Mr. STITELER. I would like to speak one sentence, sir.

The SPEAKER. Will the gentleman from Philadelphia yield to the gentleman from Somerset?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. STITELER. Being one of the youngest members, and one of the older men in this House, I would like to say to the gentlemen of the press and to the gentleman from Philadelphia, as Stonewall Jackson heard from General Lee, "He who has been the most wronged can afford to be the most magnanimous."

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, briefly, sir. Perhaps in the course of the compelling nature of the argument, there are expressions of thought that would be better left unsaid, and, if I have offended the gentleman from Allegheny, I want to take this opportunity to express to him my regrets and my apologies. I have established a rapport with Mr. Goldstein in the sessions that I have been a member of the legislature of which I am proud. I do not want to disturb that relationship and I say to him, it was only the heat of the argument, perhaps, and his diversion from the substance of my argument that gave rise to the comment that followed. So, I say to him, I apologize.

The SPEAKER. The gentleman from Allegheny accepts the apology and we will now proceed with the calendar.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Gelfand, rise?

#### PARLIAMENTARY INQUIRY

Mr. GELFAND. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GELFAND. Is it within the purview of a member of this House, when addressing the House under personal privilege, to excoriate a committee of this House for its deliberation or lack of deliberation upon a particular piece of legislation?

The SPEAKER. The Chair would say that there are grades in propriety and impropriety. The Chair has been very liberal in his interpretation of the rules and many things have been said that have not been questioned by the Chair. In view of the attitude of the Chair in giving these members a wider scope of discussion than they were frequently entitled to under the rules, the Chair would be indulgent with what has been said this morning. The Chair has frequently recognized the gentleman from Philadelphia. The rules say he may speak twice on a question. The Chair has never enforced that rule, and there are many others that I think it is wiser for the Chair to ignore, unless he is forced to face them.

Mr. GELFAND. I thank you.

The SPEAKER. Now we will resume the consideration of the calendar, and the Chair asks the gentleman from Beaver to preside.

Mr. HAMILTON IN THE CHAIR.

#### OCTORARO HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the House the ninth grade class of Octoraro High School of Chester County and the teachers: Mr. Alderfer, Mr. Diller, Mrs. Derenzo, Mr. Ferron, Mr. Jones, and a foreign exchange student from Denmark, Miss Maria Bruin. They are the guests of the gentlemen from Chester County, Messrs. Slack, Ashton and Ujobai.

#### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 519, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles and making the results of the chemical tests admissible in evidence.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1077, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), authorizing superintendents to exercise discretion with respect to the performance of surgery on certain patients.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1141, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for the establishing of prima facie evidence by the use of registration numbers and providing for the liability of bailors for hire of motor vehicles.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of Senate bill No. 125, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania authorizing and validating legislation establishing emergency interim government.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of Senate bill No. 200, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law" making eligible for assistance certain persons in public medical institutions and regulating obligations for and payment of certain funds.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of Senate bill No. 201, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of Senate bill No. 553, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to grant to Upper St Clair Township Allegheny County its successors or assigns a right of way for the purpose of constructing installing and maintaining a sanitary sewer system over property of the Commonwealth of Pennsylvania known as the Mayview State Hospital Property.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

#### BILLS ON SECOND READING

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 283, entitled:

An Act providing for the regulation of lobbying requiring registration of lobbyists keeping accounts of contributions and of receipts and expenditures reports and statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 396, entitled:

An Act amending "The Vehicle Code" approved April

29, 1959 (P. L. 58), requiring mirrors on motor vehicles and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 397, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a term of imprisonment mandatory for operating a vehicle after the operator's privilege has been revoked.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 445, entitled:

An Act amending the act of June 4, 1943 (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect \* \* \* a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways \* \* \*" making the bridge a free bridge \* \* \* and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 469, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the establishment of kindergartens.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 518, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for no passing zones.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 537, entitled:

An Act amending the "Public School Code of 1949"



approved March 10, 1949 (P. L. 30), authorizing boards of school directors to appropriate moneys for payment of the costs of athletic equipment and uniforms used by members of school bands or athletes in extra curricular intramural or interscholastic activities events or competitive games.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 613, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing additions and revisions to duplicates in second class school districts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 890, entitled:

An Act repealing acts pertaining to Berks County prison inspectors.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 945, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), clarifying the method of tax collections on liquor sales and imposing duties on persons making liquor sales by the bottle.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1209, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), increasing the unsecured amount of bank bank and trust company or trust company may loan its salaried officers or employees or those of affiliated banking institutions.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be ecommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1215, entitled:

An Act amending the "Local Tax Enabling Act" ap-

proved June 25, 1947 (P. L. 1145), fixing the maximum tax which may be assessed by school districts and other political subdivisions on the wages salary commission or other earned income of the same individual.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1293, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 497), changing provisions for proof of citizenship for certain persons previously requested.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1319, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), defining "resident" and prescribing certain benefits for nonresident indigents.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1326, entitled:

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521), including Federal Savings and Loan Associations with the provisions relating to reports to the Department of Revenue and requiring reports in case of the death of certain trustees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1395, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), authorizing the conducting staging operating managing and engaging in basketball games on Sunday and authorizing the labor and business necessary to conduct manage operate or stage such games.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1452, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364), clarifying the provisions of the act relating to the setting aside of funds by cemetery and burial corporations and bringing additional corporations within the provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1453, entitled:

An Act reenacting and amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof \* \* \*" extending the provisions thereof to include business corporations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1454, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364), changing the law with respect to devises bequests and gifts in trust for the perpetual care and maintenance of cemeteries burial grounds or the cemetery lots therein and imposing powers on the trustees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1455, entitled:

An Act amending the "Nonprofit Corporation Law" approved May 5, 1933 (P. L. 289), making additional corporations subject to certain provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1456, entitled:

An Act amending the "Nonprofit Corporation Law" approved May 5, 1955 (P. L. 289), requiring additional provisions to be included in the articles of incorporation of cemetery and burial companies and further providing for the establishment and operation of funds created by such companies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1476, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217), authorizing the Authority to convey projects to school districts when all bonded indebtedness and other obligations incurred in the financing of such projects have been finally paid and discharged.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1483, entitled:

An Act amending the act of June 8, 1907 (P. L. 496),

entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels \* \* \*" authorizing the commission to enter into certain agreements with the Pennsylvania Fish Commission.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1528, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), further regulating conditions under which firemen may be called out and assigned to continuous duty.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1533, entitled:

An Act to protect the public of the Commonwealth against vendors who misleadingly present their products as having been made by the blind and to prevent misleading use of the word blind in titles of organizations offering products for sale and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1540, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire easements rights-of-way and other interests in real estate including the title in fee simple to fifteen parcels of land with improvements erected thereon and rights connected thereto for the maintenance of radio communications systems.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Bill, page 7, by inserting between lines 11 and 12

Section 3. The sum of ninety thousand dollars (\$90,000), or as much thereof as may be necessary, is hereby appropriated to the Department of Property and Supplies for the payment of acquiring the titles easements rights-of-way and other interests as set forth in this act, and the costs of incidental expenses, including the completion of all abstracts of title.

Amend Sec. 3, page 7, line 12 by striking out "3" and inserting 4

Amend Sec. 3, page 7, line 12 by striking out "June 1 1961" and inserting immediately

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1542, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.565 acres more or less of land situate in Smithfield Township Huntingdon County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1545, entitled:

An Act authorizing the transfer of real property in the City of Scranton Lackawanna County from the Department of Highways to the Department of Public Welfare for use of Clarks Summit State Hospital.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1548, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), increasing the membership of the Pennsylvania Fish Commission by providing for the appointment of three experienced boatmen providing for the appointment of an assistant executive director and requiring their meetings to be open to the public and authorizing it to enter into certain agreements with the Navigation Commission for the Delaware River.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1562, entitled:

An Act authorizing the Commonwealth of Pennsylvania through the Department of Commerce and the Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment authorizing the Pennsylvania Industrial Development Authority to participate with any Federal agency in the financing of industrial development projects in redevelopment areas

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 74, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" prohibiting persons under fourteen years of age from operating tractors and other equipment except under limited circumstances.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 85, entitled:

An Act amending the act of June 15, 1951 (P. L. 586), entitled "An act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" excepting certain probationary appointees from suspension and removal provisions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 90, entitled:

An Act amending the act of May 17, 1949 (P. L. 1403), entitled "Municipal Unclaimed Moneys Act" further regulating the deposit of moneys by municipal officers and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 95, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class . . ." requiring retirement credit to be given for certain per diem employment.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate bill No. 103, printer's No. 643 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 161, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949" changing provisions relating to the order of payment of claims against estates.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 197, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for special and summer classes for children of migrant laborers requiring the filing of certain reports and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 306, entitled:

An Act amending the act of Jly 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 338, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class . . ." increasing the period of time during which a contributor may be reinstated.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 371, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" authorizing the acquisition of land outside the limits of any city for the use of the National Guard.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 378, entitled:

An Act amending the act of August 9, 1955 (P. L. 312), entitled "An act fixing the salary of the district attorney of Philadelphia" raising the salary of the district attorney of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 385, entitled:

An Act authorizing arraignments in courts of quarter sessions of the peace and courts of oyer and terminer and general jail delivery.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 386, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the membership of county boards of school directors providing for the membership of county boards of school directors in counties where the population exceeds a certain number.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 402, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" further regulating notice of assessments and validating certain assessments previously made.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 437, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing in certain cases for continuing operation of joint school systems which constitute approved administrative units.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 475, entitled:

An Act authorizing facsimile signatures and seals of certain public officials imposing duties upon the Secretary of the Commonwealth and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 481, entitled:

An Act providing for and fixing the fees and mileage for witnesses attending a coroner's inquest imposing duties on coroners and repealing inconsistent legislation.

And said bill having read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 482, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" fixing the number of affirmative votes required in seven and nine member councils under the mayor—council plan A of government



to effect certain street improvements and to change zoning ordinances.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 483, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" prescribing membership of board of commissioners of the sinking fund commission in cities which have adopted the mayor—council plan A.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 484, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the preparation and adoption of budgets after adoption of Mayor—Council Plan A.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 501, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" requiring a system of accounts to be kept by county officers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 505, entitled:

An Act amending the act of March 2, 1956 (P. L. 1211), entitled "Practical Nurse Law" providing for biennial licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 506, entitled:

An Act amending the act of January 14, 1952 (P. L. 1898), entitled as amended "Funeral Director Law" providing for biennial licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 507, entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers' License Law" providing

for biennial registration and increasing certain fees accordingly.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 530, entitled:

An Act amending the act of June 20, 1947 (P. L. 733), entitled as amended "An act to provide revenue in school districts of first class A by imposing a temporary tax upon certain classes of personal property . . ." authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 565, entitled:

An Act making an appropriation to the Senate of Pennsylvania for the payment of expenses of certain Senators.

The first section was read and agreed to.

Mr. POLEN offered the following amendment:

Amend Bill, page 2, by inserting between lines 1 and 2: "Section 2 In addition to any sum or sums heretofore appropriated, there is hereby appropriated the sum of six thousand dollars (\$6,000) to the Senate of Pennsylvania for the payment of expenses of members thereof for the fiscal period of June 1, 1961 to June 30, 1962.

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 2, page 2, line 2, by striking out "2" and inserting: "3."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair certainly thanks the gentleman from Beaver for getting us over the second reading calendar in such an admirable fashion.

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. MURRAY for today because of illness.

Mr. Dougherty for Mr. MIHM for today because of illness.

Mr. Dougherty for Mr. CLARKE for today.

Mr. Tompkins for Mr. MAGEE for today because of illness.

Mr. Tompkins for Mr. KNECHT for today due to death in family.

Mr. Tompkins for Mr. STRAUSSER for today.

### ANNOUNCEMENT BY MAJORITY LEADER

Mr. McCANN, Mr. Speaker, I request permission to turn to page 20, to call up the first bill for the first roll call, and to notify the members of this House that in checking with the cafeteria, we will attempt to work until very near 1 o'clock, daylight saving time, so that the members will get an opportunity to eat a bite at the cafeteria after they have cleared out the school children a little. So, I hope we can go along and vote some bills, and then we will break for a short period for lunch and a short caucus, finishing up roughly about 4 o'clock this afternoon here in the House.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 650, entitled:

An Act amending the act of April 17, 1893 (P. L. 21), entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" further providing for the salaries of stenographers and clerks.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

### YEAS—194

Adams,	Fulmer,	Leonard,	Rovansek,
Anderson, J. H.,	Galley,	Limper,	Royer,
Anderson, S. A.,	Gallagher,	Lippincott,	Rubin,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Auker,	George,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibb,	Lutty,	Sakulsky,
Backenstoe,	Gibbons,	Manbeck,	Scarcelli,
Blair,	Goldstein, J. H.,	Markley,	Schaaf,
Boles,	Goldstein, M. H.,	Marsh,	Schuster,
Bonner,	Goodrich,	Maxwell,	Seltzer,
Bossert,	Gramlich,	May,	Shelton,
Bower,	Gremminger,	McCandless,	Sherman,
Bowman,	Gross,	McCann,	Simmons,
Branca,	Guthrie,	McCormack,	Slack,
Breth,	Hamilton,	McDonald,	Snare,
Buchanan,	Hankins,	McInroy,	Stank,
Bush,	Hartley,	McKeever,	Steckel,
Capano,	Haudenschild,	McLaughlin,	Stimmel,
Capitolo,	Heavey,	McNally,	Stiteler,
Cauley,	Heffner,	Meholchick,	Stone,
Cianfrani,	Helm,	Merry,	Sullivan, J. A.,
Cioffi,	Henzel,	Miller,	Sullivan, T. F.,
Comer,	Hocker,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,
Crossin,	Holman,	Morley,	Tomascik,
Curwood,	Horst,	Mullen,	Tompkins,
Davis,	Irviss,	Munley,	Trusio,
Dengler,	Isaacs,	Murphy,	Ujobai,
Dennison,	Jenkins,	Musto,	Varner,
Donaldson,	Jim,	Needham,	Verona,
Dougherty,	Johnson, A. W.,	O'Dell,	Wall,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,
Down,	Jones,	O'Donnell, J. P.,	Wargo,
Edwards,	Kamyk,	Odorisio,	Weidner,
Ellberg,	Kelser,	Ogilvie,	Weish,
Elvey,	Kelly,	Parlante,	Westcott,
Eshback,	Kernaghan,	Pashley,	Whittaker,
Eshleman,	Kessler,	Perry,	Willard,

Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Flynn,  
Foerster,  
Foor,  
Fox,  
Frascella,  
Fry,

King,  
Kistler,  
Klein,  
Kooker,  
Kornick,  
Korns,  
Kramer,  
Lamb,  
Lawson,  
Lee, A. M.,  
Lee, K. B.,

Petrosky,  
Piper,  
Polaski,  
Polen,  
Prendergast,  
Price,  
Pursley,  
Reibman,  
Reidenbach,  
Riley,

Willaredt,  
Williams, A. D.,  
Williams, E. S.,  
Wilt,  
Wood,  
Worley,  
Yetter,  
Zemmer,  
Zimmerman,  
Andrews,  
Speaker

### NAYS—0

### NOT VOTING—12

Arlene,  
Clarke,  
Gray,

Guesman,  
Knecht,  
Magee,

McDevitt,  
Mihm,  
Murray,

Renwick,  
Shupnik,  
Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 758, entitled:

An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. As we come to each of these appropriation bills, I think it would be nice if Mr. Polen would get up and state how much money is in each bill so the members can mark their calendars.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen, chairman of the Appropriations Committee.

Mr. POLEN. Mr. Speaker, in House bill 758, the amount is \$8 million for the Pennsylvania Industrial Development Authority.

Mr. A. W. JOHNSON. Mr. Speaker, as I understand it, these are all classed as preferred appropriations and they are for the 13-months' period, is that correct?

Mr. POLEN. That is correct, Mr. Speaker.

M. A. W. JOHNSON. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I do not ask to interrogate, but I would sincerely ask that these three bills go over. I am trying to find time to get to the Department of Commerce to get some more information which I would like to have on these three appropriation bills. I took the opportunity to write to them while I was away and they replied but did not give me all the information I desire. I simply have not had time since I got here on Monday to get over to that department to get it.

The SPEAKER. Perhaps either the majority leader or the chairman of the Appropriations Committee could answer the questions the gentleman from Blair has.

Mr. McCANN. Mr. Speaker, the gentleman from Blair, Mr. Auker, wrote to the industrial development authority and requested a complete breakdown of information and I believe the information was submitted to him. In



addition, every so often a report is issued, which every member of this House receives of every industrial development program in any county. It indicates the project, the amount of PIDA money; it indicates the potential number of employees. You have received it in the past. This information, of course, has been furnished and, also, I believe it is the Blair County Chamber of Commerce and the Altoona Chamber of Commerce that have been working in conjunction with this.

I was well aware of his request and I asked whether the information was furnished to him, and it was, and I insist that information be furnished to any member who writes to any agency or board asking for information. I believe that this appropriation bill should pass today. It is a preferred appropriation bill and should not go over. Any other additional information he is seeking he can get without a bit of trouble.

Mr. AUKER. Mr. Speaker, I agree with the gentleman from Greene, Mr. McCann, the majority leader. I did get a reply but I did not get all the information I was desirous of getting. I particularly wanted to get just the amount of interest and principal that was returned on the loans made by the department for years, especially over the last two years. I think we have a right to know before we can vote intelligently on these bills how much has been returned each year to the department for reuse by the department before we vote further appropriations. We have not caucused on this bill on our side of the House that I recall, and I think we ought to caucus on it. I think there is pertinent information that ought to be brought before the caucus, that I have not had the chance yet to bring before my caucus. That is the reason for asking that these bills go over.

Now as to there being an absolute necessity for passing these bills today, I can see no particular necessity. There is \$2,230,000 now that is uncommitted, according to that report. They are not going to be short-changed for funds for another period of 30 days, at least, and for another possible six months or maybe a year and a half. Maybe it is not necessary that they get this entire \$8 million. There are any number of questions that could be raised until I know how much is being paid back approximately on these investments by the department. That is not asking too much.

The SPEAKER. For what purpose does the minority leader rise?

Mr. A. W. JOHNSON. Mr. Speaker, I am wondering if the majority leader would pass these bills over at least until we come back from caucus and we will make a caucus decision in light of Mr. Auker's statements.

There is not really any imperative or compelling reason why they must move today. I do not know if the Senate is in session or not; perhaps they are not. By the time we need them they will be out of session. Can they be passed over until after caucus?

Mr. McCANN. Mr. Speaker, I certainly will go along with the request of the minority leader, but if the gentleman from Blair desires to know of the interest that is being returned each month from now existing loans, that information is available. If he is interested in knowing the amount of the uncommitted balance of the last appropriation of the PIDA allocation passed by the House and the Senate, that information is available. If he is interested in knowing the amount of this appropriation

and how it is to tie in with the Federal program on the other legislation which is on the calendar, that information is available, but I do not want them to come back from caucus and say that they could not get the answers, and they can get them by calling and getting any information they want. I just went over this on Monday with the PIDA, and Mr. Polen is a member of the PIDA organization statewide, the only member in this House, and any question can be answered there.

I would ask that he would outline his questions so the answers would be available for the caucus.

The SPEAKER. Perhaps by unanimous consent these three bills could be passed over temporarily.

Mr. McCANN. Mr. Speaker, I will consent to their being passed over, as I stated before, but I certainly would desire that Mr. Polen would have the questions for the information that Mr. Auker desires, because that information has always been available here.

The SPEAKER. I think it would be well if the gentleman from Blair would reduce the questions to writing so the chairman of the Appropriations Committee would be able to give specific answers to specific questions.

Mr. AUKER. Mr. Speaker, I am perfectly willing to do that. All I am trying to do is find the time to get this done and I am trying to get a lot of other things done down here. I do not have a full-time secretary down here. I have to do everything on my own. I do not have a full-time office force. I have to get these things done entirely on my own and as fast as I can get them done. All I am asking is for a little consideration, as an individual member of this House, to try to get the information which I know is available, but give me time to get it, that is all.

The SPEAKER. The Chair would make this observation, that on this floor questions can be answered in detail if questions are asked in detail. If we must depend upon every member of this House getting the facts and figures for himself on every bill rather than eliciting the information on the floor of the House, we never will get out.

#### BILLS PASSED OVER

There being no objection

House bill No. 758, printer's No. 831

House bill No. 759, printer's No. 1911 and

House bill No. 760, printer's No. 1912

were passed over temporarily at the request of Mr. McCANN.

Mr. McCANN. Mr. Speaker, I call up House bill 762, printer's No. 835.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 762, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, what amount of appropriation is carried in this bill?

Mr. POLEN. Mr. Speaker, I did not hear the gentleman.

Mr. TOMPKINS. What is the amount of the appropriation in the bill?

Mr. POLEN. The amount of appropriation in the bill is \$1,386,519.

Mr. TOMPKINS. Mr. Speaker, as I understand it, this is an appropriation out of the general fund to the Department of Forests and Waters for payment under the flood control funds for flood control purposes. Is that right?

Mr. POLEN. That is correct.

Mr. TOMPKINS. Mr. Speaker, some few sessions ago we passed a bill in this General Assembly which set aside the royalties on oil and gas on State-owned lands in this Commonwealth to be used for recreation and flood control purposes. My question now is: What has happened to that fund and why do we now have to appropriate out of the General Fund into that fund which is supposed to have a considerable amount of money? As a matter of fact, I would like to have some accounting on that fund and see how much money has been put into it and what has been done with it.

Mr. POLEN. Mr. Speaker, in connection with House bill 762, and I stated the amount of the appropriation, this appropriation has been made in each biennium for this purpose. In the last biennium we appropriated \$2,039,000 for this purpose. Now getting back to the revenues that come in through the special oil and gas lease fund, it is true that this fund can be used for conservation, recreation, dams, or flood control.

Most of it has been used for recreation on four large projects: the Pinchot State Park, the Prompton Dam, the Gallitzin State Park, and the Briarson State Park. At the present time there remains in the oil and gas lease fund, uncommitted, \$88,945.84. And for that reason, in order to carry out the flood control program, which is a matching program, there would be the program depending upon the oil and gas lease fund that would be non-existent, because that is the uncommitted balance as of May 18th.

Mr. TOMPKINS. Mr. Speaker, he has mentioned about four projects where he claims the money has gone. I am asking how much money came out of that fund, and what is the present revenue coming into it monthly or annually. How much money is still coming into that fund?

Mr. POLEN. The money coming into that fund is on a declining basis and I can secure the information for the gentleman as to the total amount. It is published in various publications. If he wants it I can get it for him, but I can assure him that the uncommitted balance is only \$88,945.84. And most of the money has been used in connection with the recreation and dams and parks program, and not for the flood control because in the flood control program, as we have in House bill 762, it is a matching program in which the Federal Government makes the largest contribution.

Mr. TOMPKINS. I have a partial answer to some of that information here, but apparently in the last three years, 1959, 1960, and 1961, there was \$13,849,000.40 come into this fund, and is the gentleman now telling me there has been over \$13 million spent on these four park areas?

Mr. POLEN. No, Mr. Speaker.

Mr. TOMPKINS. How much has been spent on flood control out of this fund in the last three years alone? This fund has been in existence for six or eight years.

Mr. POLEN. Mr. Speaker, I furnished some of the members on the other side who had asked me a complete breakdown of what had come into the flood control fund, the oil and gas lease fund and what had been spent. The total received in the fund from June 1, 1959, to January 31, 1961, was \$3,740,619.42. I did not mean to convey that all this money was used on these particular four projects that I mentioned, but recently it has been used primarily for construction and development of these parks I mentioned and other State parks. In other words, the fund has been used more for the construction and development of the State parks than it has been for flood control, although it can be used for flood control.

Mr. TOMPKINS. Mr. Speaker, what I am trying to get at is, I have never seen a public account; at least that information has never reached my hands, I have never seen a public account of the money in this special fund. I am not asking that the bill go over, but I would like at this time to request that I get a copy of such a report.

Mr. POLEN. Mr. Speaker, we will be glad to secure the information for the gentleman and submit a report to him immediately of what has been paid into the fund and the purpose for which it was expended.

I think the important thing here today is that the remaining balance is so small that it could have no effect upon flood control.

Mr. TOMPKINS. Now may I ask the gentleman this: Is the amount of this appropriation set up in any specific projects to which it will be applied or will this be used generally for projects which they intend to promote?

Mr. POLEN. Mr. Speaker, the projects it is to be used on are given, Mr. Speaker, there have been certain projects approved for which this money will be used. They are listed, I believe, in the budget and, if not in the budget, in the appendix to it.

Mr. TOMPKINS. I thank the gentleman.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—189

Adams,	Galley,	Lee, K. B.,	Reidenbach,
Anderson, J. H.,	Gallagher,	Leonard,	Renwick,
Anderson, S. A.,	Gelfand,	Limper,	Riley,
Auker,	George,	Lippincott,	Rovanssek,
Bachman,	Gibb,	Long, Wm. Jas.,	Royer,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Rubin,
Blair,	Goldstein, J. H.,	Lutty,	Rudisill,
Boles,	Goldstein, M. H.,	Manbeck,	Rutherford,
Bonner,	Goodrich,	Markley,	Sakulsky,
Bossert,	Gramlich,	Marsh,	Scarcelli,
Bower,	Gremminger,	Maxwell,	Schaaf,
Bowman,	Gross,	May,	Schuster,
Branca,	Guesman,	McCandless,	Seltzer,
Breth,	Guthrie,	McCann,	Shelton,
Buchanan,	Hamilton,	McCormack,	Sherman,



Bush, Capano, Capitolo, Cauley, Cianfrani, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Flo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman,	Simmons, Slack, Snare, Stank, Steckel, Stimmel, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Williams, A. D., Williams, E. S., Willaredt, Wilt, Wood, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—3

Ashton,	Stiteler,	Worley,
NOT VOTING—14		

Arlene, Cioffi, Clarke, Gray,	Horst, Knecht, Magee, McDevitt,	Mihm, Murray, Shupnik,	Stone, Strausser, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 770, entitled:

An Act making appropriations to the Department of Property and Supplies for the payment of grants to various municipalities or municipal authorities for the Commonwealth's share of expenses and charges in connection with sewage systems expansions.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—195

Adams, Anderson, J. H., Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bossert, Bower, Bowman, Branca, Breth,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gremminger, Gross, Guesman, Guthrie,	Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack,
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Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Flo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—11

Arlene, Bonner, Clarke,	Gray, Knecht, Magee,	McDevitt, McDonald, Mihm,	Murray, Strausser,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

(During roll call)

The Speaker. For what purpose does the gentleman from Cameron rise?

Mr. TOMPKINS. Mr. Speaker, I wonder if before they announce the roll we could get the amount of the appropriation involved in this bill?

The SPEAKER. The Chair hears no objection. Will the chairman of the Appropriations Committee answer the question asked by the gentleman from Cameron?

Mr. POLEN. \$748,400.

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 803, entitled:

An Act making an appropriation to the Department of State for the administration of the Municipal Employees Retirement System.

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.

On the question,  
Shall the bill pass finally?  
The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, the amount involved in that bill is \$27,972.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—191

Adams,	Galley,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gallagher,	Leonard,	Royer,
Anderson, S. A.,	Gelfand,	Limper,	Rubin,
Ashton,	George,	Lippincott,	Rudisill,
Auker,	Gibb,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcelli,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Bossert,	Goodrich,	Markley,	Schuster,
Bower,	Gramlich,	Marsh,	Seltzer,
Bowman,	Gremminger,	Maxwell,	Shelton,
Branca,	Gross,	May,	Sherman,
Breth,	Guesman,	McCandless,	Simmons,
Buchanan,	Guthrie,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McInroy,	Stank,
Capitolo,	Hartley,	McKeever,	Steckel,
Caulley,	Haudenschild,	McLaughlin,	Stummel,
Cianfrani,	Heavey,	McNally,	Stiteler,
Cioffi,	Heffner,	Meholchick,	Stone,
Comer,	Helm,	Merry,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Isaacs,	Munley,	Trusio,
Donaldson,	Irviss,	Murphy,	Ujobai,
Dougherty,	Jenkins,	Musto,	Varner,
Doughten,	Jim,	O'Dell,	Verona,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Wall,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Wargo,
Ellberg,	Jones,	Odorisio,	Weidner,
Elvey,	Kamyk,	Ogilvie,	Welsh,
Eshback,	Kelser,	Parlante,	Wescott,
Eshleman,	Kelly,	Pashley,	Whittaker,
Ewing,	Kernaghan,	Perry,	Willard,
Farabaugh,	Kessler,	Petrosky,	Willaredt,
Fetterolf,	King,	Piper,	Williams, A. D.,
Filo,	Kistler,	Polaski,	Williams, E. S.,
Fineman,	Klein,	Polen,	Wilt,
Flynn,	Kooker,	Prendergast,	Wood,
Foerster,	Kornick,	Price,	Worley,
Foor,	Korns,	Pursley,	Yetter,
Fox,	Kramer,	Reibman,	Zember,
Frascella,	Lamb,	Reidenbach,	Zimmerman,
Fry,	Lawson,	Renwick,	Andrews,
Fulmer,	Lee, A. M.,	Riley,	Speaker

## NAYS—0

## NOT VOTING—15

Arlene,	Gray,	McDonald,	Shupnik,
Boies,	Knecht,	Mihm,	Strauser,
Bonner,	Magee,	Murray,	Walsh,
Clarke,	McDevitt,	Needham,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. NEEDHAM. Mr. Speaker, my vote did not record. I desire to be recorded as voting "aye".

The SPEAKER. The remarks of the gentleman will be noted in the Journal.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1192, entitled:

An Act amending the "General Appropriation Act of 1959" approved November 12, 1959 (Appropriation Act 38-A), restoring certain amounts appropriated to the Department of Public Instruction and the Department of

State which the Legislature deleted and declared its intention to restore.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. POLEN. Mr. Speaker, House bill 1192 restores the \$50 million that was lapsed, \$42 million from the school retirement and \$8 million from the State retirement, back to the retirement funds.

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to further interrogate the chairman of this committee, Mr. Polen.

Mr. Speaker, the gentleman made a statement here the other day in connection with the fact that this money had not previously been put into the retirement fund, and I believe you stated that the requirement that four percent interest only applies to money paid into the fund previously and what the teachers and employes have paid in, and there was no necessity for making up the loss of the four percent interest on this money for the last couple of years by reason of its not having been paid in.

Mr. POLEN. Not exactly, Mr. Speaker. My statement was that we were not making up any interest deficiency this year in this budget because the fund is approaching the four percent yield, and because of the fact that we expect it to go above that, it would not be necessary to appropriate any money for interest deficiency, as we had in the past.

Mr. A. W. JOHNSON. But had this \$50-some million been paid into the fund when it should have been paid in, there would be approximately \$2 million to \$4 million in interest that would have been earned by the fund had that money been paid in sooner.

Mr. POLEN. That would be correct, Mr. Speaker. If the money had been in there and earning interest, of course, the interest would have been in there. However, the interest deficiency would still have been the same between what it earned and the four percent.

Mr. A. W. JOHNSON. But the funds of the State teacher's retirement and the employes' retirement are short this interest by reason of the fact that they did not get the money sooner. That is correct, is it not?

Mr. POLEN. Yes, Mr. Speaker. If the money had been in there it would have earned interest. This is true not only of this year, but in bienniums far back for many years. The interest, of course, was not earned if the money was not paid in.

Mr. A. W. JOHNSON. Another question: When this bill is signed by the Governor, do you have any idea when the office of administration is going to order the payment of these sums into those funds?

Mr. POLEN. Yes, Mr. Speaker. They will be paid at the earliest possible date. As I stated previously here on the floor, the amount in addition to the \$50 million, we anticipate will all have been paid into the fund, including the back money, by the end of this biennium, May 31.

Mr. A. W. JOHNSON. Not by the end of this biennium; you mean by the end of this coming fiscal year.



Mr. POLEN. This money would not be paid in until after the fiscal year.

Mr. A. W. JOHNSON. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—195

Adams,	Galley,	Leonard,	Rovansek,
Anderson, J. H.,	Gallagher,	Limper,	Royer,
Anderson, S. A.,	Gelfand,	Lippincott,	Rubin,
Ashton,	George,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Blair,	Goldstein, M. H.,	Markley,	Schaaf,
Boles,	Goodrich,	Marsh,	Schuster,
Bossert,	Gramlich,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Gross,	McCandless,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	McCormack,	Slack,	Snare,
Buchanan,	Hamilton,	McDevitt,	Stank,
Bush,	Hankins,	McInroy,	Steckel,
Capano,	Hartley,	McKeever,	Stimmel,
Capitolo,	Haudenschild,	McLaughlin,	Stiteler,
Cauley,	Heavey,	McNally,	Stone,
Cianfrani,	Heffner,	Meholchick,	Sullivan, J. A.,
Cioffi,	Helm,	Merry,	Sullivan, T. F.,
Comer,	Henzel,	Miller,	Taylor,
Cooley,	Hocker,	Mills,	Thompson,
Crossin,	Holliday,	Monroe,	Tomasick,
Curwood,	Holman,	Morley,	Tompkins,
Davis,	Horst,	Mullen,	Trusio,
Dengler,	Irvis,	Munley,	Ujobai,
Dennison,	Isaacs,	Murphy,	Varner,
Donaldson,	Jenkins,	Musto,	Verona,
Dougherty,	Jim,	Needham,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,
Ellberg,	Kamyk,	Odorisio,	Welsh,
Elvey,	Kelser,	Ogilvie,	Wescott,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Perry,	Willaredt,
Farabaugh,	King,	Petrosky,	Williams, A. D.,
Fetterolf,	Kistler,	Piper,	Williams, E. S.,
Filo,	Klein,	Polaski,	Wilt,
Fineman,	Kooker,	Polen,	Wood,
Flynn,	Kornick,	Prendergast,	Worley,
Foerster,	Korns,	Price,	Yetter,
Foor,	Kramer,	Pursley,	Zemmer,
Fox,	Lamb,	Reibman,	Zimmerman,
Frascella,	Lawson,	Reidenbach,	Andrews,
Fry,	Lee, A. M.,	Renwick,	
Fulmer,	Lee, K. B.,	Riley,	Speaker

## NAYS—0

## NOT VOTING—11

Arlene,	Gray,	McDonald,	Seltzer,
Bonner,	Knecht,	Mihm,	Strausser,
Clarke,	Magee,	Murray,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1085, entitled:

An Act providing that the Commonwealth of Pennsylvania may enter into a compact with such states as may join relating to the procedures for the interstate placement of children when such placement is for foster care

or as a preliminary to a possible adoption or for the placement of delinquents in institutions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—182

Adams,	Galley,	Lee, K. B.,	Rudisill,
Anderson, J. H.,	Gallagher,	Leonard,	Rutherford,
Anderson, S. A.,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Auker,	George,	Manbeck,	Scarcelli,
Bachman,	Gibb,	Markley,	Schaaf,
Backenstoe,	Gibbons,	Marsh,	Schuster,
Blair,	Goldstein, J. H.,	Maxwell,	Seltzer,
Boles,	Goldstein, M. H.,	May,	Shelton,
Bossert,	Gramlich,	McCandless,	Sherman,
Bower,	Gremminger,	McCann,	Shupnik,
Bowman,	Gross,	McDevitt,	Simmons,
Branca,	Guesman,	McInroy,	Slack,
Breth,	Guthrie,	McKeever,	Snare,
Buchanan,	Hamilton,	McLaughlin,	Stank,
Bush,	Hankins,	McNally,	Steckel,
Capano,	Hartley,	Meholchick,	Stimmel,
Capitolo,	Haudenschild,	Merry,	Stiteler,
Cauley,	Heavey,	Miller,	Stone,
Cianfrani,	Heffner,	Mills,	Sullivan, J. A.,
Cioffi,	Helm,	Monroe,	Sullivan, T. F.,
Comer,	Henzel,	Morley,	Taylor,
Cooley,	Hocker,	Mullen,	Thompson,
Crossin,	Holliday,	Munley,	Tomasick,
Curwood,	Holman,	Murphy,	Trusio,
Davis,	Horst,	Musto,	Ujobai,
Dengler,	Irvis,	Needham,	Varner,
Dennison,	Jenkins,	O'Donnell, J. A.,	Verona,
Donaldson,	Jim,	O'Donnell, J. P.,	Wall,
Dougherty,	Johnson, A. W.,	Odorisio,	Walsh,
Down,	Johnson, R. P.,	Ogilvie,	Wargo,
Edwards,	Jones,	Parlante,	Weidner,
Ellberg,	Kamyk,	Perry,	Welsh,
Elvey,	Kelser,	Petrosky,	Wescott,
Eshback,	Kelly,	Piper,	Whittaker,
Eshleman,	Kernaghan,	Polaski,	Willard,
Ewing,	Kessler,	Polen,	Willaredt,
Farabaugh,	King,	Prendergast,	Williams, A. D.,
Filo,	Kistler,	Pursley,	Williams, E. S.,
Fineman,	Klein,	Reibman,	Wilt,
Flynn,	Kooker,	Reidenbach,	Wood,
Foerster,	Kornick,	Renwick,	Worley,
Foor,	Korns,	Riley,	Yetter,
Fox,	Kramer,	Royer,	Zemmer,
Frascella,	Lamb,	Rovansek,	Zimmerman,
Fry,	Lawson,	Rubin,	Andrews,
Fulmer,	Lee, A. M.,		Speaker

## NAYS—11

Ashton,	Goodrich,	McCormack,	Price,
Doughten,	Isaacs,	O'Dell,	Tompkins,
Fetterolf,	Lippincott,	Pashley,	

## NOT VOTING—13

Arlene,	Knecht,	Lutty,	Mihm,
Bonner,	Limper,	Magee,	Murray,
Clarke,	Long, Wm. Jas.,	McDonald,	Strausser,
Gray,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## DEMOCRATIC CAUCUS

Mr. McCANN. We are going to ask for a 30-minute break for lunch at 1 o'clock. I am going to ask the Democratic members to come to the new House Caucus

Room to hold a 45-minute caucus from which we will return to the floor of the House. We have marked the bills that we will caucus on and then work until 4 o'clock. We will have bills in which the amendments will be debated and which will take some time. So, when the roll is completed here we will ask for a recess of one hour and fifteen minutes, to return to the House at 2:15 daylight saving time.

### REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, I figure that the recess will last one hour and fifteen minutes. On the Republican side, we will go to lunch first and caucus at 1:30 daylight saving time, and we will caucus for 45 minutes and be back here at 2:15, as indicated.

### RECESS

The SPEAKER. Without objection, the Chair declares a recess until 2:15.

The Chair hears none.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. LEMPER asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

Mr. CAPANO asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. WILLARD asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

### SENATE MESSAGE

#### TIME OF NEXT MEETING

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 24, 1961.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Wednesday, May 31, 1961 at one-thirty o'clock p.m., e.s.t., and when the House of Representatives adjourns this week, it reconvene Monday, June 5, 1961 at three-o'clock p.m., e.s.t., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, that the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, that the clerk inform the Senate accordingly.

### SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Joint Resolution Serial No. 119.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 307

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the purchasing of used supplies of the first class.

#### SENATE BILL No. 315.

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" removing provisions relating to archery preserves.

#### SENATE BILL No. 433.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" prohibiting the purchase of insurance from or through any person employed by the school district in a teaching or administrative capacity.

#### SENATE BILL No. 485.

An Act repealing subdivisions (q) and (r) of Article XI act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" abolishing the right of taxpayers to acquire the right to furnish all materials and labor necessary for opening making and repairing township highways and bridges.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 179, entitled:

An Act amending the act of May 23, 1919 (P. L. 278), entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred and eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures \* \* \* providing for the examination of the glassware used for testing milk and cream \* \* \*' providing that bottles pipettes and weights used for testing shall comply with the law as to type and need not be examined and marked individually.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—185

Adams,	Gelfand,	Limper,	Rovansek,
Anderson, J. H.	George,	Lippincott,	Royer,
Anderson, S. A.,	Gibb,	Long, Wm. Jas.,	Rubin,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Auker,	Goldstein, J. H.,	Lutty,	Rutherford,
Bachman	Goldstein, M. H.,	Manbeck,	Sakulsky,
Backenstoe,	Goodrich,	Markley,	Schaaf,
Blair,	Gramlich,	Marsh,	Schuster,
Boles,	Gremminger,	Maxwell,	Seltzer,
Bonner,	Gross,	May,	Shelton,
Bossert,	Guesman,	McCandless,	Sherman,
Bower,	Guthrie,	McCann,	Shupnik,
Bowman,	Hamilton,	McDevitt,	Simmons,
Branca,	Hankins,	McDonald	Slack,
Buchanan,	Hartley,	McInroy,	Snare,
Bush,	Haudenshield,	McKeever,	Stank,



Capano, Capitolo, Cauley, Cianfrani, Cioffi, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Fetterolf, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Galley, Gallagher,	Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kaiser, Kelly, Kernaghan, Kessler, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lawson, Lee, A. M., Lee, K. B., Leonard,	McLaughlin, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley,	Steckel, Stimmel, Stiteler, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Andrews, Speaker
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## NAYS—0

## NOT VOTING—21

Arlene, Breth, Clarke, Cooley, Farabaugh, Filo,	Fulmer, Gray, King, Knecht, Lamb,	Magee, McCormack, McNally, Mihm, Murray,	Price, Scarcelli, Stone, Strausser, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. FILO. Mr. Speaker, I would like to be recorded as voting "aye" on the bill.

The SPEAKER. The clerk has recorded the vote. He can put in the record that he would have voted "aye."

Mr. FARABAUGH. Mr. Speaker. I could not get a recorded vote and I intended to vote "aye."

The SPEAKER. The remarks will be spread upon the record.

The machine will not work after the Speaker has instructed the chief clerk to record the votes. And, of course, when the chief clerk starts to record the votes the gentlemen on the floor can no longer vote. I think that is the trouble very frequently.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 238, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), providing for the issuing of resident fishing licenses to persons sixty-five years of age or over and to certain disabled veterans.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams, Anderson, J. H., Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Boies, Bonner, Bossert, Bower, Bowman, Branca, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eshback, Eshleman, Ewing, Fetterolf, Flynn, Foerster, Foor, Fox, Frascella, Fry, Galley, Gallagher,	Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott,	Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovansek,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Zember, Andrews, Speaker
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## NAYS—2

Elvey,	Holman,
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## NOT VOTING—16

Arlene, Breth, Clarke, Cooley,	Ellberg, Fineman, Gray, Gremminger,	King, Knecht, Magee, Mihm,	Murray, Price, Strausser, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 300, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), requiring informations to be brought before the nearest available magistrate or justice of the peace.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—162

Adams,	Goldstein, J. H.,	Lippincott,	Rubin,
Anderson, J. H.	Goldstein, M. H.,	Long, Wm. Jas.,	Rudisill,
Anderson, S. A.,	Goodrich,	Long, Wm. Jos.,	Rutherford,
Ashton,	Gramlich,	Lutty,	Scarcell,
Auker,	Gremminger,	Manbeck,	Seltzer,
Backenstoe,	Gross,	Markley,	Shelton,
Blair,	Guthrie,	Marsh,	Sherman,
Bonner,	Hamilton,	Maxwell,	Shupnik,
Bossert,	Hankins,	May,	Simmons,
Bower,	Hartley,	McCandless,	Slack,
Bowman,	Haudenshield,	McCormack,	Snare,
Branca,	Heavey,	McDonald,	Stank,
Buchanan,	Heffner,	McInroy,	Steckel,
Bush,	Helm,	McKeever,	Stimmel,
Caulley,	Henzel,	McLaughlin,	Stiteler,
Cianfrani,	Hocker,	Meholchick,	Stone,
Comer,	Holliday,	Merry,	Sullivan, J. A.,
Curwood,	Holman,	Miller,	Taylor,
Davis,	Horst,	Mills,	Thompson,
Dengler,	Isaacs,	Monroe,	Tompkins,
Dennison,	Jenkins,	Morley,	Trusio,
Dougherty,	Jim,	Mullen,	Ujbal,
Down,	Johnson, A. W.,	Murphy,	Varner,
Edwards,	Johnson, R. P.,	Musto,	Verona,
Eilberg,	Jones,	O'Dell,	Wall,
Elvey,	Keiser,	Odoriso,	Walsh,
Eshback,	Kelly,	Ogilvie,	Weidner,
Eshleman,	Kernaghan,	Parlante,	Welsh,
Ewing,	Kessler,	Perry,	Wescott,
Fetterolf,	King,	Piper,	Whittaker,
Flynn,	Kistler,	Polaski,	Willard,
Foor,	Kooker,	Polen,	Willaredt,
Fox,	Kornick,	Prendergast,	Williams, A. D.,
Frascella,	Korns,	Price,	Williams, E. S.,
Fry,	Kramer,	Pursley,	Wilt,
Fulmer,	Lamb,	Reibman,	Wood,
Gallagher,	Lawson,	Reidenbach,	Worley,
Gelfand,	Lee, A. M.,	Renwick,	Yetter,
George,	Lee, K. B.,	Riley,	Zember,
Gibb,	Leonard,	Royer,	Andrews,
Gibbons,	Limper,		Speaker

## NAYS—32

Bachman	Farabaugh,	McCann,	Petrosky,
Boles,	Filo,	McDevitt,	Rovansek,
Capano,	Foerster,	McNally,	Sakulsky,
Capitolo,	Gailey,	Munley,	Schaaf,
Cioffi,	Guesman,	Needham,	Schuster,
Crossin,	Irviss,	O'Donnell, J. A.,	Sullivan, T. F.,
Donaldson,	Kamyk,	O'Donnell, J. P.,	Tomascik,
Doughten,	Klein,	Pashley,	Wargo,

## NOT VOTING—12

Arlene,	Cooley,	Knecht,	Murray,
Breth,	Fineman,	Magee,	Strausser,
Clarke,	Gray,	Mihm,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 313, entitled:

An Act amending the "Soil Conservation Law" approved May 15, 1945 (P. L. 547), creating the State Soil and Water Conservation Commission and districts imposing powers and duties thereon \* \* \* and making editorial corrections.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. GAILEY. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. A. W. JOHNSON. Mr. Speaker, because this bill has been on the calendar for quite a long time and has aroused more or less interest, I am just wondering if the gentleman will state briefly why the bill is being re-committed and what possible changes might be contemplated in it.

Mr. GAILEY. I would be happy to do that, Mr. Speaker. On the surface the bill appears to be merely, in some ways, technical or correctional, in that it adds to soil conservation the words "and water." I think, however, I have had some conversation with the members of the Department of Agriculture and also with the employes of the Department of Forests and Waters, and it is certainly not completely established, I think, even in their minds as to the line of demarkation here, whether there is an infringement one upon the other and just what impact this bill will have on our water conservation here in the Commonwealth. Consequently, since the bill does not appear to me to be sufficiently well considered and all the implications known, I feel that it should be studied further.

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. I just wanted a statement in the record, Mr. Speaker, as to why the bill is being re-committed.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 483, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—192

Adams,	Gallagher,	Limper,	Royer,
Anderson, J. H.	Gelfand,	Lippincott,	Rubin,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jos.,	Rutherford,
Auker,	Gibbons,	Lutty,	Sakulsky,
Bachman	Goldstein, J. H.,	Manbeck,	Scarcell,
Backenstoe,	Goldstein, M. H.,	Markley,	Schaaf,
Blair,	Goodrich,	Maxwell,	Schuster,
Boles,	Gramlich,	May,	Seltzer,
Bonner,	Gremminger,	McCandless,	Shelton,
Bossert,	Gross,	McCann,	Sherman,
Bower,	Guesman,	McCormack,	Shupnik,
Bowman,	Guthrie,	McDevitt,	Simmons,
Branca,	Hamilton,	McDonald,	Slack,
Breth,	Hankins,	McInroy,	Snare,
Buchanan,	Hartley,	McKeever,	Stank,
Bush,	Haudenshield,	McLaughlin,	Steckel,
Capano,	Heavey,	Meholchick,	Stimmel,
Capitolo,	Heffner,	Merry,	Stiteler,
Caulley,	Helm,	Miller,	Stone,
Cianfrani,	Henzel,	Mills,	Sullivan, J. A.,
Cioffi,	Hocker,	Monroe,	Sullivan, T. F.,
Comer,	Holman,	Morley,	Taylor,
Crossin,	Horst,	Mullen,	Thompson,



Curwood,	Irvis,	Munley,	Tomasick,
Davis,	Isaacs,	Murphy,	Tompkins,
Dengler,	Jenkins,	Musto,	Trusio,
Dennison,	Jim,	Needham,	Ujobal,
Donaldson,	Johnson, A. W.,	O'Dell,	Varner,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Verona,
Doughten,	Jones,	O'Donnell, J. P.,	Wall,
Down,	Kamyk,	Odorisio,	Walsh,
Edwards,	Keiser,	Ogilvie,	Wargo,
Elberg,	Kelly,	Parlante,	Weidner,
Elvey,	Kernaghan,	Pashley,	Welsh,
Eshback,	Kessler,	Perry,	Wescott,
Eshleman,	King,	Petrosky,	Whittaker,
Ewing,	Kistler,	Piper,	Willard,
Farabaugh,	Klein,	Polaski,	Willaredt,
Fetteroif,	Kooker,	Polen,	Williams, A. D.,
Filo,	Kornick,	Prendergast,	Williams, E. S.,
Flynn,	Korns,	Price,	Wilt,
Foerster,	Kramer,	Pursley,	Wood,
Foor,	Lamb,	Reibman,	Worley,
Fox,	Lawson,	Reidenbach,	Yetter,
Frascella,	Lee, A. M.,	Renwick,	Zember,
Fry,	Lee, K. B.,	Riley,	Andrews,
Fulmer,	Leonard,	Rovansek,	Speaker
Galley,			

## NAYS—0

## NOT VOTING—14

Arlene,	Gray,	Marsh,	Murray,
Clarke,	Holliday,	McNally,	Strausser,
Cooley,	Knecht,	Mihm,	Zimmerman,
Cineman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was decided in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 758, entitled:

An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I would like to briefly interrogate the chairman of the Appropriations Committee, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, consent to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, before I ask the question I might say that I had a conference with Mr. Craven and Mr. Davlin of the PIDA and the Department of Commerce on this particular appropriation bill of \$8 million, based on, of course, 13 months. They did not volunteer any information at all in any way, shape or form that any of this money had to be used to match Federal funds under the new bill as passed by Congress. Are you aware of whether or not any of this money would have to be used to match Federal funds for industrial development?

Mr. POLEN. Mr. Speaker, did I understand the question correctly, would any of this money have to be used to match Federal funds for industrial development in Pennsylvania?

Mr. Speaker, if the legislation that has been introduced in the House is passed to implement the Federal legislation, part of this money could be used for matching funds in the acquiring of sites.

Mr. AUKER. That is what I understood. They told me about that program they had in mind, the program and bills were to be introduced whereby they could enlarge their investment to local communities, instead of a 30 percent basis to a 40 percent basis, and local communities who have been matching that with 20 percent would only have to put up 10 percent. Is that what you have in mind?

Mr. POLEN. That is correct, Mr. Speaker. That legislation has been introduced in the House.

Mr. AUKER. Mr. Speaker, was it developed in the appropriation hearings in any way, shape or form how much money that might take of this \$8 million?

Mr. POLEN. Mr. Speaker, at the hearings before the Appropriations Committee it was brought out that the budget for the PIDA was predicated upon the passage of Federal legislation which since has been passed and, as I recall, approximately \$2 million additional would be needed for the new purposes.

Mr. AUKER. Two million?

Mr. POLEN. Two million dollars.

Mr. AUKER. Thank you very much, Mr. Speaker. That is the answer I wanted.

Mr. Speaker, I am going to vote for the bill. I suppose it would be pretty near committing political suicide if one would not. But it seems to me there has been a lack of development on somebody's part. I do not know whose, whether it is the Appropriations Committee or the people on our side. I am not looking further into it. I just want to quote some figures on this thing.

For the '59 biennium we appropriated something over \$8 million for two years. Of that, according to the Department of Commerce's own figures, there is left \$2,230,000. That means that over a period of two years for PIDA, for industrial development in Pennsylvania, the Department of Commerce has used something around \$6 million.

Over 24 months, 24 months, equal they spent \$6 million. Now they are asking for \$8 million for a period of 13 months. Now, in addition to this \$8 million they are going to have \$2,230,000, which is uncommitted; not unappropriated, but uncommitted. It is lying there invested in short-term treasury notes, I imagine, and they have done a good job on that, no question about that. In addition to that, Mr. Speaker, they will get back approximately \$800,000 - \$900,000 on interest and principal paid off on moneys already invested, in the next 13 months. Now that is going to give this department \$11 million for a period of 13 months, where they have only spent \$6 million over a period of 24 months.

I talked with Mr. Davlin, and I talked with Mr. Craven, and to my mind, outside of what they said of being hopeful that they would be able to use this money, and I am too—they are very hopeful that they will be able to use all of it—they could not justify that \$8 million, outside of being hopeful. Of course I realize, Mr. Speaker, with any of this money that is not used they will use good husbandry and invest it in short-term treasury certificates, and to that end, of course, the money is not being wasted.

But I want to raise it as a principle of good government that we do not have any right to take money from the tax-

payers, unless we feel it is absolutely necessary for their own good and welfare, and invest it in treasury certificates to draw interest, when that money might not have to be taken from the taxpayers until it is absolutely required. I pointed out to the gentleman that he would only be seven months away from another annual session, and, if they used this money, I would be the first one to jump on the bandwagon and say we need a deficiency appropriation. We would cut this sum in half, for instance, and only take \$4 million from the people for this purpose. We would jump on the bandwagon and pass a deficiency appropriation because we would know then that people were being put back to work. I asked them on what basis they could justify it. They mentioned this particular figure of the Federal funds coming in; they also mentioned another million dollars that was going to be introduced through bills that they hoped would pass. And I expect to vote for that land acquisition, for new sites, new industrial sites, and to install water sewerage lines and utility lines into those sites that takes a million dollars. Now, that takes \$3 million. But they are still going to need an awful lot of money based on just a pure hope. They say the recession is over. I say it is not over in Pennsylvania. We have had a depression in Pennsylvania for the last five or six years. If I wanted to raise an argument, I could probably say ever since Mr. Leader took office, but I would not want to raise that argument here on the floor today. I mentioned that to them and they did not have an answer for me on this. I said, can you base that hope on the kind of legislation that we have passed this session, when you are making small industries anticipate their income in April and pay 80 percent of that income in advance and take that money away from the small industries that they do not have it to use for expansion and increased inventories over the next eight months? They did not have any answer for that.

I am taking it that their pure reasoning on this and their pure backing with this \$8 million is just based on a hope. I do not like that kind of legislation. I think a more realistic figure here would probably have been \$4 million. Four million dollars could have been cut off this bill and we could have saved the \$4 million for the taxpayers of Pennsylvania without any harm whatsoever, without any hurt being done whatsoever, to the entire program.

However, I am going to vote for the bill just as they say, possibly on a hope, and I trust that hope is fulfilled, believe me, that we will need all the money, but I question very much that we will.

On the question, recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams,	Gallagher,	Limper,	Riley,
Anderson, J. H.	Gelfand,	Lippincott,	Rovansek,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Royer,
Ashton,	Gibb,	Long, Wm. Jos.,	Rubin,
Auker,	Gibbons,	Lutty,	Rudisill,
Bachman	Goldstein, J. H.,	Manbeck,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Markley,	Sakulsky,
Blair,	Goodrich,	Marsh,	Searcell,
Boies,	Gramlich,	Maxwell,	Schaaf,
Bonner,	Gremminger,	May,	Schuster,
Bossert,	Gross,	McCandless,	Seltzer,
Bower,	Guesman,	McCann,	Shelton,
Bowman,	Guthrie,	McCormack,	Sherman,
Branca,	Hamilton,	McDevitt,	Shupnik,

Breth,	Hankins,	McDonald	Simmons,
Buchanan,	Hartley,	McInroy,	Slack,
Bush,	Haudenshield,	McKeever,	Snare,
Capano,	Heavey,	McLaughlin,	Stank,
Capitolo,	Hefner,	McNally,	Stimmel,
Cauley,	Helm,	Meholchick,	Stiteler,
Cianfrani,	Henzel,	Merry,	Stone,
Cioffi,	Hocker,	Miller,	Sullivan, J. A.,
Comer,	Holliday,	Mills,	Sullivan, T. F.,
Crossin,	Holman,	Monroe,	Taylor,
Curwood,	Horst,	Morley,	Thompson,
Davis,	Irvis,	Mullen,	Tomascik,
Dengler,	Isaacs,	Munley,	Tompkins,
Dennison,	Jenkins,	Murphy,	Trusio,
Donaldson,	Jim,	Musto,	Ujohal,
Dougherty,	Johnson, A. W.,	Needham,	Varner,
Doughten,	Johnson, R. P.,	O'Dell,	Verona,
Down,	Kamyk,	O'Donnell, J. A.,	Wall,
Edwards,	Keiser,	O'Donnell, J. P.,	Walsh,
Ellberg,	Kelly,	Odoorisio,	Wargo,
Elvey,	Kernaghan,	Ogilvie,	Weidner,
Eshback,	Kessler,	Parlante,	Wescott,
Eshleman,	King,	Pashley,	Whittaker,
Ewing,	Kistler,	Perry,	Willard,
Farabaugh,	Klein,	Petrosky,	Willaredt,
Fetterolf,	Kooker,	Piper,	Williams, A. D.,
Filo,	Kornick,	Polaski,	Williams, E. S.,
Flynn,	Korns,	Polen,	Wilt,
Foerster,	Kramer,	Prendergast,	Wood,
Foor,	Lamb,	Price,	Worley,
Fox,	Lawson,	Pursley,	Yetter,
Frascella,	Lee, A. M.,	Reibman,	Zember,
Fry,	Lee, K. B.,	Reidenbach,	Zimmerman,
Fulmer,	Leonard,	Renwick,	Andrews,
Gailey,			Speaker

## NAYS—0

## NOT VOTING—13

Arlene,	Gray,	Magee,	Steckel,
Clarke,	Jones,	Mihm,	Strausser,
Cooley,	Knecht,	Murray,	Welsh,
Fineman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Adams, on a question of personal privilege.

Mr. ADAMS. Mr. Speaker, I noticed a while ago that the lights were getting dim, and getting bright, and getting dim, and for quite a while already it seemed to me it was quite dark in here, so I made an observation of each chandelier and notice that there are quite a few lights burned out. I do not know whether- -

The SPEAKER. The Chair cannot see where that is a matter of personal privilege as far as parliamentary procedure is concerned. The proper thing is to take it up with the Department of Property and Supplies or the chief clerk or with the chief electrician, but it is certainly not a question for this House to decide.

Mr. ADAMS. I did not know where to take it up, sir.

The SPEAKER. Whatever is wrong as far as the lights are concerned will be taken care of during the recess.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 759, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business, industry and commerce in the respective counties of the Commonwealth.



On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?  
Mr. ASHTON. Mr. Speaker, I would like to interrogate Mr. Polen on this bill.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?  
Mr. POLEN. I shall, Mr. Speaker.

Mr. ASHTON. Mr. Speaker, I notice in this bill 759 the original appropriation was \$200,000 and that it was amended to read \$300,000. The Governor's budget recommendation was the original \$200,000. I am curious to know what the additional \$100,000 was meant to cover?

Mr. POLEN. Mr. Speaker, the reason for the increase is due to the passage of the Federal legislation and the legislation introduced in this House which will provide for industrial parks and the acquisition of land. That is one reason. We felt that it will take additional money for the administration of the program. That is one phase.

The other program is that in this legislation in 1959 we were paying 10 cents per capita to each county as a subsidy for the work they did in connection with their industrial development programs. Now, due to lack of funds, that has been reduced to 5 cents per capita, which is not enough for them to adequately do the work they are supposed to do. For that reason and for the reason of the Federal legislation that will increase the load, it was the recommendation of the Department of Commerce that they would need additional money to do that. We considered it in the Appropriations Committee, and in the committee we increased the appropriation from \$200,000 to \$300,000.

Mr. ASHTON. Mr. Speaker, do I understand then that the payments to the various counties will be now 10 cents per capita instead of 5 cents?

Mr. POLEN. It is hoped that we can pay 10 cents per capita. That, of course, again, will have to be determined on the basis of the number of counties that apply for assistance and the number of per capita that they have. It is hoped that we can start the payments at 10 cents.

Mr. ASHTON. Mr. Speaker, is that a good hope or a hopeless hope?

Mr. POLEN. It is a good hope, but it would be contingent upon the number who apply and the per capita they would represent.

Mr. ASHTON. I thank the gentleman.

On the question recurring,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Gallagher,	Limper,	Riley,
Anderson, J. H.,	Gelfand,	Lippincott,	Rovansek,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Royer,
Ashton,	Gibb,	Long, Wm. Jos.,	Rubin,
Auker,	Gibbons,	Lutty,	Rudisill,
Bachman,	Goldstein, J. H.,	Manbeck,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Markley,	Sakulsky,
Blair,	Goodrich,	Marsh,	Scarcell,
Boles,	Gramlich,	Maxwell,	Schaaf,
Bonner,	Gross,	May,	Schuster,
Bossert,	Guesman,	McCandless,	Seltzer,
Bower,	Guthrie,	McCann,	Shelton,
Bowman,	Hamilton,	McCormack,	Sherman,
Branca,	Hankins,	McDevitt,	Shupnik,
Breth,	Hocker,	McDonald,	Simmons,

Buchanan,	Hartley,	McInroy,	Slack,
Bush,	Haudenshield,	McKeever,	Snare,
Capano,	Heavey,	McLaughlin,	Stank,
Capitolo,	Heffner,	McNally,	Steckel,
Cauley,	Helm,	Meholchick,	Stimmel,
Cianfrani,	Henzel,	Merry,	Stiteler,
Cioffi,	Holliday,	Miller,	Stone,
Comer,	Holman,	Mills,	Sullivan, J. A.,
Crossin,	Horst,	Monroe,	Sullivan, T. F.,
Curwood,	Irvic,	Morley,	Taylor,
Davis,	Isaacs,	Mullen,	Thompson,
Dengler,	Jenkins,	Munley,	Thomascik,
Dennison,	Jim,	Murphy,	Truslo,
Donaldson,	Johnson, A. W.,	Musto,	Ujobai,
Doughten,	Johnson, R. P.,	Needham,	Varner,
Down,	Jones,	O'Dell,	Verona,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wall,
Eilberg,	Kelser,	O'Donnell, J. P.,	Walsh,
Elvey,	Kelly,	Odorsio,	Wargo,
Eshback,	Kernaghan,	Ogillvie,	Weldner,
Eshleman,	Kessler,	Parlante,	Wescott,
Ewing,	King,	Pashley,	Whittaker,
Farabaugh,	Kistler,	Perry,	Willard,
Fetterolf,	Klein,	Petrosky,	Willardt,
Filo,	Kooker,	Piper,	Williams, A. D.,
Flynn,	Kornick,	Polaski,	Williams, E. S.,
Foerster,	Korns,	Polen,	Wilt,
Foor,	Kramer,	Prendergast,	Wood,
Fox,	Lamb,	Price,	Worley,
Fracella,	Lawson,	Pursley,	Yetter,
Fry,	Lee, A. M.,	Reihman,	Zember,
Fulmer,	Lee, K. B.,	Reidenbach,	Zimmerman,
Gailey,	Leonard,	Renwick,	Andrews,

Speaker

NAYS—0

NOT VOTING—14

Arlene,	Fineman,	Magee,	Strausser,
Clarke,	Gray,	Mihm,	Tompkins,
Cooley,	Gremminger,	Murray,	Welsh,
Dougherty,	Knecht,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. Will the gentleman from Armstrong, Mr. Helm, come to the desk? The Chair has some bills which should be signed by the Speaker.

Mr. HELM IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 760, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	George,	Lippincott,	Royer,
Anderson, J. H.	Gibb,	Long, Wm. Jas.,	Rubin,
Anderson, S. A.,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Ashton,	Goldstein, J. H.,	Lutty,	Rutherford,
Auker,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Bachman,	Goodrich,	Markley,	Scarcell,
Backenstoe,	Gramlich,	Marsh,	Schaaf,
Blair,	Gremminger,	Maxwell,	Schuster,
Boles,	Gross,	May,	Seltzer,
Bonner,	Guesman,	McCandless,	Shelton,

Bower,	Guthrie,	McCann,	Sherman,
Bowman,	Hamilton,	McCormack,	Shupnik,
Branca,	Hankins,	McDevitt,	Simmons,
Breth,	Hartley,	McDonald,	Slack,
Buchanan,	Haudenschild,	McInroy,	Snare,
Bush,	Heavey,	McKeever,	Stank,
Capano,	Heffner,	McLaughlin,	Steckel,
Caulley,	Helm,	McNally,	Stimmel,
Cianfrani,	Henzel,	Meholchick,	Stiteler,
Cioffi,	Hocker,	Merry,	Stone,
Comer,	Holliday,	Miller,	Sullivan, J. A.,
Crossin,	Holman,	Monroe,	Sullivan, T. F.,
Curwood,	Horst,	Morley,	Taylor,
Davis,	Irviss,	Mullen,	Thompson,
Dengler,	Isaacs,	Munley,	Tomascik,
Dennison,	Jenkins,	Murphy,	Tompkins,
Donaldson,	Jim,	Musto,	Trusio,
Doughten,	Johnson, A. W.,	Needham,	Ujobai,
Down,	Johnson, R. P.,	O'Dell,	Varnar,
Edwards,	Jones,	O'Donnell, J. A.,	Verona,
Elberg,	Kamyk,	O'Donnell, J. P.,	Wall,
Elvey,	Kelser,	Odorisio,	Walsh,
Eshback,	Kelly,	Ogilvie,	Wargo,
Eshleman,	Kernaghan,	Parlante,	Weidner,
Ewing,	Kessler,	Pashley,	Wescott,
Farabaugh,	King,	Perry,	Whittaker,
Fetterolf,	Kistler,	Petrosky,	Willard,
Filo,	Klein,	Piper,	Willaredt,
Flynn,	Kooker,	Polaski,	Williams, A. D.,
Foerster,	Kornick,	Polen,	Williams, E. S.,
Foor,	Korns,	Prendergast,	Wilt,
Fox,	Kramer,	Price,	Wood,
Fracella,	Lamb,	Pursley,	Worley,
Fry,	Lawson,	Reibman,	Yetter,
Fulmer,	Lee, A. M.,	Reidenbach,	Zember,
Galley,	Lee, K. B.,	Renwick,	Zimmerman,
Gallagher,	Leonard,	Riley,	Andrews,
Gelfand,	Limper,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—15

Arlene,	Cooley,	Knecht,	Murray,
Bossert,	Dougherty,	Magee,	Strausser,
Capitolo,	Fineman,	Mihm,	Welsh,
Clarke,	Gray,	Mills,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1017, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), exempting, in certain cases and to a certain extent, concert music halls maintained by public or private charities from taxation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams,	Galley,	Limper,	Rovansek,
Anderson, J. H.,	Gallagher,	Lippincott,	Royer,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rubin,
Ashton,	George,	Long, Wm. Joe.,	Rudisill,
Auker,	Gibbons,	Lutty,	Rutherford,
Bachman,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Markley,	Scarcelli,
Blair,	Goodrich,	Marsh,	Schaaf,
Boles,	Gremminger,	Maxwell,	Schuster,
Bonner,	Gross,	May,	Seltzer,
Bossert,	Guesman,	McCandless,	Shelton,
Bower,	Guthrie,	McCann,	Sherman,

Bowman,	Hamilton,	McCormack,	Shupnik,
Branca,	Hankins,	McDevitt,	Simmons,
Breth,	Hartley,	McDonald,	Slack,
Buchanan,	Haudenschild,	McInroy,	Snare,
Bush,	Heavey,	McKeever,	Stank,
Capano,	Heffner,	McLaughlin,	Steckel,
Capitolo,	Helm,	McNally,	Stimmel,
Caulley,	Henzel,	Meholchick,	Stiteler,
Cianfrani,	Hocker,	Merry,	Stone,
Cioffi,	Holliday,	Miller,	Sullivan, J. A.,
Comer,	Holman,	Mills,	Sullivan, T. F.,
Crossin,	Horst,	Monroe,	Taylor,
Curwood,	Irviss,	Morley,	Thompson,
Davis,	Isaacs,	Mullen,	Tomascik,
Dengler,	Jenkins,	Munley,	Tompkins,
Dennison,	Jim,	Murphy,	Trusio,
Donaldson,	Johnson, A. W.,	Musto,	Ujobai,
Doughten,	Johnson, R. P.,	Needham,	Varnar,
Down,	Jones,	O'Dell,	Verona,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wall,
Elberg,	Kelser,	O'Donnell, J. P.,	Walsh,
Elvey,	Kelly,	Odorisio,	Wargo,
Eshback,	Kernaghan,	Ogilvie,	Weidner,
Eshleman,	Kessler,	Parlante,	Wescott,
Ewing,	King,	Pashley,	Whittaker,
Farabaugh,	Kistler,	Perry,	Willard,
Fetterolf,	Klein,	Petrosky,	Willaredt,
Filo,	Kooker,	Piper,	Williams, A. D.,
Flynn,	Kornick,	Polaski,	Williams, E. S.,
Foerster,	Korns,	Polen,	Wilt,
Foor,	Kramer,	Prendergast,	Wood,
Fox,	Lamb,	Price,	Worley,
Fracella,	Lawson,	Pursley,	Yetter,
Fry,	Lee, A. M.,	Reibman,	Zember,
Fulmer,	Lee, K. B.,	Reidenbach,	Zimmerman,
	Leonard,	Renwick,	Andrews,
		Riley,	Speaker

## NAYS—0

## NOT VOTING—13

Arlene,	Fineman,	Gray,	Mihm,
Clarke,	Gibb,	Knecht,	Murray,
Cooley,	Gramlich,	Magee,	Strausser,
			Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1109, entitled:

An Act providing that the Pennsylvania Game Commission shall have exclusive power to regulate hunting in this Commonwealth prohibiting ordinances and resolutions of political subdivisions which regulate hunting therein and invalidating such ordinances and resolutions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—95

Adams,	Gelfand,	Manbeck,	Reidenbach,
Anderson, S. A.,	Goodrich,	Maxwell,	Renwick,
Auker,	Gramlich,	McCormack,	Riley,
Bachman,	Gremminger,	McDevitt,	Rubin,
Boles,	Hankins,	McDonald,	Rudisill,
Branca,	Heavey,	McInroy,	Sakulsky,
Breth,	Heffner,	McKeever,	Scarcelli,
Capano,	Horst,	McLaughlin,	Schaaf,
Caulley,	Irviss,	Meholchick,	Schuster,
Cianfrani,	Jenkins,	Mills,	Shelton,
Cioffi,	Jim,	Monroe,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Crossin,	Kamyk,	Munley,	Stank,



Dougherty,	Kelly,	Needham,	Sullivan, J. A.,
Doughten,	Kornick,	O'Donnell, J. A.,	Taylor,
Ellberg,	Kramer,	O'Donnell, J. P.,	Tomasck,
Elvey,	Lawson,	Parlante,	Verona,
Eshback,	Lee, K. B.,	Pashley,	Wargo,
Filo,	Leonard,	Perry,	Wescott,
Fineman,	Limper,	Petrosky,	Willard,
Flynn,	Lippincott,	Polaski,	Williams, E. S.,
Foerster,	Long, Wm. Jas.,	Polen,	Yetter,
Frascella,	Long, Wm. Jos.,	Prendergast,	Andrews,
Galley,	Lutty,	Reibman,	<b>Speaker</b>

## NAYS—96

Anderson, J. H.,	Fulmer,	Klein,	Rutherford,
Ashton,	Gallagher,	Kooker,	Seltzer,
Backenstoe,	George,	Korns,	Simmons,
Blair,	Gibbons,	Lamb,	Slack,
Bonner,	Goldstein, J. H.,	Lee, A. M.,	Snare,
Bossert,	Goldstein, M. E.,	Markley,	Steckel,
Bower,	Gross,	Marsh,	Stimmel,
Bowman,	Guesman,	May,	Stiteler,
Buchanan,	Hamilton,	McCandless,	Stone,
Bush,	Hartley,	McCann,	Sullivan, T. F.,
Curwood,	Haudenschild,	McNally,	Thompson,
Davis,	Helm,	Merry,	Tompkins,
Dengler,	Henzel,	Miller,	Ujobal,
Dennison,	Hocker,	Morley,	Varner,
Donaldson,	Holliday,	Murphy,	Wall,
Down,	Holman,	Musto,	Weidner,
Edwards,	Isaacs,	O'Dell,	Whittaker,
Eshleman,	Johnson, A. W.,	Odorisio,	Willaredt,
Ewing,	Johnson, R. P.,	Ogilvie,	Williams, A. D.,
Farabaugh,	Kelser,	Piper,	Wilt,
Fetterolf,	Kernaghan,	Price,	Wood,
Foor,	Kessler,	Pursley,	Worley,
Fox,	King,	Rovansek,	Zember,
Fry,	Kistler,	Royer,	Zimmerman,

## NOT VOTING—15

Arlene,	Gibb,	Magee,	Truslo,
Capitolo,	Gray,	Mihm,	Walsh,
Clarke,	Guthrie,	Murray,	Welsh,
Cooley,	Knecht,	Strausser,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1162, entitled:

An Act amending "The C. P. A. Law" approved May 26, 1947, (P. L. 318), further regulating the certification and public practice of certified public accountants.

On the question,

Will the House agree to the bill on third reading?

Mr. SCHAAF asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Section 4, page 9, by inserting after line 16.

Or graduation with a diploma or associate degree in Accounting or Business Administration from a private business school licensed by the Department of Public Instruction or any community or junior college approved by the State Council of Education and satisfactory completion of at least twelve semester hours in accounting and at least four years of public accounting experience of a caliber satisfactory to the board.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. SchAAF.

Mr. SCHAAF. Mr Speaker, I have the privilege of

offering those amendments, but I cannot claim authorship of them. However, I would like to make a few comments which I think are fair under the circumstances. These, of course, are my own personal comments and thoughts on the amendments.

Mr. Speaker, this is a profession which is basically regulated by the General Assembly. These professional certified public accountants turn to us to set and establish the standards under which they will conduct their profession. Of necessity, they can only regulate themselves to a limited extent.

Mr. Speaker, as I understand and as I am informed, House bill 1162, in its present form, represents what the certified public accountants themselves believe to be a desirable law from their standpoint and represents their thinking as to how they would have the legislature amend their particular regulatory act.

Now, Mr. Speaker, we have a responsibility here in the General Assembly to members of the general public, as well as responsibility which extends to all interested parties.

Mr. Speaker, I think it is fair to say that the amendments proposed today are amendments which reflect that responsibility. They are, if the membership will take the opportunity to integrate them into the bill, simply nothing more or less than an extension of the basic idea of education, plus experience, giving weight to that education and to that experience on the basis of its type, and these fall within the framework of the bill.

However, I want it clearly understood, Mr. Speaker, as I am personally informed, that these amendments amount to—I am tempted to use the expression—"a shotgun marriage." I think it is fair to say, Mr. Speaker, that neither the certified public accountants themselves desire these amendments nor, to my knowledge, do another interested group, namely and specifically, the private schools in Pennsylvania. Nobody is really happy. The question to be decided by the members in acting upon these amendments is whether or not we as members of the General Assembly, and keeping in mind the general public interest of the people in this Commonwealth, feel this to be a desirable amendment to a professional regulatory bill.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I would like to debate these amendments and to register my opposition to same. It is my understanding that the primary purpose behind these amendments was laudatory in that they would make it more flexible for a great percentage of the people to qualify for the CPA examinations.

Despite that fact, after reading these amendments, it is my understanding that they would indeed preclude a vast number of individuals from qualifying for the CPA examination. I say that because of the fact that the amendments specifically provide that there must be, to the extent mentioned therein, a certain amount of formal education required. After a lot of conferences and hard work by the people interested in making the law with respect to CPA's in Pennsylvania a better one, there were rules and regulations promulgated and amendments proposed that would provide that a person could take the examination who had the equivalent of a college educa-

tion. I understand, further, that the rules and regulations that have been drawn up and have received the approval of the Pennsylvania board provides that, to the extent that the course of studies pursued under the present bill do not constitute the equivalent of a college education, the candidate for admission would have the opportunity to demonstrate that he has compensated for any deficiencies in his formal education through planned course of self-study and business experience. It seems to me that was one of the primary objections on the part of a large number of individual members of the General Assembly, and it was because of that opposition that the contemplated amendment and rules and regulations were formulated.

If Mr. Andrews' amendments are adopted, it would very definitely, Mr. Speaker, preclude those very individuals whom we are trying to help as a result of this amendment in allowing provision to take the examination even for the equivalent of a college education. They, would not be eligible if they demonstrated their business experience and their courses in self-study. They would be absolutely precluded and prohibited by this amended bill, and it is for that reason I say that, despite the good intentions of the sponsor of this amendment, it is going to hurt a large number of people whom the proponents of this bill in its original form and by virtue of the amendments that are going to be introduced by Mr. Eilberg would help.

Therefore, I ask the members to vote against this amendment so we will have the opportunity of providing qualifications for those very people who do not have the formal education that was originally required under the bill before the amendment.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I rise in further opposition to the amendments offered by the gentleman from Erie.

What concerns me about the amendments that have been offered particularly is that it gives a status to private business schools without providing any standards of any kind. There we are with the duty of maintaining the standards of every profession and raising them when we can, and we are being asked to give a special status to private business schools without their demonstrating that they have sufficient standards to justify such recognition. How do we know whether many of these schools are organized for the purpose of training for business careers, or whether they are primarily organized for making money? We know that so far as the Department of Public Instruction is concerned many of the teachers are not properly trained. Why should not the teachers be required to have special training? Why should not particular textbooks be required? Why should not there be regular supervision by the State?

Mr. Speaker, I say that these amendments are not a step forward, but a step backward, and I ask everyone to vote against the amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, it is with trepidation that I oppose any opinion voiced by the distinguished advocate from Philadelphia, or either distinguished ad-

vocate from Philadelphia. But they are not presenting this issue in its outlines.

The gentleman from Philadelphia, who just spoke, spoke about inadequate preparation. That is what the examination for certified public accountants is designed to do. They have their examinations, and, Lord knows, they have spent considerable time in making those examinations increasingly difficult over the years. But those examinations, and we must admit that they are proper, make it harder and harder to become a certified public accountant, and I am not quarreling with that. We know who wants that. We have a very efficient group composed of certified public accountants, but they have the tightest guild that has ever been organized since medieval days. They not only have this tight guild, but they have a system of peonage under which you must serve under their taskmastership before you can even take an examination.

Now, I would be not fair if I said that all the graduates from these schools that are doing such good work were qualified to be certified public accountants. But I say that the examination should take care of them. I would say that if I could pass the examination for certified public accountant, I should be permitted to be one, because by that examination I have demonstrated my fitness.

This is just one more step in the campaign to put a barrier in the path of innumerable young men who under our present situation can never become college graduates and yet who are fit for the avocation they seek. So I say that we are soon going to get to the point where if a man wants somebody to wheel a wheelbarrow he has got to have a college education. Our present system is turning out increased demands for a college education at a time when we are declaiming to the world that we do not have room. If everybody who works has to have a college education, what in the world are they going to do with the increasing population that does not have a college education? I can see in the membership of this House many men of ability who cannot produce a certificate that they have graduated from college, and there are some of them that cannot even produce a certificate that they have graduated from high school. This is just one more move upon the part of an entrenched few to place a barrier in the path of the progress of the little man.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Irvis.

Mr. IRVIS. Mr. Speaker, I will admit that ordinarily when the gentleman from Cambria explains a point I find it lucidly explained and unnecessary for me to even consider his meaning. But I confess that after this latest statement I stand here a bit confused. If I understand the gentleman from Cambria, the burden of his argument is that we are now demanding, too frequently, that a person who follows a profession be a college graduate. If I understand his argument, it is that we should loosen these reins, particularly as they refer to the CPA's, make it possible for those people who have the experience, if not the formal education, to qualify to take these CPA examinations. If the gentleman from Cambria is being quoted correctly by me, then I will agree with the burden of his argument.

However, I believe that the amendments which have



recently been offered to this bill do not go that far. That is the reason I rise to oppose them. If I understand the amendments accurately, these amendments would not permit a high school graduate who has never attended a business college, who has never attended two years of junior college, or, indeed, any college at all, to even take the CPA examination. If this is correct, then I must oppose these amendments, because I, too, have within my acquaintance a number of men and women who have never entered the doors of a college, business or otherwise, but who through native ability and through hard work would certainly be qualified to at least enter the examination and see if they might pass it.

Now, if this be true, Mr. Speaker, then these amendments do not go as far as the gentleman from Cambria argues. Perhaps, if the gentleman will examine these amendments, he may wish to broaden them and may secure additional support. If, however, he does not so wish, then I would suggest to the members of the House that they vote against these amendments and vote for the set of amendments which I understand is going to be offered by the gentleman from Philadelphia, Mr. Eilberg.

Mr. BOIES. Mr. Speaker, the Professional Licensure Committee, in my experience, has never put out a bill which would lower the standards of any profession in this Commonwealth. We have always endeavored to put out bills to raise the standards. This bill is simply a bill to raise the standards of the CPA profession.

The gentleman from Cambria is wrong when he says that this is a continued effort, a continued successful effort, to limit the number of candidates passing the examination. If he will look over the records and compare the statistics of, say, 15 years ago with today, he will see that the percentage of successful candidates passing the CPA examination is much higher today than it was 15 years ago. And, Mr. Speaker, it may be also detected that 85 to 95 percent of those taking the examinations are college graduates, without being so required, and the idea to lessen the standards would be as ridiculous as the going back to the days when a high school graduate could apprentice himself to a physician and become a physician in the matter of a couple of years.

What we are trying to do is increase the standards, and the amendments which will be proposed allowing those without the formal education to take the examination and pass that board, I think, justify the defeat of these amendments.

Mr. EILBERG. In further reply to the gentleman from Cambria, he used some pretty harsh charges, it seems to me. He said that men preparing to become CPA's are in a position of peonage, but he did not develop that particular point. I have looked into it and I have found that there is no such thing. The experience required under the present law and under the law that we contemplate would permit a person preparing himself to either work for a CPA, work for a public accountant, or, indeed, even work for himself. If the Speaker is referring to those men and women who are working for CPA's as being in a position of peonage, let me remind him that the salary scale of those individuals averages \$500 per month throughout the State of Pennsylvania. It seems to me, Mr. Speaker, that this kind of money certainly does not represent any kind of peonage.

Mr. Speaker, further, the gentleman from Cambria emphasizes that the CPA examination should take care of the problem and, basically, that is what we are aiming at. We are trying to get the best possible persons to take that particular examination, people who not only have the technical training that is provided in technical courses in the accounting field, such as is provided by business schools, but who have an understanding of economics, business, mathematics, and English, so that in the future, six years from now when this new law becomes effective, as I expect it will, our constituents will be able to go in the future to the best possible trained CPA's. I say that Mr. Andrews' statement that the examination will take care of this problem is wrong. In some respects it is cruel to certain persons. If his amendments, which are presently before us, were to become effective, many persons would be encouraged to go to business schools which simply are not presenting the kind of courses that would equip those individuals to become CPA's. It seems to me that this is a very cruel possibility that is envisioned in the amendments that are presently before us.

I would like to close, further, with the comment that even the Speaker's amendments do not make it possible for someone who has had extensive business experience, or someone who has engaged in courses of self-study, let us even say, the Abraham Lincoln type of person, who, perhaps, has had no formal schooling at all, to take a CPA examination. I, therefore, say that his amendments are without merit and should be voted down.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Eilberg.

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. ADAMS. Mr. Eilberg, in advocating the defeat of these amendments, can you tell me whether or not there will be some other amendments coming after this that will be more liberal or less liberal than these particular amendments?

Mr. EILBERG. In answer to the gentleman's question, I will say that the amendments that I will offer will be more liberal than the amendments presently before us.

Mr. ADAMS. Then, in that case I will not rise to support these amendments; I will wait until the more liberal amendments come up.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. SCHAAF and A. W. JOHNSON and were as follows:

## YEAS—55

Adams,  
Blair,  
Bower,  
Breth,  
Capano,  
Cianfrani,  
Cioffi,  
Elvey,  
Eshback,  
Farabaugh,  
Filo,  
Flynn,  
Foerster,  
Fulmer,

Galley,  
George,  
Goodrich,  
Guesman,  
Guthrie,  
Helm,  
Hocker,  
Holman,  
Kamyk,  
Kistler,  
Kornick,  
Markley,  
May,  
McLaughlin,

McNally,  
Meholchick,  
Miller,  
Musto,  
Needham,  
O'Dell,  
Ogilvie,  
Polaski,  
Polen,  
Prendergast,  
Price,  
Pursley,  
Reibman,  
Renwick,

Rovansek,  
Royer,  
Rudisill,  
Schaaf,  
Stiteler,  
Sullivan, T. F.,  
Verona,  
Wargo,  
Wescott,  
Williams, A. D.,  
Wood,  
Yetter,  
Andrews,  
Speaker

## NAYS—128

Anderson, J. H.	Gallagher,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gibbons,	Leonard,	Rubin,
Ashton,	Goldstein, J. H.,	Limper,	Rutherford,
Auker,	Gramlich,	Long, Wm. Jas.,	Sakulsky,
Bachman	Gremminger,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Gross,	Lutty,	Schuster,
Boles,	Hamilton,	Manbeck,	Seltzer,
Bonner,	Hankins,	Marsh,	Shelton,
Bossert,	Hartley,	Maxwell,	Sherman,
Bowman,	Haudenschild,	McCandless,	Simmons,
Branca,	Heavey,	McCann,	Slack,
Buchanan,	Henzel,	McCormack,	Snare,
Bush,	Holliday,	McDevitt,	Stank,
Capitolo,	Horst,	McDonald,	Steckel,
Cauley,	Irvic,	McInroy,	Stimmel,
Comer,	Isaacs,	McKeever,	Stone,
Crossin,	Jenkins,	Merry,	Sullivan, J. A.,
Davis,	Jim,	Mills,	Taylor,
Dengler,	Johnson, A. W.,	Monroe,	Thompson,
Dennison,	Johnson, R. P.,	Morley,	Tomascik,
Donaldson,	Jones,	Mullen,	Tompkins,
Doughten,	Keiser,	Munley,	Ujobai,
Down,	Kelly,	Murphy,	Varner,
Edwards,	Kernaghan,	O'Donnell, J. A.,	Wall,
Eilberg,	Kessler,	O'Donnell, J. P.,	Weidner,
Eshleman,	King,	O'Dorisio,	Whittaker,
Ewing,	Klein,	Parlante,	Willard,
Fetterolf,	Kooker,	Pashley,	Willaredt,
Foor,	Korns,	Perry,	Williams, E. S.,
Fox,	Kramer,	Petrosky,	Worley,
Frascella,	Lawson,	Piper,	Zemmer,
Fry,	Lee, A. M.,	Reidenbach,	Zimmerman,

## NOT VOTING—23

Arlene,	Gelfand,	Lamb,	Strausser,
Clarke,	Gibb,	Lippincott,	Truslo,
Cooley,	Goldstein, M. H.,	Magee,	Walsh,
Curwood,	Gray,	Mihm,	Welsh,
Dougherty,	Heffner,	Murray,	Wilt,
Fineman,	Knecht,	Shupnik,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EILBERG. Mr. Speaker, I understand that the gentleman from Cameron, Mr. Tompkins, has certain amendments and I will yield to him.

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Eilberg, yields to the gentleman from Cameron, Mr. Tompkins, for the purpose of offering amendments.

Mr. McCANN. Mr. Speaker, I believe it is understood that the amendments offered by Mr. Tompkins are agreed to, is that correct?

Mr. TOMPKINS. That is correct.

Mr. McCANN. By both caucuses?

Mr. TOMPKINS. That is right.

Mr. McCANN. Are these the veterans' amendments?

Mr. TOMPKINS. These are the veterans' amendments.

Messrs. WHITTAKER and TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 3 (Sec. 4), page 8, line 19, by inserting a bracket after "(2)"

Amend Sec. 3 (Sec. 4), page 8, line 20, by striking out the bracket after "the"

Amend Sec. 3 (Sec. 4), page 9, lines 1 and 2, by striking out the brackets before "United" in line 1, and after "here-in" in line 2

Amend Sec. 3 (Sec. 4), page 9, by inserting between lines 16 and 17

(c) Service in the armed forces of the United States subsequent to July 1, 1940 shall be substituted for the

experience requirements in section 4 (a), (1) and (2) and section 4 (b), (1) above on the basis of one month's experience credit for each six months' service, provided that the maximum credit for such service shall be six months.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. EILBERG asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 3 (Sec. 4), page 9, line 7, by inserting after "education" or an education which is the equivalent thereof

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. EILBERG. Mr. Speaker, much of what I have to say has already been said in connection with the amendments first offered. However, since my amendments are now before the House, I think I should summarize some of the important points I am concerned with.

The bill as originally drafted, House bill 1162, has the effect of requiring an applicant for CPA to be a college graduate and have two years of experience in the accounting field. The bill as drafted would have eliminated the present eligibility of high school graduates, plus three years of accounting. Now, upon studying the bill closely, I came to the realization that it would be unfair to insist that every applicant be a college graduate. We have many, many cases of successful people who did not go to college and, certainly, it was not and is not my desire to limit the opportunity of anyone to become a CPA if he is so inclined. As a result, we have introduced these amendments which will have the effect of requiring a college degree or an education which is the equivalent thereof.

Mr. Speaker, what we are concerned with is raising the standards of eligibility so that the people will ultimately get the best possible trained CPA's to perform the complex duties that may be required and at the same time we want to give everyone an opportunity to take the examination who, if he is not a college graduate, can meet with the standards of a college graduate.

Under the amendment we have talked with the members of the CPA board and the Department of Public Instruction and they are prepared and have agreed to, upon the enactment of this bill, establish a regulation which will have the effect of giving credit for courses of study in colleges or universities, or in evening schools of colleges and universities, or to the effect of credit for graduation from a community or junior college approved by the State Council of Education, or graduation from a junior college of business licensed by the Department of Public Instruction and approved by the Accrediting



Commission for Business Schools of the National Association and Council of Business Schools.

I might say, Mr. Speaker, that the Accrediting Commission is set up by the business schools themselves on a national basis. It is recognized by the education office of the national government as a proper commission. There is no public control over that commission and we are proposing that a graduate of a college of business, as I said, which school has been licensed by the Department of Public Instruction and approved by the Accrediting Commission, should receive credit for the time spent in that school.

The same principle would apply to two-year private business schools as to junior colleges of business, and I might say, Mr. Speaker, that many institutions in the Commonwealth of Pennsylvania have been accredited. I have the publication here of institutions which have been accredited. Under the regulations that would be adopted, credit would also be given for specific courses taken in other schools licensed by the Department of Public Instruction, but which have not been accredited by the Accrediting Commission, provided there is a showing to the CPA board that these courses are of a proper standard.

Now, Mr. Speaker, one of the most important features of the regulations which would be adopted would be to give credit for any deficiencies in formal education through planned courses of self-study and business experience.

Let me say so there is no misunderstanding, that the alternatives I have indicated add up to a college degree, or the equivalent thereof, but if any such individual does not have any formal training, in fact, an individual who has not gone up to the eighth or ninth grade, or tenth grade, if such an individual who through his experience in life, through his business experience, which is demonstrated to the satisfaction of the board, or through planned courses of self-study, can make a proper showing by self-study or business experience, the board will permit such an individual to take the examination.

It seems to me, Mr. Speaker, while we are raising the standards, we are at the same time permitting individuals who cannot go to college the opportunity to train themselves to become CPA's, and I ask everyone to support the amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I would like to speak on these amendments. I received a terrific amount of pro and con correspondence on this particular piece of legislation and I studied this bill very carefully until the wee hours this morning. I feel that it is very necessary to support these amendments to protect and help the self-made man, and I recommend that the members support it because without them this would be a bad piece of legislation.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Eilberg.

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I have a copy of the declaration of intent of these amendments before me which Mr. Eilberg has placed into the record. I have but

one question to ask in connection with it. In all cases it indicates that the schools must be approved by the Pennsylvania Department of Public Instruction. What do we do about the person who takes his courses for accreditation in an out-of-State school which is not under the supervision of the Pennsylvania Department of Instruction.

Mr. EILBERG. Mr. Speaker, in answer to the gentleman's question, in the cases that I have enumerated it is true that we have required licensure by the Department of Public Instruction. I would say, though, that the intent of these regulations is to give credit for any course which has been taken which 'meets the standards that would be set by the department, by the State board. I think the procedure, Mr. Speaker, would be for an individual who is applying to file an application giving full details of his educational background, his business experience and his general fitness, and the courses that the gentleman refers to, if they are of a standard equal to what I am describing, I am sure he will be given credit for them.

Mr. TOMPKINS. The reason I asked that is there are a great number of people from our area who go to business schools in Buffalo, New York. Now, because of the fact that it is not an accredited school by the Pennsylvania Department of Public Instruction, are they then denied the privilege of taking these examinations?

Mr. EILBERG. I would say yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman. For what purpose does the gentleman rise? Does the gentleman desire to interrogate the gentleman from Philadelphia, Mr. Eilberg?

Mr. SHERMAN. I do, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. SHERMAN. Mr. Speaker, I assure the gentleman that I have not, to the present moment, made up my mind with reference to the bill itself. It is getting more confusing as time passes, but certain things bother me. I think the gentleman made reference to regulations to be adopted and certain credits to be given for certain courses taken, or something along that line. Is that in the bill itself, or is that a regulation that may be adopted or supposed to be adopted?

Mr. EILBERG. That is a regulation that will be adopted.

Mr. SHERMAN. What is the current practice, Mr. Speaker?

Mr. EILBERG. I did not hear the gentleman's question.

Mr. SHERMAN. What is the current practice?

Mr. EILBERG. Will the gentleman repeat his question?

Mr. SHERMAN. What is the practice at the present time? Do we have such regulations, or can we have such regulation without any additional statements or bother by the Department of Public Instruction?

Mr. EILBERG. Mr. Speaker, the law presently requires certain formal education plus experience. We are seeking to increase those standards, but we want to insure that anyone who does not meet the technical requirements may still have the opportunity to take the examination. Therefore, these regulations would be necessary and would be added to other regulations which the board presently has on its books.

Mr. SHERMAN. Is there anything either in the amendments or the bill, if the amendments are adopted, that will guarantee that these regulations would be adopted?

Mr. EILBERG. In all honesty, I cannot say that there is, Mr. Speaker, but I will say this, the reason for doing it in this fashion is because we have here the accrediting commission for business schools of the National Association and Council of Business Schools. Now this is an established organization. However, the name might be changed, or the composition might be changed, and rather than put into the bill a very particular name with the possibility that the name or circumstances might change, it would be more practicable, more feasible, more flexible, having it in the form of departmental regulations. I will say further, Mr. Speaker, to make it absolutely clear, I will be perfectly willing to offer this proposed regulation on the record and ask that it be considered as a matter of legislative intent.

Mr. SHERMAN. Mr. Speaker, what I am interested in, as you may know from previous discussions on similar things, when it concerns regulations, is that an area of regulation and not a law? Therefore, I am asking, Mr. Speaker, as to whether there is anything controlling to these regulations to be adopted, or if these regulations are not adopted, or supposedly adopted, then it is meaningless?

Mr. EILBERG. Mr. Speaker, in answer to the gentleman's question, if it is a question, we have a pledge from the board, the CPA board, that they will adopt these very regulations. Mr. Speaker, I would like to offer the proposed regulation as a matter of record at this time:

Amendment to House Bill No. 1162 to Provide for an  
Educational Equivalent for the College Degree  
Requirement

This amendment is intended to take care of those cases in which candidates for the CPA examination have obtained, through various means, a broad and well-rounded education, but who do not hold a college degree. These candidates would be required to file a statement giving full details of their educational background and business experience and their general fitness to sit for the CPA examination, together with transcripts of their formal education.

In determining if the candidate's educational qualifications are the equivalent, consideration will be given to the following courses of study or combinations of them which in the aggregate approximate college degree course requirements:

1. Courses of study in colleges or universities.
2. Courses of study in evening schools of colleges and universities.
3. Graduation with an associate degree from any community or junior college approved by the State Council of Education.
4. Graduation with a diploma or associate degree in accounting or business administration from a private junior college of business licensed by the Pennsylvania Department of Public Instruction and approved by the Accrediting Commission for Business Schools of the National Association and Council of Business Schools.
5. Graduation with a certificate or diploma in accounting from a two-year private business school licensed by the Pennsylvania Department of Public Instruction and approved by the Accrediting Commission for Business Schools of the National Association and Council of Business Schools.
6. Specific courses in other schools licensed by the Pennsylvania Department of Public Instruction, provided such courses are determined to be of equal

standing (to (1), (2), (3), (4) and (5) above) based on the quality and effectiveness of instruction.

7. The twelve semester credits in accounting required of a candidate in Section 4(b) of this Bill may be obtained at any day or evening school approved by the State Council of Education or private Junior College of Business or in a two-year private business school licensed by the Pennsylvania Department of Public Instruction and approved by the Accrediting Commission of Business Schools of the National Association and Council of Business Schools.

To the extent that courses of study pursued as described under (1) to (7) above do not constitute the equivalent of a college education, the candidate shall have the opportunity to demonstrate that he has compensated for any deficiencies in his formal education through planned courses of self study and business experience.

In summary, the fact that the candidate has obtained a satisfactory technical and academic education is more important than the means through which he has attained it.

Mr. TOMPKINS. Mr. Speaker.

The SPEAKER pro tempore. The Chair was about to recognize the gentleman from Cambria, Mr. Andrews.

Mr. TOMPKINS. I only wanted to clarify an interrogation I had for the gentleman, but I yield.

The SPEAKER pro tempore. The gentleman yields to the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. I will yield to the gentleman from Cameron.

Mr. TOMPKINS. I thank the gentleman.

The SPEAKER pro tempore. Does the gentleman desire to interrogate the gentleman from Philadelphia?

Mr. TOMPKINS. Mr. Speaker, I had asked the gentleman from Philadelphia whether or not a person who took a business course in a business school in Buffalo, New York, would be qualified to take the examinations in the State of Pennsylvania even though that school was outside of the jurisdiction of Pennsylvania's Department of Public Instruction? Now, a number of people did not understand the gentleman's answer. I would like to get some clear answer on the record so everybody will understand whether or not a person taking a course in a business school outside the Commonwealth would qualify to take those examinations?

Mr. EILBERG. I apologize to the gentleman for not hearing his question before, and, when he spoke to me afterwards, I understood his question more clearly. In answer to the question, such a person would receive credit for such courses taken. The answer would be that he would receive credit for out-of-State courses taken.

Mr. TOMPKINS. He could then take the examinations if he wanted to?

Mr. EILBERG. I did not hear the gentleman.

Mr. TOMPKINS. He then could take the examinations if he wanted to?

Mr. EILBERG. That is absolutely correct, sir.

Mr. TOMPKINS. I thank the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I have been in this House some 30 years almost and I presume in that time I have taken 300 lickings. But I have noticed that over the years ultimately the lickings I have taken have been countermanded by actual legislation, as the older members of this House will see.

Now, there are more ways than one of skinning a cat,



and there are more ways than one of making what was essentially a bad bill a better bill.

I want to call to your attention the situation that existed last week and the week before. The skids were greased for this bill as originally introduced, and no amendments, no amendments. All right. We devised, at the suggestion of the schools, some amendments. Well, there was some counseling and there was some conferring and, ultimately, if these amendments had not been offered today, the bill was licked. If the amendments I sponsored had been offered last week, they would have carried.

The amendments proposed by the gentleman from Philadelphia improve a bad bill. They materially improve a bad bill, and whether or not the bad bill is ultimately passed or defeated is in the laps of the members of this House.

But it is my opinion, definite opinion, that if we had not insisted that the amendments I offered today were going to be offered, you would not have had the opportunity, perhaps, of voting on the amendments proposed by the gentleman from Philadelphia. Personally, I do not object to the amendments because I say they make a bad bill better. The amendments caused some concern. It was necessary for those in charge of the bill to go into conference and make some kind of a concession on this matter of admission to these highly efficient organizations. So if you have a notion to pass the bill, if it is your mind to pass the bill, pass these amendments offered by the gentleman from Philadelphia. If you do not have a notion to pass the bill, vote them down.

I want to add one reason, because without these amendments the bill will inevitably be defeated. The amendments are the only thing that justify in any way the enactment of this bill. So I repeat, if you are going to pass the bill, take these amendments. If you are not going to pass the bill, let your conscience be your guide.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Stiteler.

Mr. STITELER. Mr. Speaker, I yield to no man in my respect for education and higher education. I did not spend the last 30 years of my life in this House; I spent them in business and industry from a small start.

But I submit to you that if it had been a requirement that the President of the United States would have to be a college graduate, Grover Cleveland would not have been President, nor would Harry Truman. If it had been a requirement that a great industrial genius had to be a graduate industrial engineer, Walter Chrysler would never have got off the ground. If it had been a requirement that a great labor leader would have to be a college graduate, I am quite sure there are a number who could not have attained the estate in which they now find themselves. If it had been a requirement in his day that all lawyers had to be graduates of college and of law schools, one of the most distinguished members of the Bar that this State ever produced, Jeremiah Sullivan Black, could not have studied law, not to mention Lincoln.

Had it been a requirement in order to be an inventor that one would have to be a college graduate, we might not have had these electric lights as soon as we did, nor would Cyrus McCormack, who invented the reaper, have ever got off the ground.

Now, Mr. Speaker, I have had considerable experience

and much observation in the last 30 years in the superiority and the excellence of mining men. The ablest mining man whom I ever knew could not even go to high school. When he was a little boy he told me that he used to stand his overalls up against the wall—he was a grease boy—and they would stand that way. And he told me that he read and read and studied in his bed until the books would fall off on the floor and he would go to bed with the light burning. And yet time after time I saw this man from Carbondale, Pennsylvania, to Oklahoma, from Kentucky to Tennessee and Alabama, excel in suggestions which had to do with better mining and saving the lives of men in that industry.

Now, I am not going to prolong this thing, but we hear much about standards today. I submit to you that anyone who is qualified to say who shall or who shall not be a certified public accountant should be qualified to devise examinations to determine that. I do not want to let down the bars, but I do not think that there are too many men, really, who aspire to this estate because it is very difficult. Let me tell you that I employ certified public accountants. I have great confidence in them. I think they are a fine bunch of men and I think the intent of these bills is a fine thing, but in this qualification and in this world standards, character, honor, capacity and integrity should have equal standing with that college degree. I am pleading for the boy who simply cannot go to college no matter how much he wants to, but who has that peculiar native genius for this sort of thing and who wants to get there.

I do not want to be recorded as voting for something that is going to preclude that opportunity for that boy, and that is the reason, Mr. Speaker, I am going to have to vote against these amendments, which do not make it sure for that boy and for a bill which is going to put him in a terribly hopeless cul-de-sac.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I think I agree with about 98 percent of what the gentleman, the last speaker, had to say.

I would remind him and the members of the House that the law that presently exists requires a high school diploma. Today to become a CPA you must have at least a high school diploma. I say to him, in keeping with his remarks, that there are many people, extraordinary people, who are presently excluded from taking the examination because they have not graduated from a high school. I say to the gentleman, further, that while we are raising the standards, and certainly it is our duty in the legislature to maintain and raise standards, but while we are doing this we are taking this opportunity to recognize the very problem the gentleman is concerned with. When this amendment becomes part of the bill, as I hope it will, and when the regulations have been enacted by the board, a man who has no, absolutely no, formal training of any kind can become a CPA. It seems to me that the gentleman's concern is adequately met by the proposal that we have before us at the present time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. O'Dell.

Mr. O'DELL. Mr. Speaker, I do not know whether the question I have to raise will apply to the bill or the amendment. However, I would like to question Mr.

Eilberg, and, if I am wrong at the present time, you may say so.

The SPEAKER pro tempore. The question before the House is the amendment offered by the gentleman from Philadelphia, Mr. Eilberg.

Mr. O'DELL. I think my voting will depend upon the answer on these amendments.

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. O'DELL. Mr. Speaker, unlike my esteemed colleague, Mr. Adams, I have not read and digested the entire bill. Therefore, I would like to ask a question.

We have been discussing the requirements that are now needed or will be needed to become a CPA. Under this bill, what is going to happen to the hundreds of public accountants that are organized in this State and have a strong organization but are not CPA's at the present time?

Mr. EILBERG. Mr. Speaker, the answer to that question is that the public accountants are, in my opinion, in no way affected by this bill. They may continue to practice. I hope they continue to practice. I hope some of them, many of them, will take it upon themselves to become CPA's, but certainly this bill will not affect them in any way.

Mr. O'DELL. It will not affect them in any way?

Mr. EILBERG. That is right.

Mr. O'DELL. I find myself in a peculiar position. Some of my best supporters back home are CPA's. I also have a brother-in-law who is a public accountant who is licensed to practice before the United States Bureau of Internal Revenue. I am like that candidate running down south when half of his county was agin' coon hunting and the other half was for it, and "By Gad," he was for his friends!

But I am particularly interested and that is the reason I asked the question. Will these men, will my brother-in-law, for instance, who has been practicing for over 30 years and is recognized as one of the outstanding public accountants, not CPA's, in the area, be permitted to practice the rest of his natural life without having to become a CPA?

Mr. EILBERG. Absolutely yes. And may I remind the gentleman and draw his attention to the fact that under our bill, 1162, one aspiring to become a CPA may, in fact, train under a public accountant.

Mr. O'DELL. That was the thing that disturbed me. I think most of you know I am a jeweler. I served my apprenticeship at the bench for a good many years, and I would hate to now have someone tell me that I could not practice watch-making, clock-making, or jewelery making because I did not have a honological school education. For some of you people, that means a watch-making school. The same way with the CPA's and the public accountants. I would like to see this bill passed if it is going to raise the standards of CPA's. I would also not support it and would vote against it if it is going to put out of business all the men who are presently recognized public accountants. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Morley.

Mr. MORLEY. Mr. Speaker, I rise to interrogate the gentleman from Philadelphia, Mr. Eilberg.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. MORLEY. Mr. Speaker, I would like to cite a specific case to illustrate my question.

William Joseph O'Toole graduated from the Pierce School of Business in Philadelphia in 1956 with a distinguished academic record after a two-year course in administrative accountancy. He immediately acquired three years of public accounting experience. He sat for the State board examination in 1959. He passed the above examination without any further training or help with a score that ranked him as one of the top three of all the candidates in Pennsylvania. He received his CPA certificate on the 21st of August in 1959. On the basis of this outstanding achievement he was nominated for special recognition and an award by the Pennsylvania Institute of Certified Public Accountants at its annual meeting in Bedford Springs on June 5, 1960. My question is this: Would this young man, or a young man with similar training and experience, be qualified to take the examination and be certified as a CPA under this new bill with the amendments?

Mr. EILBERG. The gentleman is asking about a graduate from Pierce School, who had three years of experience in public accounting, is that correct, Mr. Speaker?

Mr. MORLEY. That is right.

Mr. EILBERG. Did the gentleman study on his own in addition to graduating from the Pierce School?

Mr. MORLEY. There is nothing in this record that shows that he had any further training whatever.

Mr. EILBERG. How old was the gentleman when he took the examination or applied for the examination?

Mr. MORLEY. Evidently he was within the age requirements for a CPA. I do not know.

Mr. EILBERG. What business experience or background does the gentleman have?

Mr. MORLEY. He had none. He was a graduate of West Philadelphia High School, attended Pierce Business School of Administration, had three years of experience in accounting and took the examination.

Mr. EILBERG. I would say, Mr. Speaker, that the gentleman has not provided me with information as to whether there has been any additional courses of self-study or whether there was any business experience. If these factors were present, which I have just enumerated, this gentleman, provided that the business experience and courses in self-study were proper, would be permitted to take the CPA examination.

I would say, further, that the Pierce School of Business in Philadelphia is an institution accredited by the accrediting commission, and the gentleman, at least, would receive credit for graduation from Pierce School if he did not have the other requirements which I have indicated.

Mr. MORLEY. Let us assume he had no further training, he could meet no further requirements, would he still be eligible under this law, as amended, to be certified as a CPA in Pennsylvania?

Mr. EILBERG. The answer would be "no," but I would assume that a gentleman of this type would proceed to



take night-school courses and would continue to educate himself in such a way that he would meet the requirements.

Mr. MORLEY. Mr. Speaker, I say to you that the primary responsibility of this legislature is to all of the people of Pennsylvania, not to the certified public accountants. We have thousands of young men and women in this State who possibly can receive training and experience equivalent to this, and, if that training and experience today is adequate to certify this youngster and to land him in third place in the examination for CPA's in the State of Pennsylvania, I think it is certainly adequate for the future. This is no attempt to break down standards. The standards are set by the examination. As other gentlemen in this House have pointed out, there have been hundreds of our leading citizens, designers, engineers, technicians, and so forth, who never had a chance. There are millions of young Americans who never will have their chance, and I say for this House to fence in those opportunities, to wall them off and deny them this opportunity is unthinkable. I think if this bill fails to qualify, even with the amendments, then both the amendments and the bill should be defeated.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. EILBERG and A. W. JOHNSON and were as follows:

## YEAS—143

Adams,	Fulmer,	Leonard,	Rutherford,
Anderson, J. H.,	Galley,	Limper,	Scarcell,
Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Schaaf,
Ashton,	Gelfand,	Manbeck,	Schuster,
Auker,	George,	Marsh,	Seltzer,
Bachman,	Gibbons,	Maxwell,	Shelton,
Backenstoe,	Goldstein, J. H.,	McCandless,	Sherman,
Blair,	Gramlich,	McCann,	Shupnik,
Boles,	Gremminger,	McCormack,	Simmons,
Bonner,	Gross,	McDevitt,	Slack,
Bossert,	Guthrie,	McInroy,	Snare,
Bowman,	Hamilton,	McKeever,	Stank,
Branca,	Hankins,	McLaughlin,	Steckel,
Breth,	Hartley,	Meholchick,	Stimmel,
Buchanan,	Haudensfield,	Mills,	Stone,
Bush,	Heavey,	Monroe,	Sullivan, J. A.,
Capitolo,	Helm,	Mullen,	Taylor,
Comer,	Henzel,	Munley,	Thompson,
Crossin,	Holliday,	Murphy,	Tomasck,
Curwood,	Irviss,	Needham,	Tompkins,
Davis,	Isaacs,	O'Dell,	Ujobal,
Dennison,	Jim,	Ogilvie,	Varner,
Donaldson,	Johnson, A. W.,	Parlante,	Verona,
Dougherty,	Johnson, R. P.,	Pashley,	Wall,
Doughten,	Jones,	Perry,	Wargo,
Down,	Kelly,	Petrosky,	Whittaker,
Edwards,	Kernaghan,	Piper,	Willard,
Eilberg,	Kessler,	Polaski,	Willaredt,
Eshback,	King,	Polen,	Williams, A. D.,
Eshleman,	Klein,	Prendergast,	Williams, E. S.,
Ewing,	Kooker,	Reibman,	Wood,
Fetterolf,	Korns,	Reidenbach,	Worley,
Filo,	Kramer,	Renwick,	Yetter,
Foerster,	Lamb,	Royer,	Zember,
Fox,	Lawson,	Rubin,	Zimmerman,
Frascella,	Lee, A. M.,	Rudisill,	

## NAYS—30

Capano,	Hocker,	Long, Wm. Jas.,	Price,
Cianfrani,	Holman,	Lutty,	Riley,
Clofi,	Horst,	Markley,	Rovansek,
Elvey,	Jenkins,	McNally,	Sakulsky,
Farabaugh,	Kamyk,	Morley,	Stiteler,
Flynn,	Kelser,	O'Donnell, J. A.,	Sullivan, T. F.,
For,	Kistler,	O'Donnell, J. P.,	Andrews,
Guesman,	Lee, K. B.,		Speaker

## NOT VOTING—33

Arlene,	Goldstein, M. H.,	McDonald,	Pursley,
Bower,	Goodrich,	Merry,	Strausser,
Cauley,	Gray,	Mihm,	Trusio,
Clarke,	Heffner,	Miller,	Walsh,
Cooley,	Knecht,	Murray,	Weidner,
Dengler,	Kornick,	Musto,	Welsh,
Fineman,	Lippincott,	Odoristo,	Wescott,
Fry,	Magee,		Wilt,
Gibb,	May,		

So the question was determined in the affirmative and the amendments were agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN. Mr. Speaker, I have been asked by the minority whip to announce our plans for our next session.

This House will convene on Monday, the 5th of June.

The SPEAKER pro tempore. The Chair will repeat what has been said by the majority leader. This House will reconvene at 4 o'clock, daylight saving time, on Monday, June 5th.

## REPORTS FROM COMMITTEE

Mr. BONNER from the Committee on Workmen's Compensation, reported as committed, House bill No. 457, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), authorizing the Commonwealth and its political subdivisions and instrumentalities to come within the provisions of the act.

Mr. McKEEVER from the Committee on Workmen's Compensation, reported as committed, House bill No. 604, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897) further defining employes' eligibility for compensation.

Mr. BRANCA from the Committee on Workmen's Compensation, reported as committed, House bill No. 670, entitled:

A Supplement to "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs, or the dependents of such special school police.

Mr. BRANCA from the Committee on Workmen's Compensation, reported as committed, House bill No. 864, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), requiring employers to insure the payment of compensation in the State Workmen's Insurance Fund unless exempted from insurance.

Mr. ROVANSEK from the Committee on Workmen's Compensation, reported as committed, House bill No. 1317, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing for the payment of compensation to the spouse or certain dependents of deceased employes dying prior to receiving payment of total benefits in certain cases.

Mr. IRVIS from the committee on Workmen's Compensation, reported as committed, House bill No. 1318, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566), providing for the payment of compensation to the spouse or certain dependents of deceased employes dying prior to receiving payment of total benefits in certain cases.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 457, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), authorizing the Commonwealth and its political subdivisions and instrumentalities to come within the provisions of the act.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 604, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897) further defining employes eligibility for compensation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 670, entitled:

A Supplement to "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs, or the dependents of such special school police.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 864, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), requiring employers to insure the payment of compensation in the State Workmen's Insurance Fund unless exempted from insurance.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1317, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing for the payment of compensation to the spouse or certain dependents of deceased employes dying prior to receiving payment of total benefits in certain cases.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1318, entitled:

An Act amending "The Pennsylvania Occupational Dis-

ease Act" approved June 21, 1939 (P. L. 566), providing for the payment of compensation to the spouse or certain dependents of deceased employes dying prior to receiving payment of total benefits in certain cases.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### RESOLUTION

Mr. GAILEY offered a resolution which was filed with the clerk under the rules.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 345, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing counties to acquire for certain purposes by purchase gift exchange or condemnation real property or interests in real property in excess of present needs.

On the question,

Will the House agree to the bill on third reading?

Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, third line of Title, by striking out "authorizing" and inserting: requiring.

Amend Title, page 1, fourth, fifth and sixth lines of Title by striking out all of said lines and inserting: acquire land in fee simple when taking land by eminent domain for the purpose of laying out or opening any road, and authorizing sufficient property to be acquired to enable construction of roads of a certain width.

Amend Sec. 1, page 3, line 1, by striking out "The" and inserting: Section 2601.

Amend Sec. 1, page 3, lines 2 and 3 by striking out "by adding after section 2511 a new section"

Amend Sec. 1, page 3, lines 4 to 15; page 4, lines 1 to 16, by striking out all of said lines and inserting:

Section 2601. Eminent Domain; County May Enter Upon Land, Et Cetera.—In all cases where the power of eminent domain is conferred upon the county by law, the county may enter upon, appropriate, take, injure or destroy private lands, property or material. Any such taking for the purpose of originally laying out or opening of any road shall be in fee simple.

Section 2. Section 2901 of the act is amended by adding after subsection (b), a new subsection to read:

Section 2901. County Roads; Establishment and Maintenance.—

\* \* \*

(b.1) When the county commissioners acquire real property for the county to be used for originally laying out or opening any road, sufficient property may be acquired to enable construction of roads two hundred (200) feet in width, exclusive of division strips.

\* \* \*

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.



Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 577, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further regulating the use of resident hunter's license fees.

On the question,

Will the House agree to the bill on third reading?

Mr. BRETH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1401), page 2, lines 16 and 17, by striking out the bracket before "exclusive" in line 16, and after "administration" in line 17.

Amend Sec. 1 (Sec. 1401), page 3, line 15, by inserting after "cooperators" Not more than twenty per centum of such sum shall be expended for the acquisition of land.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. GOODRICH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1401), page 3, line 15, by inserting after "cooperators" Such sum shall not be used for the acquisition of land in any county in which the total land owned by the Commonwealth exceeds twenty per centum of the total acreage in the county.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1372, entitled:

An Act authorizing cities of the second class to acquire by purchase gift exchange or condemnation certain real property in excess of that for present needs.

On the question,

Will the House agree to the bill on third reading?

Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, first to third lines of Title, by striking out "by purchase gift ex-" in first line, and all of second and third lines, and inserting: sufficient real prop-

erty, when originally laying out or opening roads, to construct roads of a certain width.

Amend Sec. 1, page 1, lines 1 to 3, page 2, lines 1 to 19, page 3, lines 1 to 5, by striking out all of said lines, and inserting:

Section 1. When any city of the second class acquires real property to be used for originally laying out or opening any road, sufficient property may be acquired to enable construction of the road two hundred feet in width, exclusive of division strips.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time?

Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 203, printer's No. 1339, and House bill No. 216, printer's No. 1861, on page 17 of today's calendar, bills on final passage postponed.

### BILLS PASSED OVER

Mr. McCANN, Mr. Speaker, I request that all other bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 315.

An Act amending the act of September 23, 1959 (P. L. 941) entitled "An act authorizing the Department of Property and Supplies \* \* \* to sell and convey an easement in lands situate in the Township of Skippack Montgomery County" further providing for an easement in lands situate in the Township of Skippack, Montgomery County.

#### HOUSE BILL No. 757.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

#### HOUSE BILL No. 766.

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1937) and making an appropriation" and for the repair, improvements or additions of certain sewage treatment plants.

## HOUSE BILL No. 768.

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

## HOUSE BILL No. 804.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Corplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

## HOUSE BILL No. 879.

An Act reenacting and amending the act of May 15, 1933 (P. L. 796) entitled as amended "An act providing for the preservation of the records or photographic film reproductions . . . of banks . . ." extending the provisions thereof to employees' mutual banking associations.

## HOUSE BILL No. 914.

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

## HOUSE BILL No. 915.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

## HOUSE BILL No. 916.

An Act making an appropriation for moneys in the Korean Conflict Veterans' Compensation Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

## HOUSE BILL No. 917.

An Act making an appropriation from the Korean Conflict Veterans' Fund to the Department of Military Affairs for certain administration expenses necessary in the administration of the "Korean Conflict Veterans' Compensation Act."

## HOUSE BILL No. 918.

An Act making an appropriation from various funds of the Commonwealth to the Department of Labor and Industry for the payment of the Commonwealth's share of Social Security taxes.

## HOUSE BILL No. 919.

An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

## HOUSE BILL No. 920.

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

## HOUSE BILL No. 921.

An Act making an appropriation to the Department of State out of various funds for payments on account of the Annuity Reserve Account No. 2, Contingent Reserve Account and State Police Retirement System to meet the obligations of the funds to the State Employees Retirement System.

## HOUSE BILL No. 922.

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of

Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act."

## HOUSE BILL No. 953.

An Act amending the act of November 21, 1959 (P. L. 1583) entitled "An act providing that in cities and school districts of the first class real estate taxes, water rent and sewer rent, claims or judgments not filed or revived within the time specified by law shall be reinstated \* \* \* providing that the provisions of this act shall extend to real estate tax, water rent and sewer rent claims or judgments filed or revived hereafter.

## HOUSE BILL No. 983.

An Act transferring money from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund for the purpose of meeting interest and sinking fund requirements on Public Buildings Construction Bonds.

## HOUSE BILL No. 1112.

An Act making an appropriation to the joint committee appointed by the House of Representatives and the Senate to act as host to the National Legislative Conference for expenses incurred by said committee for that purpose.

## HOUSE BILL No. 1113.

An Act making an appropriation to the Department of Commerce for defraying the expenses of the Commonwealth as host to the 1962 National Governors' Conference.

## HOUSE BILL No. 1369.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) providing for determination of deficiencies redetermination reviews and appeals therefrom and conferring additional powers and duties upon the Department of Revenue.

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 315.

An Act amending the act of September 23, 1959 (P. L. 941), entitled "An act authorizing the Department of Property and Supplies \* \* \* to sell and convey an easement in lands situate in the Township of Skippack Montgomery County" further providing for an easement in lands situate in the Township of Skippack Montgomery County.

## HOUSE BILL No. 757.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

## HOUSE BILL No. 766.

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1987) and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.



## HOUSE BILL No. 768.

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

## HOUSE BILL No. 804.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

## HOUSE BILL No. 879.

An Act reenacting and amending the act of May 15, 1933 (P. L. 796), entitled as amended "An act providing for the preservation of the records or photographic film reproductions \* \* \* of banks \* \* \*" extending the provisions thereof to employees' mutual banking associations.

## HOUSE BILL No. 914.

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

## HOUSE BILL No. 915.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

## HOUSE BILL No. 916.

An Act making an appropriation for moneys in the Korean Conflict Veterans' Compensation Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

## HOUSE BILL No. 917.

An Act making an appropriation from the Korean Conflict Veterans' Funds to the Department of Military Affairs for certain administration expenses necessary in the administration of the "Korean Conflict Veterans' Compensation Act."

## HOUSE BILL No. 918.

An Act making an appropriation from various funds of the Commonwealth to the Department of Labor and Industry for the payment of the Commonwealth's share of Social Security taxes.

## HOUSE BILL No. 919.

An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

## HOUSE BILL No. 920.

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

## HOUSE BILL No. 921.

An Act making an appropriation to the Department of State out of various funds for payments on account of the Annuity Reserve Account No. 2 Contingent Reserve Account and State Police Retirement System to meet the obligations of the funds to the State Employees Retirement System.

## HOUSE BILL No. 922.

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary

for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act."

## HOUSE BILL No. 953.

An Act amending the act of November 21, 1959 (P. L. 1583), entitled "An act providing that in cities and school districts of the first class real estate taxes water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated \* \* \* providing that the provisions of this act shall extend to real estate tax water rent and sewer rent claims or judgments filed or revived hereafter.

## HOUSE BILL No. 983.

An Act transferring money from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund for the purpose of meeting interest and sinking fund requirements on Public Buildings Construction Bonds.

## HOUSE BILL No. 1112.

An Act making an appropriation to the joint committee appointed by the House of Representatives and the Senate to act as host to the National Legislative Conference for expenses incurred by said committee for that purpose.

## HOUSE BILL No. 1113.

An Act making an appropriation to the Department of Commerce for defraying the expenses of the Commonwealth as host to the 1962 National Governors' Conference.

## HOUSE BILL No. 1369.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), providing for determination of deficiencies redetermination reviews and appeals therefrom and conferring additional powers and duties upon the Department of Revenue.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate bill for concurrence No. 133.

Amended House bill returned for concurrence No. 517.

## ADJOURNMENT

Mr. ROYER. Mr. Speaker, I move that this House do now adjourn until Monday, June 5, 1961, at 3 p.m., e.s.t.

The motion was agreed to, and (at 3:55 p.m., e.s.t.) the House adjourned.

## HOUSE SUPPLEMENT

## STANDING COMMITTEES

## AGRICULTURE AND DAIRY INDUSTRIES

Farabaugh, Chairman, Prendergast, Vice Chairman, Yetter, Secretary, Cooley, Gray, Hamilton, Kamyk, McNally, Musto, Perry, Reibman, Rubin, Wargo, Ashton, Fox, Korns, Manbeck, McCandless, Wescott, Worley.

## APPROPRIATIONS

Polen, Chairman, Stank, Vice Chairman, Munley, Secretary, Boies, Eilberg, Gelfand, Hamilton, McCormack, Mihm, Mullen, Musto, Reidenbach, Wargo, Bower, Hocker, Johnson, A. W., Seltzer, Willaredt, Wilt, Wood.

BANKING AND BUILDING AND LOAN  
ASSOCIATIONS

Parlante, Chairman, Clarke, Vice Chairman, Comer, Secretary, Bachman, Curwood, Gelfand, Guesman, Luty, Mills, O'Donnell, J. A., Rubin, Sherman, Buchanan, Bush, Dengler, Goldstein, J. H., Gramlich, Keiser, Varner.

## BOROUGHES

Filo, Chairman, Murphy, Vice Chairman, Klein, Secretary, Cooley, Farabaugh, Jenkins, Lawson, Long, Wm. James, Reibman, Sakulsky, Sullivan, J. A., Sullivan, T. F., Verona, Gross, Kernaghan, Kistler, Knecht, Kooker, Simmons, Zimmerman.

## CITIES—COUNTIES, FIRST CLASS

Dougherty, Chairman, Mullen, Vice Chairman, Kelly, Secretary, Arlene, Branca, Comer, Doughten, Frascella, Limper, Rubin, Shelton, Sullivan, J. A., Anderson, J. H., Davis, Holman, Lee, A. M., Pursley, Williams, A. D., Zember.

CITIES—COUNTIES, SECOND CLASS AND SECOND  
CLASS A

Luty, Chairman, Jenkins, Vice Chairman, Cauley, Secretary, Clarke, Foerster, Irvis, Kamyk, Lamb, Leonard, McLaughlin, Needham, Schuster, Walsh, Donaldson, Gibb, Goldstein, M. H., Haudenschild, Kessler, King, Thompson.

## CITIES—THIRD CLASS

Walsh, Chairman, Sakulsky, Vice Chairman, Verona, Secretary, Boies, Cioffi, Gailey, Gremminger, McDevitt, McDonald, Polaski, Tomascik, Trusio, (one vacancy—Majority), Down, Magee, Marsh, Miller, H. G., Ogilvie, Rutherford, Slack.

## CONGRESSIONAL APPORTIONMENT

Sherman, Chairman, Lamb, Vice Chairman, Fry, Secretary, Comer, Frascella, Gremminger, Limper, O'Donnell, J. P., Reidenbach, Rovanseck, Rudisill, Trusio, Bower, Henzel, Holliday, Horst, Johnson, A. W., Kernaghan, Weidner.

## COUNTIES

Cioffi, Chairman, McDonald, Vice Chairman, McNally, Secretary, Farabaugh, Flynn, Foerster, Hankins, O'Donnell, J. A., Prendergast, Rovanseck, Sakulsky, Scarcelli, (one vacancy—Majority), Down, Eshelman, Gibbons, Holliday, McCandless, Pursley, Wynd.

## EDUCATION

Reibman, Chairman, Anderson, S. A., Vice Chairman, Hamilton, Secretary, Capano, Eilberg, Fineman, Gailey, Irvis, Morley, Murray, Musto, Reidenbach, Sherman, Dengler, Eshleman, Fulmer, Goldstein, M. H., Helm, Henzel, Lee, A. M.

## ELECTIONS

Eilberg, Chairman, Murray, Vice Chairman, Prendergast, Secretary, Capano, Gray, Klein, McDevitt, Monroe, Murphy, Pashley, Sullivan, J. A., Sullivan, T. F., Walsh, Bowman, Dengler, Dennison, Edwards, Varner, Wall, Zember.

## FISHERIES

Jim, Chairman, Schaaf, Vice Chairman, Gremminger, Secretary, Curwood, Kelly, Long, Wm. James, Meholchick, O'Donnell, J. A., Riley, Schuster, Shelton, Shupnik, Yetter, Edwards, Gramlich, Merry, O'Dell, Stimmel, Willard, Zimmerman.

## GAME AND CONSERVATION

Curwood, Chairman, Renwick, Vice Chairman, Cooley, Secretary, Doughten, Fry, Guesman, Hartley, Jim, Long, Wm. Joseph, Meholchick, Riley, Shupnik, Yetter, Ashton, Auker, Goodrich, Lee, K. B., McInroy, Snare, Willard.

## HIGHWAYS

Comer, Chairman, Yetter, Vice Chairman, Cioffi, Secretary, Curwood, Filo, Fry, Heavey, Kornick, McNally, Munley, Murray, Stank, Stone, Walsh, Davis, Down, Eshleman, Fulmer, Lee, K. B., Merry, Strausser, Thompson.

## INSURANCE

Hamilton, Chairman, Heavey, Vice Chairman, Guesman, Secretary, Crossin, Doughten, Gremminger, Hankins, Hartley, Kelly, Kornick, Prendergast, Sakulsky, Shelton, Foor, Horst, Odorisio, Pursley, Stimmel, Stietler, Willaredt.

## JUDICIARY

Rudisill, Chairman, McCormack, Vice Chairman, Gelfand, Secretary, Eilberg, Fineman, Gailey, Irvis, Lamb, Murphy, Reibman, Schaaf, Sherman, Stone, Auker, Bowman, Donaldson, Heffner, Isaacs, Magee, Steckel.

## JUDICIARY—SPECIAL

Leonard, Chairman, Branca, Vice Chairman, Clarke, Secretary, Cauley, Gray, Kramer, Mills, Riley, Tomascik, Welsh, Backenstoe, Bower, Holman, Johnson, R. P., Worley.

## LABOR RELATIONS

Wargo, Chairman, McKeever, Vice Chairman, Sullivan, T. F., Secretary, Bonner, Branca, Flynn, Hartley, Lawson, Leonard, McLaughlin, Polaski, Rovanseck, Welsh, Adams, Edwards, George, Gramlich, Gross, March, Rutherford.

## LAW AND ORDER

Welsh, Chairman, Gailey, Vice Chairman, Hankins, Secretary, Hartley, Jenkins, Kramer, Long, Wm. James, Mills, Monroe, Mullen, Munley, Murray, Scarelli, Foor, George, Gibb, Kessler, Strausser, Ujobai.

## LEGISLATIVE APPORTIONMENT

Kornick, Chairman, Gailey, Vice Chairman, Crossin, Secretary, Arlene, Cioffi, Filo, Gallagher, McKeever, Morley, Needham, Parlante, Schaaf, Stone, Ashton, Blair, Goldstein, M. H., Weidner, Willaredt, Williams, A. D., Williams, E. S.

## LIQUOR CONTROL

Reidenbach, Chairman, Scarcelli, Vice Chairman, Flynn, Secretary, Boies, Capitolo, Maxwell, Mills, Rubin, Schuster, Stank, Taylor, Trusio, Wargo, Anderson, J. H., Bosser, Elvey, Eshback, Manbeck, Piper, Steckel.

## MILITARY AFFAIRS

Needham, Chairman, Arlene, Vice Chairman, Anderson, S. A., Secretary, Capitolo, Crossin, Kamyk, Limper, Long, Wm. Jos., McKeever, Meholchick, Mihm, Scarcelli, Shupnik, Adams, George, May, Ogilvie, Price, Snare, Stiteler.

## MINES AND MINERAL INDUSTRIES

Rovanseck, Chairman, Bonner, Vice Chairman, Murphy, Secretary, Crossin, Kornick, McDonald, Meholchick, Needham, Stank, Verona, Buchanan, Dennison, Ewing, Knecht, Varner.

## MOTOR VEHICLES

Limper, Chairman, McLaughlin, Vice Chairman, Cianfrani, Secretary, Bachman, Capitolo, Cauley, Filo, Frascella, Kelly, Lawson, McNally, Renwick, Taylor, Dennison, Ewing, Gibb, Guthrie, Lippincott, Markley, O'Dell.

## MUNICIPAL CORPORATIONS

Polaski, Chairman, Gallagher, Vice Chairman, Capitolo, Secretary, Cauley, Cianfrani, Hankins, Jim, Jones, Klein, Long, Wm. James, McDonald, Riley, (one vacancy—Majority), Blair, Bowman, Bush, Fetterolf, Gibbons, Isaacs, May.



PROFESSIONAL LICENSURE

Boies, Chairman, Pashley, Vice Chairman, Shupnik, Secretary, Clarke, Fineman, Jones, Klein, Maxwell, McCormack, O'Donnell, J. P., Parlante, Perry, Schaaf, Haudenshield, King, Kooker, Piper, Simmons, Slack, Whittaker.

PUBLIC HEALTH AND SANITATION

Maxwell, Chairman, Monroe, Vice Chairman, Jones, Secretary, Bachman, Gray, Lawson, O'Donnell, J. A., O'Donnell, J. P., Polen, Sullivan, T. F., Blackenstoe, Fox, Henzel, Kistler, Kooker.

PUBLIC UTILITIES AND CORPORATIONS

Mills, Chairman, Cianfrani, Vice Chairman, Kramer, Secretary, Gallagher, Hamilton, Heavey, Luty, Maxwell, O'Donnell, J. A., Pashley, Taylor, Tomascik, Bossert, Guthrie, Heffner, Magee, Steckel, Thompson, Wall.

RAILROADS AND RAILWAYS

Taylor, Chairman, Schuster, Vice Chairman, Gallagher, Secretary, Arlene, Boies, Guesman, Long, Wm. Joseph, McDevitt, Shelton, (one vacancy—Majority), Isaacs, McInroy, Miller, H. G., Wall, Worley.

RULES

McCann, Chairman, Johnson, A. W., Andrews, Eilberg, Helm, Kamyk, Dougherty, Musto, Petrosky, Tompkins.

STATE GOVERNMENT

Fineman, Chairman, Foerster, Vice Chairman, Pashley, Secretary, Anderson, S. A., Kramer, Luty, McCormack, Perry, Polaski, Polen, Reidenbach, Renwick, Rudisill, Donaldson, Price, Royer, Stimmel, Strausser, Williams, E. S., Wood.

TOWNSHIPS

Flynn, Chairman, Trusio, Vice Chairman, Farabaugh, Secretary, Bachman, Cooley, Fry, Jim, Jones, Kornick, Morley, Renwick, Rudisill, Verona, Eshback, Goodrich, Horst, Johnson, R. P., Korn, Odorisio, Wescott.

WAYS AND MEANS

Kamyk, Chairman, Frascella, Vice Chairman, McLaughlin, Secretary, Foerster, Heavey, Mihm, Morley, Munley, Musto, O'Donnell, J. P., Perry, Polen, Wargo, Davis, Ewing, Guthrie, Johnson, A. W., Ogilvie, Price, Royer.

WELFARE

Stone, Chairman, Munley, Vice Chairman, Bonner, Secretary, Anderson, S. A., Capano, Doughten, Kamyk, Lamb, Leonard, Long, Wm. Jos., Monroe, Mullen, Musto, Auker, Elvey, Markley, Miller, Ujobai, Weidner, Whittaker.

WORKMEN'S COMPENSATION

Capano, Chairman, Irvis, Vice Chairman, Sullivan, J. A., Secretary, Bonner, Branca, Cianfrani, Jenkins, Limper, McDevitt, McKeever, Rovasek, Tomascik, Welsh, Blair, Buchanan, Goldstein, J. H., Keiser, McInroy, Wescott, Zember.





# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., WEDNESDAY, MAY 31, 1961.

No. 54.

## SENATE

WEDNESDAY, MAY 31, 1961.

The Senate met at 3:30 p.m., Eastern Standard Time. The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. GEORGE A. SMITH, Pastor of St. Paul's Reformed Church, Fort Washington, offered the following prayer:

Let us pray.

Eternal God, Thou Who are the Maker and Ruler of all men, and Thou Who alone givest wisdom and understanding, we turn to Thee on this day as we once more set our minds to the tasks of responsible leaders of state. We recognize Thee as the Fountain of all light and truth and from Whom springeth all the good impulses of our being.

We acknowledge our responsibility as chosen representatives of the people, who have committed their hopes and aspirations to us as lawmakers. Make use ever conscious of our call to serve the public interest and welfare. Strengthen our sense of duty and our obligation. Lift us above the call of party and class and make us servants of all. Assist us to see beyond the limits of our own interest.

In times of doubt and questioning, gird our faith that we may learn, and give us courage to believe what we ought. Grant us boldness to examine what needs to be examined, and an insight to master any difficulty which would hinder the truth. May we be brave enough to consider the thoughts of others. Open our minds to new ideas, yet stabilize us to hold fast to old truths and high principle. Enlighten us with interpretations which breathe life and which may offer new wings to rise above the old order.

O Lord, our God, make us ever aware of Thy presence here, and of Thy judgment upon all of Thy children and their actions. In our weakness, make us strong and, in our errors, pardon us.

And now may all of our doings bring honor to ourselves and to Thy Holy Name. In the Name and Spirit of Christ, our Lord, Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr.

LANE, further reading was dispensed with, and the Journal was approved.

## COMMUNICATIONS FROM THE GOVERNOR

### APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 190 and 400.

## NOMINATIONS BY THE GOVERNOR

### REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

### JUSTICE OF THE PEACE

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Brane, 360 Saratoga Drive, Pleasant Hills, Pittsburgh, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Pleasant Hills, Allegheny County, to serve until the first Monday of January 1962, vice Glenn Crawford, resigned.

DAVID L. LAWRENCE

### JUSTICE OF THE PEACE

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edna J. Brown, McClellandtown, Fayette County, for appointment as Justice of the Peace in and for the Township of German, Fayette County, to serve until the first Monday of January 1962, vice Thomas J. Gillen, resigned.

DAVID L. LAWRENCE

### MEMBER OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE COLLEGE

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gerald T. Stanley, 321 Main Street, Belle Vernon, Fayette

County, for reappointment as a member of the Board of Trustees of California State College, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE STATE BOARD OF  
CHIROPRACTIC EXAMINERS

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gerhard F. Fortier, Export, Westmoreland County, for reappointment as a member of the State Board of Chiropractic Examiners, until July 15, 1964, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE STATE EMPLOYEES'  
RETIREMENT BOARD

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Louise M. John, 829 South High Street, West Chester, Chester County, for appointment as a member of the State Employees' Retirement Board, until her successor is appointed, vice Mrs. Grace M. Sloan, Clarion, resigned.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF  
PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earle D. McCrea, 52 Moran Street, Oil City, Venango County, for reappointment as a member of the Board of Trustees of Pennsylvania Soldiers' and Sailors' Home, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE STATE BOARD OF  
EXAMINERS OF ARCHITECTS

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clarence S. Thalheimer, 6820 North Verbena Avenue, Oak Lane, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Examiners of Architects, for the term of six years, and until his successor shall have been appointed and qualified, vice Walter Antrim, Philadelphia, resigned.

DAVID L. LAWRENCE

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 179** and **300**, which

were referred to the Committee on Agriculture.

He also presented for concurrence **HB 238**, which was referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 483** and **1017**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 650**, which was referred to the Committee on Judiciary General.

He also presented for concurrence **HB 758, 759, 760, 762, 770, 803** and **1192**, which were referred to the Committee on Appropriations.

He also presented for concurrence **HB 1085**, which were referred to the Committee on Public Health and Welfare.

UNANIMOUS CONSENT GRANTED FOR  
CONSIDERATION OF CALENDAR

Mr. WEINER. Mr. President, I now ask unanimous consent to dispense with the regular order of business and proceed to consideration of today's Calendar.

The PRESIDENT. There being no objection, the regular order of business is dispensed with and we will proceed to consideration of today's Calendar.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS,  
RECALLED FROM THE GOVERNOR

**HB 369**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to **HB 369**, recalled from Governor.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HB 638**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to **HB 638**, recalled from the Governor.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

**SB 172**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 172**.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

## YEAS—27

Berger,	Kalman,	Murray,	Staisey,
Camiel,	Lane,	Ripp,	Stevenson,
Devlin,	Mallery,	Rooney,	Stiefel,
DiSilvestro,	McCreesh,	Sarraf,	Wagner,
Donolow,	McGinnis,	Sesler,	Weiner,
Haluska,	McMenamin,	Seyler,	Yatron,
Hays,	Mullin,	Silvert,	

## NAYS—15

Bell,	Flack,	Propert,	Wade,
Chapman,	Keller,	Scott,	Ware, III,
Confair,	Kessler,	Shafer,	Wolfe,
Ehrgood,	Mahady,	Taylor,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## FINAL PASSAGE CALENDAR

## BILL OVER IN ORDER

**HB 508**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## THIRD READING CALENDAR

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 45**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bell,	Hawbaker,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,

DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,

## NAYS—2

Hays,	Mahady,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 67** and **SB 76**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 242**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 258**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—45

Bell,	Hawbaker,	Mullin,	Silvert,
Berger,	Kalman,	Murray,	Staisey,
Camiel,	Keller,	Pechan,	Stevenson,
Chapman,	Kromer,	Propert,	Stiefel,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mallery,	Sarraf,	Wade,
Donolow,	McCreesh,	Scott,	Wagner,
Ehrgood,	McGinnis,	Sesler,	Ware, III,
Flack,	McMenamin,	Seyler,	Weiner,
Fleming,	Miller,	Shafer,	Yatron,
Haluska,			

## NAYS—5

Hays,	Mahady,	Stroup,	Wolfe,
Kessler,			

A majority of all the Senators haveing voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Represntatives for concurrence.

#### BILL OVER IN ORDER

**SB 295**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 323**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
Donolow,	Madigan,	Sarraff,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Represntatives with information that the Senate has passed the same without amendments.

#### BILL RECOMMITTED

**HB 420**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Local Government.

#### BILL OVER IN ORDER

**HB 428**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 431**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Berger,	Hays,	Murray,	Stevenson,
Camiel,	Kalman,	Pechan,	Stiefel,
Chapman,	Keller,	Propert,	Stroup,
Confair,	Kessler,	Ripp,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,	Mullin,	Stalsey,	

#### NAYS—3

Bell, Lane, Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 448**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Bell,	Hawbaker,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Madigan,	Rooney,	Van Sant,
Devlin,	Mallery,	Sarraff,	Wade,
DiSilvestro,	McCreesh,	Scott,	Wagner,
Donolow,	McGinnis,	Sesler,	Ware, III,
Ehrgood,	McMenamin,	Shafer,	Weiner,
Flack,	Miller,	Silvert,	Wolfe,
Fleming,	Mullin,	Stalsey,	Yatron,
Haluska,			

#### NAYS—5

Hays, Lane, Mahady, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

**HB 451**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 455**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bell,	Hawbaker,	Mullin,	Stevenson,
Berger,	Hays,	Murray,	Stiefel,
Camiel,	Kalman,	Pechan,	Stroup,
Chapman,	Keller,	Propert,	Taylor,
Confair,	Kessler,	Ripp,	Van Sant,
Devlin,	Kromer,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraff,	Wagner,
Donolow,	Mallery,	Scott,	Ware, III,
Ehrgood,	McCreesh,	Sesler,	Weiner,
Flack,	McGinnis,	Seyler,	Wolfe,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Stalsey,	

#### NAYS—3

Lane, Mahady, Silvert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 469**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?



Mr. EHRGOOD. Mr. President, I trust at no time in the future will I ever have to get up here and say: "I told you so." However, I do think there are some matters concerning this bill which would indicate care by the Members of this Senate in voting for it. It takes away all restrictions and merely substitutes the prudent man rule for all investments.

I am sure that we are all aware of the fact that there is a great deal of speculation which is rampant. I am sure that we are all aware of the fact that many trust departments, in many of these various banks, are not as capable as are perhaps some in the larger cities. When you take away all the so-called legals,—the list—I believe you are opening up a situation which could lead to disaster for many small trusts.

I would like to point out that the creator of a trust, or a testator in his will, can voluntarily, by that trust instrument, go ahead and give the power to the trustee to invest in nonlegals.

By this bill, Mr. President, we are going ahead and putting the burden on the creator of a trust, or a testator, to do the opposite; to state that, well, he is more interested in the security of those trust funds instead of the income to those beneficiaries, and going ahead and perhaps making him put in restrictive language on the trustee.

I think this is a matter which we should carefully examine, particularly at this time with our stock market speculation.

Mr. President, I would hope that the Members of the Senate would vote "no" on this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Stalsey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Flack,	McCreesh,	Sesler,	Ware, III,
Fleming,	McGinnis,	Seyler,	Weiner,
Haluska,	McMenamin,	Shafer,	Wolfe,
Hawbaker,	Miller,	Silvert,	Yatron,
Hays,			

NAYS—1

Ehrgood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING, DEFEATED  
ON FINAL PASSAGE

SB 493—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:) Mr. BERGER. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. FLEMING. Mr. President, not having voted under a misapprehension, I still desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded. The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23

Bell,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Hawbaker,	Pechan,	Taylor,	

NAYS—27

Berger,	Hays,	Miller,	Seyler,
Camiel,	Kalman,	Mullin,	Silvert,
Devlin,	Lane,	Murray,	Stalsey,
DiSilvestro,	Mahady,	Ripp,	Stiefel,
Donolow,	McCreesh,	Rooney,	Weiner,
Fleming,	McGinnis,	Sarraf,	Yatron,
Haluska,	McMenamin,	Sesler,	

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL OVER IN ORDER

SB 544—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 555—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	Miller,	Stalsey,
Berger,	Hays,	Murray,	Stevenson,
Camiel,	Kalman,	Pechan,	Stiefel,
Chapman,	Keller,	Propert,	Stroup,
Confair,	Kessler,	Ripp,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,

NAYS—2

Mahady, Mullin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 556—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	Miller,	Stalsey,
Berger,	Hays,	Murray,	Stevenson,
Camiel,	Kalman,	Pechan,	Stiefel,
Chapman,	Keller,	Propert,	Stroup,
Confair,	Kessler,	Ripp,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,

Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,

Madigan,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—2

Mahady, Mullin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 557—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,

Hawbaker,  
Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—3

Mahady, Mullin, Stevenson,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 570—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

SB 582—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

SB 589—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING, DEFEATED  
ON FINAL PASSAGE

SB 616—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I am by no means opposed to the city manager plan for third class cities or any other municipalities. However, I feel that I must vote against this bill.

We have set up, in a different part of the Code, a method by which a third class city may move into a city manager plan and may change its form of government. In doing that, a referendum of the people in the community is required after a study commission has studied the problem and made recommendations.

I feel that this bill would make it possible for the city council of a third class city to set aside the will of the people as expressed in a referendum and create, by ordinance, the office of city manager, and endow him with whatever powers and duties they may wish.

Since this might well be a controverting of the will of the people as expressed in a referendum, I do not think that this is a desirable bill. Therefore, I shall vote "no" on it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—20

Bell,  
Berger,  
Chapman,  
Confair,  
Ehrgood,

Flack,  
Fleming,  
Keller,  
Kessler,  
Mallery,

McMenamin,  
Propert,  
Scott,  
Shafer,  
Stevenson,

Stroup,  
Van Sant,  
Wagner,  
Ware, III,  
Wolfe,

## NAYS—21

Camiel,  
Devlin,  
Donolow,  
Hays,  
Kalman,  
Lane,

Mahady,  
McCreesh,  
McGinnis,  
Miller,  
Mullin,

Ripp,  
Sarraf,  
Sesler,  
Seyler,  
Silvert,

Stalsey,  
Taylor,  
Wade,  
Weiner,  
Yatron,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.



## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 629**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

**SB 631**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—36

Berger,	Kalman,	Mullin,	Silvert,
Camiel,	Keller,	Murray,	Staisey,
Devlin,	Lane,	Ripp,	Stevenson,
DiSilvestro,	Mahady,	Rooney,	Stroup,
Donolow,	Mallery,	Sarrafa,	Van Sant,
Ehrgood,	McCreesh,	Scott,	Wagner,
Flack,	McGinnis,	Sesler,	Ware, III,
Haluska,	McMenamin,	Seyler,	Weiner,
Hays,	Miller,	Shafer,	Wolfe,

## NAYS—7

Bell,	Confair,	Propert,	Wade,
Chapman,	Kessler,	Taylor,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 715** and **716**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 731**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,

Donolow,	Mahady,
Ehrgood,	Mallery,
Flack,	McCreesh,
Fleming,	McGinnis,
Haluska,	McMenamin,
Hawbaker,	Miller,

Scott,
Sesler,
Seyler,
Shafer,
Silvert,

Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 856**—Read at length the third time and agreed to,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING AMENDED

**HB 869**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 301), page 2, line 18, by inserting after "the": minor, if emancipated or by the

Amend Sec. 2 (Sec. 304), page 3, lines 12 to 18, by striking out "an order of court is" in line 12 and all of lines 13 to 18, and inserting: the superintendent shall have advised the patient that he has the right to consult counsel of his own choosing and to apply to the court for a writ of habeas corpus if he oppose his further treatment, and if the patient shall by reason of tender years lack the judgment requisite to select counsel the superintendent shall refer the matter to the County Bar Association, Legal Aid Society, Lawyer Reference Service or similar group organized for the aid of persons needing legal assistance.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 870**—Read at length the third time and agreed to,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 874**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 875**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 876**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 970**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 1082**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 1086**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 1131**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

**HB 1139 and 1144**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

**HB 1146**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

**HB 1169**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

**HB 1371**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS ON SECOND READING

**HB 146 and SB 202**—Read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

BILL REREFERRED

**SB 202**—Upon motion of Mr. WEINER, seconded by Mr. SEYLER, and agreed to, the bill just read was referred to the Committee on Appropriations.

BILL OVER IN ORDER

**HB 208**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

**SB 224**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILL REREFERRED

**SB 224**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was referred to the Committee on Appropriations.

BILL ON SECOND READING

**HB 246**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

**SB 247**—Without objection, the bill was passed over in its order at the request of Mr. EHRGOOD.

BILLS ON SECOND READING

**SB 298, 317 and 318**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

**SB 333**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 350**—Mr. MAHADY. Mr. President, I request that Senate Bill No. 350 go over in its order. In connection with this request, I would like to read into the record an

extract from the Bulletin Washington Bureau by Anthony Day:

"United States Is Near Agreement On Joining River Compact."

I will not read the whole article to the Senate. However, the constitutionality of this bill is severely questioned by the Secretary of the Interior. He is demanding certain changes in connection with this compact before the Federal Government will consider it. Inasmuch as they have agreed, at least in principle, that the Federal Government will have a veto, this compact will have to be amended.

For that reason, I think we should wait to see the result of what is reduced to writing, as of the meeting held on May 27th in Washington. I think a little time and a little delay on this will not hurt and it will enable us to comply, rather than after we have adjourned to be without an amendment which is sufficient.

Mr. President, I would ask that this extract from the Philadelphia Bulletin be placed in the Legislative Journal.

The PRESIDENT. At the request of the gentleman from Westmoreland, Senator Mahady, the article will be spread upon the Legislative Journal.

U. S. Is Near Agreement  
On Joining River Compact

By ANTHONY DAY  
*Bulletin Washington Bureau*

Washington, May 27—The Kennedy Administration and some Democrats in Congress have reached tentative agreement on the Delaware River basin compact.

The agreement, which must yet be put in lawyers' language, would answer the objections to the compact raised by Secretary of the Interior Stewart L. Udall on April 13.

Udall said then the compact was unconstitutional because it made the states equal partners with the Federal Government in the plan to control and develop the water resources of the basin. Udall's position was that the states—Pennsylvania, New Jersey, Delaware and New York—might outvote the Federal Government.

U. S. to Get Veto

The tentative agreement entails writing into the compact bill in Congress a provision giving Federal Government veto power over any action taken by the five-man Delaware River Basin Commission.

Udall called on Sen. Joseph S. Clark (D-Pa.) yesterday for the first time since the April 13 meeting, when Clark accused Udall of abandoning the New Frontier by raising frivolous objections to the pact.

Clark, Udall and staff members attending for Reps. Francis E. Walter (D-Pa), House sponsor of the bill to give congressional approval to the pact, and Frank Thompson, Jr., (D-NJ) discussed in general terms the solution arrived at by the staff members and representatives of the Delaware River Basin Advisory Committee at a meeting May 10.

Clark is Optimistic

"I'm optimistic," Udall said after the meeting with Clark. Udall said the administration wanted the pact to go through, but with modifications.

Clark said he, too, was "optimistic."

"I don't want to seem too optimistic," he added. "I don't want to say we're out of the woods."

Clark said the agreement giving the Federal Government effective veto power over decisions by the commission could be written into the bill in Congress without amending the compact itself at all.

The Legislatures of New Jersey, Delaware and

New York have already approved the compact as written. It must still be passed by the Pennsylvania Senate.

The plan for developing the basin calls for expenditures of about half a million dollars. The Federal Government would have to put up most of that.

Mr. WEINER. Mr. President, I would like to point out to the Members of the Senate that this bill has now passed in New York, New Jersey and Maryland. We are the only State in the compact which has not passed this measure.

Also, the position that Secretary Udall took in the beginning has been changed. Congress is implementing this measure. I have been advised by the Governor that he has spoken to the Secretary, and he has advised me that he is now changing his position in this matter.

I am not saying that we should rush through this thing. However, I think we are the only State which has had the benefit of having the opportunity to see visually the material prepared by the Army and other people involved in this situation. I think if we are going to do this, we ought to do it now.

I would also like to point out that there cannot be any amendments to this act. It must be passed uniformly, as it has been by all of the other states.

Some of the people, I understand, who were opposed to this measure have now taken a different view of the thing and, although they are not throwing their hats into the air about it, they are not as violently opposed or opposing this measure as strongly as they were before.

Unless there is some real purpose for us not to do so, I would like to have us pass this measure as soon as possible and let the House work on it because it is going to take them a little while to get this measure passed.

This measure has been here for awhile. There have been hearings held in three different sections of the State by the Chairman, and I think that all of the people who want to have a say have done so or have taken a position. It is incumbent upon us to act on this thing. If we decide in this Body to vote against it, I think that is one thing. If we decide we are going to act on it, I think we ought to do so because our neighbors ought to at least know our attitude in this matter.

The PRESIDENT. Senator Weiner, are you objecting to the bill going over in its order?

Mr. WEINER. No, sir, I am not. I just wanted to get this on the record.

The PRESIDENT. There being no objection, the bill will go over in its order.

**SB 351**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

**HB 351**—Read at length the second time and agreed to. Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

**SB 353**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

**SB 373, 391 and 398**—Read at length the second time and agreed to,



Ordered, To be transcribed for a third reading.

#### BILL REREFERRED

**SB 398**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

#### BILL ON SECOND READING

**HB 408**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 410**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

**HB 430**—Mr. BERGER. Mr. President, I request that House Bill No. 430 go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I feel that we have discussed this matter quite a few times. I believe I previously stated that I have no objection to any amendments going into this bill, once it has reached the Third Reading Calendar. It has appeared on the Second Reading Calendar for quite some time. Therefore, I would like someone to advise me as to when we can look forward to working on, at least, addressing ourselves to the problem in this bill.

Mr. BERGER. Mr. President, this bill has not been on our Calendar as long as many other bills which still appear on it. It is a House Bill and I believe there are a number of amendments in contemplation to this bill. Although I know that Senator Weiner has assured us that we can offer them on Third Reading, nevertheless, we feel, at this time, that it would be well to have the bill go over in order until it can be thoroughly understood and studied by the Members of the Senate.

Mr. WEINER. Mr. President, would the gentleman please advise me whether we can look forward to working on this bill tomorrow sometime? Could we at least move it up to the Third Reading Calendar in order for us to proceed on this measure?

Mr. BERGER. Mr. President, I could not so advise the gentleman because I do not know it to be a fact, nor do I know otherwise.

Mr. WEINER. I give up, Mr. President.

Mr. SEYLER. Mr. President, I would just like to tell Senator Berger that I do not know how long this bill has been here, in comparison with what other bills he has in mind. However, this bill did appear on the Calendar on May 2, 1961. That means its first monthly anniversary is soon due. I would, therefore, say that is a relatively long time for people to consider this measure.

I would add my pleas to those of Senator Weiner's that we get as early action as possible, although I, too, give up.

Mr. BERGER. Mr. President, I did not ask for abject surrender, although I appear to have received it. However, I would point out that House Bill No. 715 and House Bill No. 716, which are bills that are very important to a great many people in this Commonwealth, have been on the Calendar longer than House Bill No. 430 has been on.

Mr. WEINER. Mr. President, I do not wish to debate this measure, but I think House Bill No. 715 and House

Bill No. 716 have only appeared on the Calendar for a few weeks, whereas this measure came to us on about April 18, 1961. It was referred to committee and remained in committee for a number of weeks. We even discussed it before it came out of committee. If you want to get into this matter, House Bill No. 715 and House Bill No. 716 have a certain amount of money involved in them. It is our hope, after we insert our amendments tomorrow, to pass these measures.

I wonder whether I can receive that kind of an answer on House Bill No. 430.

Mr. BERGER. Mr. President, I believe that I gave the gentleman an answer. However, this is the first time when I received an affirmative assurance on House Bill No. 715 and House Bill No. 716, although for the past two weeks there has been mention made that we hope tomorrow we would be able to have the answer. I hope that tomorrow we will have the answer.

The PRESIDENT. There being no objection, the bill will go over in its order.

**SB 441**—Mr. DONOLOW. Mr. President, I request that Senate Bill No. 441 go over in its order for the purpose of permitting me to get the rest of my amendments and to be in a position to discuss them.

The PRESIDENT. There being no objection, the bill will go over in its order.

#### BILLS ON SECOND READING

**HB 452** and **SB 472**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 473**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**HB 484**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

**HB 484**—Upon motion of Mr. WEINER, seconded by Mr. DEVLIN, and agreed to, the bill just read was re-committed to the Committee on State Government.

#### BILL ON SECOND READING

**SB 498**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL REREFERRED

**SB 498**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

#### BILL ON SECOND READING

**SB 503**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL REREFERRED

**SB 503**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

## BILLS ON SECOND READING

**HB 503, SB 508, 509, 511 and 522**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 522**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 527 and 535**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

**SB 538**—Read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. SESLER. Mr. President, I would like to comment briefly on the import of this bill.

This bill would require contractors, who provide any new facility to a public utility, to furnish performance bonds without defining exactly the extent of the facility or the equipment to be provided.

The justification of this bill is based supposedly on the fact that it would prevent a serious default, which would result in a loss to the public utility and, of course, a consequential loss to the public. In effect, Mr. President, I think this bill would impose an enormous burden on the consumers of Pennsylvania, without consequential benefit.

Let me point out an example. A survey, made by one large utility here in Pennsylvania, indicates that in 1960 it had contracts, which would come within the purview of this Act, totaling \$12,000,000; that is, contracts in excess of \$5,000 which were subject matters which would provide new facilities for the utility. Moreover, a study of three years of this one utility indicates they entered into contracts of at least a value of approximately \$40,000,000.

The cost of the performance bonds alone—which roughly would average about one per cent—during this provided with the equipment, in 1960, to the extent of three-year period, for one utility in Pennsylvania, would be \$400,000. That is not to mention, in this case, utilities also provided with the equipment, in 1960, to the extent of \$30,000,000, which possibly might be included in this bill, too, under its present definitions. Let me further point out that during the same three-year period, the particular utility I am speaking about has not suffered one single dollar's worth of loss due to default in any of the performance of its contracts. Most of the utilities rely on very reputable contractors, with whom they have had long experience. I should estimate that the minimum conservative cost of this bill each year to the utilities would be in excess of two and one-half million dollars.

Let us face the fact, Mr. President, that the contractor pays for this bond, but necessarily includes it in his contract price which, of course, is ultimately passed on to the consumer who is buying the services of the utility.

For this reason, Mr. President, I think it is extremely poor legislation and I ask this Senate to give its negative consideration to it.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

**HB 574, 576 and 578**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 579**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON SECOND READING

**HB 580, 581, SB 583, HB 584, 585, 587, 588 and 589**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 593**—Without objection, the bill was passed over in its order at the request of Mr. WADE.

## BILL ON SECOND READING

**HB 607**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 611 and 613**—Without objection, the bills were passed over in their order at the request of Mr. SEYLER.

## MEETING OF COMMITTEE ON APPROPRIATIONS

Mr. WEINER. Mr. President, at this time the Committee on Appropriations would like to hold a meeting. I might suggest that the rest of the Senate continue with consideration of the Second Reading Calendar as I think there are very able people handling this and there will be no problem about it.

The PRESIDENT. Hearing no objection, there will now be a meeting of the Committee on Appropriations and the Senate will continue with consideration of the Calendar.

## SECOND READING CALENDAR

## BILLS OVER IN ORDER

**HB 639 and 680**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**SB 693**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

## REMAINING BILLS ON SECOND READING CALENDAR OVER IN ORDER

All remaining bills on today's Second Reading Calendar were passed over in their order at the request of Mr. BERGER.

## REGULAR ORDER OF BUSINESS RESUMED

Mr. WEINER. Mr. President, I now request that we revert to the regular order of business, which I believe is Reports from Committees.

The PRESIDENT. At the request of the Majority Leader, the Senate will now revert to the regular order of business of today's Session.



## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

### JUDGE, COURT OF COMMON PLEAS

May 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jacob Schiffman, Esq., 146 Charles Street, Wilkes-Barre, Luzerne County, for appointment as Judge of the Court of Common Pleas of the Eleventh Judicial District of Pennsylvania, composed of the County of Luzerne, until the first Monday of January 1962, vice Hon. John J. Aponick, deceased.

DAVID L. LAWRENCE.

### MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Warren B. Watson, Durham Road, Mechanicsville, Bucks County, for reappointment as a member of the Navigation Commission for the Delaware River and Its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

### MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE COLLEGE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard J. Kelley, 610 East Vernon Road, Philadelphia, Philadelphia County, for reappointment as a member of the Board of Trustees of Bloomsburg State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

### MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE COLLEGE

May 9, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Allan K. Grim, R. D. 3, Kutztown, Berks County, for appointment as a member of the Board of Trustees of Kutztown State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified, vice Elroy P. Master, Robesonia, whose term expired.

DAVID L. LAWRENCE.

### MEMBER OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Catherine E. Hinchey, 417 Locust Avenue, Centralia, Columbia County, for appointment as a member of the Board of Trustees of Ashland State Hospital, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Joseph F. Hinchey, Jr., Centralia, deceased.

DAVID L. LAWRENCE.

### MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Margaret A. Neuber, 121 West Fairmont Avenue, State College, Centre County, for appointment as a member of the Board of Trustees of Laurelton State Village, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Dr. Duane Ramsey, University Park, resigned.

DAVID L. LAWRENCE.

### MEMBER OF THE BOARD OF TRUSTEES OF PHILIPSBURG STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph H. Britton, 525 North McKee Street, State College, Centre County, for appointment as a member of the Board of Trustees of Philipsburg State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Joseph M. Porter, State College, resigned.

DAVID L. LAWRENCE.

### MEMBERS OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Wernersville State Hospital:

Frank E. Wert, 143 Tulpehocken Street, West Reading, Reading, Berks County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Mrs. Edith B. Krohn, 1330 Oak Street, Lebanon, Lebanon County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

### MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate R. P. Summers (Democrat), 533 Stewart Street, Bellwood, Blair County, for appointment as a member of the Blair County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice A. A. Schoch, Altoona, resigned.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

May 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jack R. Bacot, 125 East Fifth Street, Emporium, Cameron County, for appointment as Justice of the Peace in and for the Borough of Emporium, Cameron County, to serve until the first Monday of January 1962, vice Mrs. Sadie A. Hutt, deceased.

DAVID L. LAWRENCE.

#### BILLS INTRODUCED AND REFERRED

Messrs. STEVENSON, MALLERY, HAYS, LANE and HALUSKA presented to the Chair **SB 701**, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law," further regulating notice given to delinquent taxables.

Which was committed to the Committee on Local Government.

Messrs. BELL, WARE and SESLER presented to the Chair **SB 702**, entitled:

An Act amending the act of July 20, 1917 (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing the fees in certain cases.

Which was committed to the Committee on Judiciary General.

Mr. BELL (by request) presented to the Chair **SB 703**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," limiting the amount by which taxes may be increased in a fiscal year by joint and union districts and providing for the consent of the electorate in certain cases.

Which was committed to the Committee on Education.

Messrs. DEVLIN, RIPP, SESLER and SARRAF presented to the Chair **SB 704**, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," prohibiting the use of certain names.

Which was committed to the Committee on Corporations.

They also presented to the Chair **SB 705**, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," prohibiting the use of certain names.

Which was committed to the Committee on Corporations.

They also presented to the Chair **SB 706**, entitled:

An Act amending the act of July 11, 1957 (P. L. 783), entitled "Fictitious Corporate Name Act," prohibiting the use of certain names.

Which was committed to the Committee on Corporations.

They also presented to the Chair **SB 707**, entitled:

An Act amending the act of May 24, 1945 (P. L. 967), entitled "Fictitious Name Act," prohibiting the use of certain names.

Which was committed to the Committee on Corporations.

Mr. DEVLIN, on behalf of Messrs. HAYS, SESLER, KALMAN, ROONEY and SEYLER presented to the Chair **SB 708**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for apportionment of rental obligations in certain cases.

Which was committed to the Committee on Education.

#### PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, the bill I am about to introduce would make it a crime to maliciously loiter in or around any public school building, or upon land or premises of any school district in the Commonwealth. The penalty would be a fine of not more than fifty dollars, or imprisonment not exceeding thirty days.

The request for this legislation has come from the city of Philadelphia, which apparently has a serious problem with persons loitering in and about school buildings with malicious intent toward school students or teachers.

This bill has been approved by the Department of Public Instruction.

Mr. President, on behalf of Senator McCreesh, Senator Mullin and myself, I am presenting this bill to the Chair.

#### BILLS INTRODUCED AND REFERRED

Messrs. SILVERT, McCREESH and MULLIN presented to the Chair **SB 709**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prescribing penalties for loitering on property of school districts of the Commonwealth.

Which was committed to the Committee on Judiciary General.

Messrs. SILVERT, WEINER, McCREESH and MULLIN presented to the Chair **SB 710**, entitled:

An Act amending the act of October 14, 1959 (P. L. 1314), entitled "An act to regulate and establish the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace, and the municipal court of Philadelphia, in counties of the first class," providing that the provisions of the act be subject to certain limitations.

Which was committed to the Committee on Judiciary General.

Mr. MAHADY presented to the Chair **SB 711**, entitled:



An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding new routes in Westmoreland County.

Which was committed to the Committee on Highways. He also presented to the Chair **SB 712**, entitled:

An Act making an appropriation for the preparation of the history of the Eighteenth Division in World War II, and creating a commission for such purpose.

Which was committed to the Committee on Appropriations.

Messrs. STAISEY and ROONEY presented to the Chair **SB 713**, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law," authorizing adoption of a system for qualification of competent and responsible bidders on highway projects.

Which was committed to the Committee on Highways.

Messrs. STAISEY and YATRON presented to the Chair **SB 714**, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or nontidal waters of any river within the Commonwealth . . ." removing the requirement that metallic plates shall be issued.

Which was committed to the Commission on Forests and Waters, Game and Fish.

Messrs. MILLER, YATRON, HALUSKA and KALMAN presented to the Chair **SB 715**, entitled:

An Act amending the act of June 1, 1931 (P. L. 299), entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax, separately from the price of such liquid fuels, on liquid fuel price display signs; and imposing a penalty," changing provisions relating to posting of signs.

Which was committed to the Committee on Law and Order.

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, I wish to introduce four bills. The first bill is introduced jointly by Senator Seyler and myself, and we present that without comment.

The other three bills grow out of the Governor's Committee on Education. One of them deals with a guidance program, another with research, and the third is what probably should be called the subsidy bill.

This bill attempts to write into legislation at least three concepts developed by the Governor's Committee. It was hoped that the new equalization subsidy formula might be simpler than the existing one, and this has been attempted in this bill. There is sort of a rumor around the State that there are only three people who understand the present formula and they are getting old, and perhaps we should get a simpler formula. This, I think, is slightly simpler.

The second concept is that teachers are the most important part of the school program. Many of us in school work have held this over the years. Colleges of education

and teachers' organizations, by and large, hold to this particular concept. In writing this legislation, I believe an attempt was made to have the State recognize that the teacher is the center of a good school program and, therefore, reimburse school districts somewhat on their ability to pay teachers adequately and, in this way, attract better teachers.

The third concept is that the State and local share, over the State as a whole, should be divided about fifty-fifty. There is nothing magic about the term "fifty-fifty." However, this is a concept that the Governor's Committee reached rather early in its deliberations, and this bill attempts to carry out that concept.

This committee had to look not only to 1961, but all through the Sixties. Therefore, this bill attempts to set a trend for the 1960's.

From about 1940 or 1945 to 1960, the State has picked up an increasingly larger proportion of the cost of local education until it is now somewhere around fifty per cent. Therefore, the committee had to face the problem of whether this trend was to continue through the Sixties, or whether the fifty-fifty was a good basis. This, of course, will have to be determined by each one of us.

As far as I am concerned, if the House of Representatives sends to this Body a bill to have the local districts pay but forty per cent and they have a tax program to support that, or some number less than fifty per cent, I will support such legislation.

I think the Members of the Senate and the people of Pennsylvania now have two obligations concerning this subsidy bill. First of all, do you agree on these three principles that the subsidy might be simpler, that the teacher should be given a prominent place in reimbursement, and, third, whether or not this is a fair place for the State and local share on a State-wide basis—and we are not talking about any individual district—to split the cost? You have to decide whether you believe in these three concepts. Then, it seems to me, your next job is to try to study and see if this bill does these three things.

It is my hope that the fifty Senators will study this carefully and will come to some conclusion on these matters, and will be willing to accept the proposition to vote on this matter in the next thirty days.

I now present these three bills, under the sponsorship of the Members of the Select Committee on Education and others.

BILLS INTRODUCED AND REFERRED

Messrs. HAYS and SEYLER presented to the Chair **SB 716**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," clarifying and changing provisions relating to social studies curriculum.

Which was committed to the Committee on Education.

Messrs. HAYS, SEYLER, SILVERT, WAGNER, SHAFFER, STROUP and KALMAN presented to the Chair **SB 717**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the fiscal year of school districts, changing the basis of reimbursement to school districts, providing for payments on account of handicapped and gifted children and for the

discontinuance of certain other payments to school districts.

Which was committed to the Select Committee on Education.

Messrs. HAYS, SEYLER, WAGNER, SHAFER, SILVERT and STROUP presented to the Chair **SB 718**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing for the establishing of policies and standards for programs of guidance counseling in the public schools and community colleges of the Commonwealth, for associated testing programs, and for training and certification of guidance counselors, granting certain powers and duties to the State Council of Education and the Department of Public Instruction, and providing for an Advisory Committee on Guidance and Counseling, and making an appropriation.

Which was committed to the Select Committee on Education.

They also presented to the Chair **SB 719**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," establishing an Educational Research and Development Fund, granting certain powers and duties to the State Council of Education, and making an appropriation.

Which was committed to the Select Committee on Education.

## REPORTS FROM COMMITTEE

Mr. McGINNIS, by unanimous consent, from the Committee on Appropriations, reported, as committed, **SB 572**, **HB 758**, **759**, **760**, **762**, **770**, **803** and **1192**; and rereported, as committed, **SB 23** and, as amended, **SB 20**.

## EXECUTIVE NOMINATIONS

### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. LANE, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

### NOMINATIONS TAKEN FROM TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT. The Clerk will read the nominations. The nominations were read by the Clerk as follows:

### JUDGE, COURT OF COMMON PLEAS

May 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jacob Schiffman, Esq., 146 Charles Street, Wilkes-Barre, Luzerne

County, for appointment as Judge of the Court of Common Pleas of the Eleventh Judicial District of Pennsylvania, composed of the County of Luzerne, until the first Monday of January 1962, vice Hon. John J. Aponick, deceased.

DAVID L. LAWRENCE

### MEMBER OF THE NAVIGATION COMMISSION FOR DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Warren B. Watson, Durham Road, Mechanicsville, Bucks County, for reappointment as a member of the Navigation Commission for the Delaware River and Its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

### MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE COLLEGE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard J. Kelley, 610 East Vernon Road, Philadelphia, Philadelphia County, for reappointment as a member of the Board of Trustees of Bloomsburg State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE

### MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE COLLEGE

May 9, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Allan K. Grim, R. D. 3, Kutztown, Berks County, for appointment as a member of the Board of Trustees of Kutztown State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified, vice Elroy P. Master, Robesonia, whose term expired.

DAVID L. LAWRENCE

### MEMBER OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Catherine E. Hinchey, 417 Locust Avenue, Centralia, Columbia County, for appointment as a member of the Board of Trustees of Ashland State Hospital, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Joseph F. Hinchey, Jr., Centralia, deceased.

DAVID L. LAWRENCE

### MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

May 22, 1961.



To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Margaret A. Neuber, 121 West Fairmount Avenue, State College, Centre County, for appointment as a member of the Board of Trustees of Laurelton State Village, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Dr. Duane Ramsey, University Park, Resigned.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF  
PHILIPSBURG STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph H. Britton, 525 North McKee Street, State College, Centre County, for appointment as a member of the Board of Trustees of Philipsburg State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Joseph M. Porter, State College, resigned.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF  
WERNERSVILLE STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Wernersville State Hospital:

Frank E. Wert, 143 Tulpehocken Street, West Reading, Reading, Berks County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Mrs. Edith B. Krohn, 1330 Oak Street, Lebanon, Lebanon County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BLAIR COUNTY BOARD OF  
ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate R. P. Summers (Democrat), 533 Stewart Street, Bellwood, Blair County, for appointment as a member of the Blair County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice A. A. Schoch, Altoona, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

May 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jack R. Bacot, 125 East Fifth Street, Emporium, Cameron County, for appointment as Justice of the Peace in and for the Borough of Emporium, Cameron County, to serve until the first Monday of January 1962, vice Mrs. Sadie A. Hutt, deceased.

DAVID L. LAWRENCE

On the question,

Will the Senate advise and consent to the nominations? The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCresh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 572, HB 758, 759, 760, 762, 770, 803 and 1192.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS  
THURSDAY, JUNE 1, 1961

Eastern Daylight Saving Time	Committee	Room
9:00 A.M.	Labor and Industry	535
9:45 A.M.	Highways	542
10:30 A.M.	Judiciary General	535
Republican Caucus .....	11:00 A.M. D.S.T.	

NOTICE

The Committee on Banking will hold a Public Hearing in the Senate Majority Caucus Room at ten o'clock a.m., D.S.T., June 7, 1961, on Senate Bill 375, regulating collection agencies.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Thursday, June 1, 1961, at 10:30 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:34 p.m., Eastern Standard Time.





# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., THURSDAY, JUNE 1, 1961.

No. 55.

## SENATE

THURSDAY, JUNE 1, 1961.

The Senate met at 10:30 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. GEORGE A. SMITH, Pastor of St. Paul's Reformed Church, Fort Washington, offered the following prayer:

Almighty God, Creator and Father, in Whom we live and move and have our being, in this morning hour we seek Thy divine blessing as we begin another day of deliberation in these halls of government. We acknowledge our dependence on Thee at all times, beseeching Thee now to look upon us and hear our prayer.

For all Thy bountiful providence we thank Thee. We thank Thee for our fair land, for our heritage of freedom, for all public servants who cherish the principles of honor and integrity, for those noble impulses which prompt us to seek the good of all, and for the duties with which these, Thy servants, have been entrusted.

We remember that Thou hast warned us that Thou dost require much of those to whom much is given. Grant, we pray Thee, that we may strive here to give ourselves unselfishly to the cause of good government. Deliver us from blindness and prejudice, and from whatever else might turn our best intentions away from the right and the true. Take from us all pride and vanity, and grant that we may be filled with that true charity which shows itself in an honest concern for all men.

Eternal God, may all of our actions today bring glory to this Commonwealth and honor to ourselves. May the cause of truth and justice and mercy prevail in this august Body now and always. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. DONOLOW, further reading was dispensed with, and the Journal was approved.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the

Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

ALDERMAN

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur W. Harper, 1265 Straka Street, Pittsburgh 4, Allegheny County, for appointment as Alderman in and for the Twenty-eighth Ward of the City of Pittsburgh, Allegheny County, to serve until the first Monday of January 1962 vice Clarence H. Stein, resigned.

DAVID L. LAWRENCE.

## BILL SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bill: **SB 172.**

## REPORTS FROM COMMITTEES

Mr. HAYS, from the Select Committee on Education, reported, as committed, **SB 646.**

Mr. RIPP, from the Committee on Highways, reported, as committed, **SB 541, 667, 713 and HB 1225.**

Mr. MURRAY, from the Committee on Labor and Industry, reported, as committed, **SB 514, 636 and HB 739;** as amended **HB 442, 718, 980 and 1174.**

## RESOLUTION REPORTED FROM COMMITTEE

Mr. MURRAY, from the Committee on Labor and Industry, reported, without amendment, **House Concurrent Resolution No. 24**, entitled:

General Assembly Urgently Requests All Agencies to Utilize Labor and Materials to Alleviate Unemployment in Depressed Areas.

The PRESIDENT. The resolution will be placed on the Calendar.

## REPORTS FROM COMMITTEE

Mr. KALMAN, from the Committee on Judiciary General, reported, as committed, **SB 222, 322, 547, 639, HB 29, 873, 987 and 994;** as amended, **SB 525.**

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency

the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

**MEMBERS OF THE BOARD OF TRUSTEES OF  
ASHLAND STATE HOSPITAL**

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Ashland State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

John F. Barrett, 510 Jefferson Street, Pottsville, Schuylkill County.

William M. Brennan, 400 North Delaware Avenue, Minersville, Schuylkill County.

DAVID L. LAWRENCE.

**SENATE RESOLUTION**

**CONGRATULATIONS OF THE SENATE EXTENDED TO  
CHARLES W. ETTINGER**

MESSRS. ROONEY, VAN SANT, BERGER, SCOTT and WEINER offered the following resolution (Serial No. 63), which was read, considered and adopted:

In the Senate, June 1, 1961.

On Saturday, June 3, 1961, Muhlenberg College in Allentown will honor one of the distinguished members of the press and a renowned member of the Board of Governors of the Pennsylvania Legislative Correspondents' Association. On that day, at the All-Alumni Luncheon which is being held in conjunction with the various class reunions, Charles W. Ettinger will receive the Muhlenberg Alumni Achievement Award.

Mr. Ettinger, who is known to all the people in the Lehigh Valley as the "Roving Reporter," will be one of five men honored. His award will be for his attainment in his chosen field and for service to the people as a reporter and writer.

Charlie has been a reporter and journalist for over fifty years. He is a firm believer in the peoples right to know, and upon the attainment of his 70th birthday three years ago, congratulations were bestowed upon him by many of the high State officials. His fellow newsmen also showed their respect for Mr. Ettinger by awarding him the "Page One Award" a few years back. In 1958, Governor Leader awarded him a special certificate for the outstanding work he performed in farm and home safety education.

The Alumni of Muhlenberg are proud to have such a distinguished graduate as Charles W. Ettinger. The class of 1907 is also proud to list him as a classmate, but we here in the Senate are proud that such a capable man works with us; therefore be it

**RESOLVED**, That the Senate of Pennsylvania congratulate Charles W. Ettinger upon his being selected as the recipient of the Muhlenberg Alumni Achievement Award for 1961; and be it further

**RESOLVED**, That the Senate also congratulate Muhlenberg College upon selecting a man that we all feel richly deserves the award; and be it further

**RESOLVED**, That one copy of this resolution be forwarded to Charles W. Ettinger and his wife, Marjorie, at 2370 W. Emmaus Avenue, Allentown, Pennsylvania and one to the Alumni Office of Muhlenberg College, Allentown, Pennsylvania.

**SENATE CONCURRENT RESOLUTION**

**REQUESTING THE ESTABLISHMENT OF A COMMISSION TO BE KNOWN AS THE UNITED STATES CONSTITUTION 175th ANNIVERSARY COMMISSION OF PENNSYLVANIA**

Messrs. WEINER, DiSILVESTRO, BERGER and LANE

offered the following resolution (Serial No. 121), which was read, considered and adopted:

In the Senate, June 1, 1961.

**RESOLVED** (The House of Representatives concurring), That there is hereby established a Commission to be known as The United States Constitution 175th Anniversary Commission of Pennsylvania (hereinafter referred to as the "Commission"), for the celebration of the 175th anniversary of the adoption of the Constitution, and to be composed of six commissioners as follows: The Governor of Pennsylvania, the President of the Senate and the Speaker of the House of Representatives ex-officio; two persons to be appointed by the Governor; two Senators to be appointed by the President pro tempore of the Senate; and two Representatives to be appointed by the Speaker of the House of Representatives; and be it further

**RESOLVED**, The commissioners shall receive no compensation for their services, but shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties; and be it further

**RESOLVED**, The Commission shall select a Chairman and appoint a State Director who shall appoint, with the approval of the Commission, such assistants and subordinates as he deems necessary; and be it further

**RESOLVED**, That it shall be the duty of the commissioners, after promulgating to the people in address relative to the reason of its creation and its purpose, to prepare a plan or plans and a program for the adequate celebration of the 175th anniversary, and to give due and proper consideration to any plan or plans which may be submitted to them; and to take such steps as may be necessary in the coordination and correlation of plans prepared by the National Commissioners and by the various local Commissions to be established within the State, or by the several bodies that may be created under appointment by the Governor and by representative civic bodies; and be it further

**RESOLVED**, That the Commission shall make a report at its earliest convenience to the General Assembly of the Commonwealth of Pennsylvania; and be it further

**RESOLVED**, That the Commission may receive from any source contributions to aid in carrying out the general purpose of this resolution, but the same shall be explained and accounted for in the same manner as any preparation which may be made in the authority of this act.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

**PERMISSION TO ADDRESS SENATE**

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the resolution I am about to present aims at paying tribute to two great Pennsylvania newspapers; namely, the Lancaster Sunday News and the Allentown Sunday Call-Chronicle.

Here in Pennsylvania, there exists a complete apathetic attitude toward preparation for the celebration of the Civil War Centennial. Our great newspapers have not yet taken up the cudgels and even the State Government is not rising to the necessary height in making this celebration attractive to all Americans. After all, the Gettysburg Battlefield is located on the soil of Pennsylvania and, come 1963, there will be tourists and pilgrims coming here from all over the United States. Yet, the great Commonwealth of Pennsylvania is very lackadaisical in doing anything about preparing for the celebration of the Centennial.

Now, as a refreshing deviation from this apathy, come two beautiful Sunday newspaper editions in which all the phases of the Civil War are portrayed. More than that, the contribution of Pennsylvania is especially reflected.



After all, this was the arsenal of the Union, and these two newspaper editions have amply reflected it.

Therefore, Mr. President, to pay homage to the Lancaster and Allentown newspapers, on behalf of Senator Kessler and myself,—and I do not see Senator Van Sant or I would ask him to join us—I am about to offer this resolution and ask for its immediate adoption.

### SENATE RESOLUTION

#### COMMENDING THE LANCASTER SUNDAY NEWS AND THE ALLENTOWN SUNDAY CALL-CHRONICLE

Messrs. STIEFEL and KESSLER offered the following resolution (**Serial No. 64**), which was read, considered and adopted:

In the Senate, June 1, 1961.

WHEREAS, the commemoration of the centennial of the great conflict which saved the American Nation from disruption is of particular importance to Pennsylvania as the State whose contribution of men, supplies and financial support played an all-important part in the success of the National cause, and as the State in which the decisive battle of Gettysburg was fought; and

WHEREAS, The various newspapers of the Commonwealth are taking a splendid part in the commemoration of this centennial by publishing special feature articles and special feature sections which are helping to make the people of Pennsylvania aware of the significance of this great centennial period; and

WHEREAS, Among these newspapers we note with special interest the fine supplement on The Civil War and Central Pennsylvania produced by the Lancaster Sunday News, and a special feature of the Allentown Sunday Call-Chronicle on the First Defenders, both of which appeared on April 9, 1961, therefore, be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania hereby commends the Lancaster Sunday News and the Allentown Sunday Call-Chronicle for their excellent presentation of research and pictorial material bringing out the significance of Pennsylvania's part in the Civil War, and directs that copies of this resolution be sent to each of these newspapers; and, be it further

RESOLVED, That the Senate also commends all the newspapers of the Commonwealth which have devoted attention and space to news and interpretative material relating to the centennial of the Civil War.

### BILLS INTRODUCED AND REFERRED

Messrs. KELLER and STIEFEL, by unanimous consent, presented to the Chair **SB 720**, entitled:

An Act making an appropriation to the Delaware Valley College of Science and Agriculture at Doylestown, Pennsylvania.

Which was committed to the Committee on Appropriations.

They also, by unanimous consent, presented to the Chair **SB 721**, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," empowering the Authority to construct additions and improvements to specialized colleges of science and/or agriculture receiving State aid; authorizing contracts to lease and leases by the Department of Public Instruction from the Authority of any additions or improvements to specialized colleges of science and/or agriculture receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

Which was committed to the Committee on State Government.

Mr. PROPERT, by unanimous consent, presented to the Chair **SB 722**, entitled:

An Act regulating the suspension, removal, furloughing and reinstatement of county detectives in certain third class counties.

Which was committed to the Committee on Local Government.

### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, this bill may seem of little significance, but I expect to be cursed and praised for it. It is a very highly debatable bill.

Each year, each week and each day, we see thousands upon thousands of children from Pennsylvania coming to visit our State Capitol. I always question the impression of these children when they see the statuary at the entrance to the State Capitol. Do they understand it? Does it convey any impression on them? What does it purport to show? After all, it is a great present to the Commonwealth of Pennsylvania from a famous sculptor, George Grey Barnard. However, Mr. President, I do not believe this is the place for these figures. You need ten interpreters in order to explain what these figures mean. I do not know and I doubt whether the children know.

Therefore, Mr. President, I am introducing a bill which provides for the removal of that statuary. By this, I do not mean to destroy it, but to put it somewhere else on the State Capitol and not at the entrance to the State Capitol of Pennsylvania.

Since we are about to celebrate the centennial of the Civil War, it is my suggestion in this bill that on the one side there should be erected a bronze figure of Lincoln and, on the other side a figure of Governor Curtin. That would be an adequate commemoration of the Civil War on the part of Pennsylvania.

### BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and LANE, by unanimous consent, presented to the Chair **SB 723**, entitled:

An Act relating to statuary on the grounds of the State Capitol, and providing an appropriation therefor.

Which was committed to the Committee on Historical Preservation.

Mr. STIEFEL, by unanimous consent, presented to the Chair **SB 724**, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

Which was committed to the Committee on State Government.

Mr. ROONEY, by unanimous consent, presented to the Chair **SB 725**, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law," authorizing acquisition and property necessary for present or future highway purposes, designating certain functions as highway purposes and regulating procedure for such acquisition and the payment thereof.

Which was committed to the Committee on Highways.

Messrs. HAYS and WAGNER, by unanimous consent, presented to the Chair **SB 726**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the use of moneys in the State School Fund of Pennsylvania for making grants to certain school districts.

Which was committed to the Committee on Education.

### PERMISSION TO ADDRESS SENATE

Mr. DONOLOW asked and obtained unanimous consent to address the Senate.

Mr. DONOLOW. Mr. President, last Wednesday in one of the great Philadelphia newspapers, there was a release from the Attorney General of Pennsylvania, which attacked me personally.

Mr. President, I have been a Member of this Senate—I am going on my second term—for a period of some seven years. I never found it necessary to take this floor and personally respond to an attack upon me by any Member of the Cabinet or any State official.

I am not thin-skinned, Mr. President. I can take criticism. I have taken a great deal of criticism in my short life, and I shall continue to take more. I certainly never become offended by criticism because we in public life, when we run for public office and when we are elected, give the people of Pennsylvania, the people of our communities, the people of this Country, and the newspapers a license to criticize us, whether expressed or implied, and we must accept it. However, wrongful criticism and criticism by one who should know better, in my opinion, should not go unanswered.

Sister Alpern is a wonderful Attorney General. I would say that Sister Anne has been about one of the best we have had. She is a fine and gracious woman, with a great deal of ability. I do not know her record for success as Attorney General. I do know that she opened the door slightly at Barnes, she convicted a few housewives in Philadelphia, and cracked the whip over some judge with whom I was familiar. However, beyond that, I assume she has an excellent record. Therefore, I am not here to personally attack her achievements.

Again, I say I have a great deal of confidence in the Attorney General, and I say sincerely as I stand here that she will end up in the history of Pennsylvania as one of the greatest, and we have had some outstanding Attorneys General.

Mr. President, this is the reason I take the floor and this is the reason I protest so vigorously. She should have known better than to issue a statement, saying that I am against the administrator plan, that I am attempting to kill it by amendment, and further saying that she would like to know the reason why I desire to change it.

Mr. President, I was in this hall all last week and the week before. If Sister Anne wanted me in her office to explain, I would have been very happy to leave my seat, go to the Attorney General's office at any time she requested, and tell her my position. She may have agreed or disagreed, which would have been her privilege. Then she would have had the right to criticize me openly if she did not feel I was sincere in the position I was taking. However, to criticize me publicly in the newspaper without knowing my reason, without knowing why I take the position I do, and without even knowing the amendments I am going to introduce, I think is unfair.

When the administrative branch of government attempts

to impose its will upon the Legislature, then I think we are in a dangerous situation.

Sister Alpern feels that everything she stands for is good and holy and if you oppose her, you are doing the wrong thing. You are for unrighteousness and unlawfulness. I say this is an unfair position to take. She may have been successful in the past by issuing releases to the newspapers. However, I feel this was unwarranted, even though she may have been successful with those tactics.

With me, she will not be successful. I do not frighten easily. I do not fear headlines. I do what I sincerely believe in my own conscience and in my own heart is the correct thing to do. I shall not retreat from my position because she puts a headline in the paper, attacking me. This will not achieve its purpose.

Mr. President, I would like to say in conclusion that this was a personal affront to me as a Member of this body and as a Legislator. I do not know what she thinks of me personally, but that is unimportant. It is important that I am here representing a District. It is important that I am here representing the people of Pennsylvania, and trying to do the best I can to make this a great State. She may not agree with all of my moves, and she has the right not to agree. However, not to agree with me as a Legislator and to attack me personally are two different tactics.

I resent the tactics that she employed, I do not think that the office which she holds warrants such tactics.

Therefore, Mr. President, I make this public and I will feel a little better when I sit down since I have gotten it off my chest.

I am not interested in killing the Administrator Bill. I am interested in making it a better bill. I think I know more about the court system of the city of Philadelphia—and the others lawyers here know more about the court system—than Sister Anne knows from being out in Allegheny County. That is no insult to her or to the good people of Allegheny County. We have lived with our court system. We know what is wrong with it, and we know what will correct it. We are not here to effect justice or the swiftness of disposing of cases. We are here attempting to dispose of as many cases as possible. We have spoken to our judges, and we know what the real problem is.

I want to end the way I started, so that there will be no misunderstanding, Mr. President. I feel that this lady is a wonderful Attorney General and I think she is an outstanding Attorney General. The fact that I disagree with the position she took on this individual situation does not lower my esteem for her as to her ability.

(For reply from Attorney General Anne X. Alpern, see Senate Journal of June 20, 1961.)

### PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I must concur in the final remarks made by my colleague about the ability of the Attorney General of the State of Pennsylvania; that she is a fine woman who comes from a vast background of excellent experience. She was the City Solicitor in Pittsburgh, she was a Common Pleas Judge in Pittsburgh, and she has been engaged in many, many activities. I believe that her defense on behalf of the people, in many of the



battles that were fought on their behalf, augurs well for the position that she is in now and on the position that she has taken.

I would like to offer just one word of caution. Many times we read accounts, not only in newspapers but in magazines, stories and things of that nature, in which the material is taken out of context. Sometimes we read into an answer given by a person whatever we want to read or we bring our own experience into the article.

Very recently, in Philadelphia, some of the officials said things in perhaps an offhand way, and they appeared in a box in an article which highlighted them and made them appear as if someone were casting aspersions on someone else.

I think we have to be cautious in this regard. I think that all of us would do well to tread with ease unless we hear a statement from a person made to us about us. There are some people who, in bringing information to you, might sometimes add something to it or might do it in a vein that leaves a great deal of question in your mind regarding the integrity of the person who said this.

Today, when we first started this Session, it was unfortunate that everyone was not here. The prayer which was offered suggested that we place all of our prejudices and all of our bitter feelings aside and face the problems squarely and objectively. I think if you do that, you can come to a better conclusion than by accepting something that has been taken off a written page and presented to you as being the exact remarks made about you.

All of us will agree that any personal attack on any Senator, or on any Member of the Legislature, by anyone is unwarranted and should not be taken lightly. By the same token, just as Senator Donolow is sincere,—and I am positive he is sincere in his motive and in his desire to get this matter straightened out and do it in the best possible way—so is Miss Alpern sincere in her approach to the problem. It is unfortunate that they approach it from two different points of view. They are both able people. Senator Donolow is an attorney in the city of Philadelphia. Miss Alpern, as the Attorney General of the State of Pennsylvania, is its chief law officer and also the attorney for the State, whose chief client is the State of Pennsylvania. In looking at these problems in that vein, maybe the problem or the focus is not always on the heart of the matter, and sometimes when it gets a little bit out of focus, people come to wrong conclusions.

Therefore, I would suggest that all parties here refrain for the time being from making any comment until we have had an opportunity to look generally and objectively at this problem, and try to get all of the different facets of opinion combined so that we can get the best bill we have ever had.

This is a new approach to an old problem, and it might be that this is what is causing some of our difficulty.

## CALENDAR

### FINAL PASSAGE CALENDAR

#### BILL OVER IN ORDER

**HB 508**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## THIRD READING CALENDAR

### BILL ON THIRD READING AND FINAL PASSAGE

**SB 20**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weimer,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILLS OVER IN ORDER

**HB 67** and **SB 76**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 146**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

#### YEAS—49

Bell,	Hays,	Miller,	Staisey,
Berger,	Kalman,	Mullin,	Stevenson,
Camel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Probert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weimer,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

#### NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 246**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—46

Bell,	Hawbaker,	Mullin,	Stalsey,
Berger,	Hays,	Murray,	Stevenson,
Camiel,	Kalman,	Pechan,	Stiefel,
Chapman,	Keller,	Propert,	Stroup,
Confair,	Kessler,	Ripp,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wagner,
Donolow,	Madigan,	Scott,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	Miller,		

## NAYS—4

Mahady,	McMenamin,	Sesler,	Wade,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 295**—Read at length the third time and agreed to, On the question,  
Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. BERGER. Mr. President, may I inquire, has Senate Bill No. 295 passed finally?

The PRESIDENT. Senator Berger, the bill has passed third reading and is now on final passage. We are on the roll call at this particular moment.

Mr. BERGER. Thank you, Mr. President.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

## NAYS—1

Mallery,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## RECONSIDERATION OF SB 295

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 295 just passed finally.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I request that Senate Bill No. 295, Printer's No. 311, appear on the Third Reading Calendar.

The PRESIDENT. There being no objection, the bill will be placed on the Third Reading Calendar.

At this time, the Chair turns the gavel over to the gentleman from Allegheny, our friend, Senator Ripp.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 298**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Ripp,
Hays,			Presiding Officer

## NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 317**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 318**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 351**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 373**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,

DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
Miller,

Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Stalsey,

Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Ripp,  
Presiding Officer

## NAYS—1

McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 391**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. President, I rise to make a very brief statement concerning the bill before the Senate for consideration.

Mr. President, this bill deals with the restoration of one of the historical landmarks in Delaware County and of Pennsylvania; namely the Caleb Pusey House.

This house, according to the history of Pennsylvania, has more connection with William Penn than any other house remaining in Pennsylvania. This is an original house. It was built prior to 1683 and is comprised of two portions. The newer portion was built prior to 1695. It has never been modernized and it is in its primitive, crude form. The histories of Pennsylvania indicate that on December 25, 1699—Christmas Day—William Penn spent the evening in the Pusey House.

Who was Caleb Pusey? He was one of the original strong settlers of Pennsylvania. He built, for William Penn, the first English grist mill in Pennsylvania. He served as one of William Penn's key advisers. Among other things, he was one of the three Commissioners, who sat with the three Commissioners from the State of Delaware, to lay out the Delaware-Pennsylvania State line. He was one of a small group of unarmed men, all members of the Society of Friends, that quelled the first Indian uprising in Pennsylvania. There is a tremendous amount of history with this old house.

It is with deep gratification that today the Senate sees fit to consider this appropriation. The amount of the appropriation is \$35,000. I understand, for the first time in the Commonwealth, this is an appropriation for a historical monument which will be on a matching fund basis; the matching funds coming from local, civic groups.

I note in the halls of the Senate three wonderful ladies who have done a tremendous amount of work on this matter; namely, Mrs. Louise Moses John, of Chester County and Mrs. Sarah Pratt Broch and Mrs. Mary Sullivan Patterson, of Delaware County. These ladies came to the aid of the Caleb Pusey House in its hour of need. Last year, this original English-settler home had a fire and it burned out part of the roof. There was no money to repair it and it lay almost mortally wounded. Like good Samaritans, these fine ladies, who are so keenly interested in the history of Pennsylvania and in the things for which Pennsylvania stands, gathered together their friends from civic groups, civic-minded people, and started the movement known as the "Friends of Caleb Pusey House."

I am very happy to report here today that they have already raised \$8,000 of the matching funds. I request that

all of us here today vote for their bill, which is sponsored by my colleague, Senator McCresh, and myself.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## GUESTS WELCOMED

The PRESIDING OFFICER. At this time, the Chair would like to introduce the three ladies mentioned by Senator Bell, who I think are sitting on the Democratic side. Will you please rise?

Thank you for being with us.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 408**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate had passed the same without amendments.

## BILLS OVER IN ORDER

**HB 428** and **451**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 452**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 472**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Ripp,
Hawbaker,			Presiding Officer

## NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 503**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**SB 508**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 509**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 511**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,

Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 522**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 527**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 535**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Walner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER TEMPORARILY

**SB 538**—Without objection, the bill was passed over in its order temporarily at the request of Mr. ROONEY.

## BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

**SB 544**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. DONOLOW. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. LANE. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—18

Devlin,	McCreesh,	Sarraf,	Stiefel,
DiSilvestro,	McMenamin,	Scott,	Weiner,
Haluska,	Miller,	Seyler,	Yatron,
Hays,	Murray,	Stalsey,	Ripp,
Kalman,	Rooney,		Presiding Officer

## NAYS—22

Bell,	Ehrgood,	Mahady,	Stevenson,
Berger,	Flack,	Mallery,	Stroup,
Camiel,	Fleming,	McGinnis,	Wade,
Chapman,	Keller,	Sesler,	Wagner,
Confair,	Kessler,	Shafer,	Wolfe,
Donolow,	Lane,		

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 574**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Ripp,
Hays,			Presiding Officer

## NAYS—1

Bell,

A majority of all the Senators having voted "aye" the question was decided in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 576**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 578**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Ripp,
Hays,			Presiding Officer

## NAYS—1

Bell,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.



Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 580**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 581**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—27

Camiel,	Hays,	Miller,	Stiefel,
Chapman,	Kalman,	Murray,	Wade,
Devlin,	Lane,	Rooney,	Wagner,
DiSilvestro,	Mallery,	Sarraf,	Weiner,
Donolow,	McCreesh,	Sesler,	Yatron,
Fleming,	McGinnis,	Seyler,	Ripp,
Haluska,	McMenamin,	Stalsey,	Presiding Officer

## NAYS—12

Bell,	Ehrgood,	Kessler,	Stevenson,
Berger,	Flack,	Probert,	Stroup,
Confair,	Keller,	Shafer,	Wolfe,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 582**—Read at length the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,  
On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,

Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 583**—Read at length the third time and agreed to,  
On the question,  
Shall the bill pass finally?

Mr. BELL. Mr. President, I rise to oppose this bill.

This bill would take away from the men of the National Guard of Pennsylvania a privilege that maybe does not mean too much, but it is taking away a privilege which they have enjoyed for many, many decades. Under the old Pennsylvania law, if you are in the National Guard or if you had served the Commonwealth in the National Guard over a certain period of time, you were excepted from jury duty. I see no reason for changing that law. I see no reason for taking away this small privilege which was accorded by the Legislature of many years ago to our Pennsylvania Guardsmen.

Therefore, I oppose this bill, and I ask those who are in the hall today to oppose it, because I think we should be giving more privileges to these Guardsmen, and not taking them away.

Mr. SESLER. Mr. President, I would like to make a comment on the remarks of my distinguished colleague from Delaware County.

We have passed one bill, amending the Act of 1899, in which we removed the exemption from jury duty for any persons who have performed duty in the Pennsylvania National Guard for a period of nine years or longer. This is a companion piece of legislation. One of the things it does is remove the exemption of permitting an officer or an enlisted man in the Pennsylvania National Guard to request that he be allowed exemption from jury duty. However, it does retain an exemption from jury duty while he is in active service.

The purpose of these bills was simply to take away this exemption which applies, Mr. President, to every able-bodied man in the United States who has ever served nine months or longer in active service of the United States. The legal effect of this bill, if it had been used, would have been to remove or provide an exemption to almost every male in Pennsylvania. Honestly, if this law had been put to any widespread use, it would have resulted in a great deterioration of our jury service.

I feel that any officer or enlisted man in the Pennsylvania National Guard, who is pursuing his civilian pursuits in his daily life, except for the period when he is in active service, should do his duty as a citizen of the Commonwealth and of the Country and serve on our juries.

I am sure that any of the lawyers in this house can tell you that we are having trouble now getting adequate juries. This bill is designed to help maintain and help to raise the standard of jury duty.

Mr. BELL. Mr. President, in reply to my esteemed friend and learned colleague from Erie County, I would like to say this: I would have no opposition to a bill that

would take away the jury duty requirement of anybody who has served in the United States Army. That privilege now is taken away, along with the National Guard privilege. I would gladly cosponsor a bill that would do that.

In other words, a person who has been on active duty in the Army of the United States, or any of the Armed Forces of the United States, would no longer be exempted from jury duty. However, this one strikes also at the National Guardsmen, and that is why I oppose it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—28

Camel,	Hays,	McMenamin,	Stalsey,
Devlin,	Kalman,	Miller,	Stiefel,
DiSilvestro,	Kessler,	Murray,	Wade,
Donolow,	Lane,	Rooney,	Wagner,
Ehrgood,	Mahady,	Sarra,	Weiner,
Flack,	McCreesh,	Sesler,	Yatron,
Haluska,	McGinnis,	Seyler,	Ripp,
			Presiding Officer

## NAYS—12

Bell,	Fleming,	Probert,	Stroup,
Berger,	Keller,	Shater,	Ware, III,
Confair,	Mallery,	Stevenson,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**HB 584**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## SB 538 CALLED UP

**SB 538**—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 7 of the Third Reading Calendar, by Mr. WEINER.

## BILL OVER IN ORDER

**SB 538**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SESLER. Mr. President, I feel compelled to speak once more on this bill.

Mr. BERGER. Mr. President, in that event, I regret that I must request that Senate Bill No. 538, Printer's No. 598, go over in its order.

Mr. WEINER. Mr. President, I do not want to appear to object to the bill going over in its order. However, I believe that this matter has been around for a number of weeks, and I think we ought to try to dispose of it if at all possible. I am sure that the length of time this bill remains on the Calendar will not convince anybody else to be for it, or convince anybody else to be against it.

May we be at ease just for a moment, Mr. President?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. WEINER. Mr. President, I now ask that Senate Bill No. 538, Printer's No. 598, go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

Mr. BERGER. Mr. President, I do not wish to interpolate anything here. However, I understood the gentleman objected to my request that the bill go over in its order.

Mr. WEINER. Mr. President, the gentleman understood me correctly. I was convinced otherwise.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 585**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stevenson,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 587**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 588**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 589**—Read at length the third time and agreed to, On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Miller,	Stalsey,
Berger,	Kalman,	Mullin,	Stiefel,
Camiel,	Keller,	Murray,	Stroup,
Chapman,	Kessler,	Pechan,	Taylor,
Confair,	Kromer,	Propert,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Ripp,
Hawbaker,			Presiding Officer

## NAYS—1

Stevenson,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING AMENDED

**HB 607**—Read at length the third time, On the question, Will the Senate agree to the bill on third reading?

Mr. DEVLIN. Mr. President, I ask unanimous consent to offer certain correctional amendments at this time.

The PRESIDING OFFICER. Hearing no objection, the gentleman may proceed. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend Title, page 1, next to last line of Title, by striking out "civil" and inserting: civic

Amend Sec. 1 (Sec. 699.4), page 3, line 6, by striking out "civil" and inserting: civic

Amend Sec. 1 (Sec. 699.4), page 3, line 9, by striking out "and" and inserting: in

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. DEVLIN.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 693**—Read at length the third time and agreed to, On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 715**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 203), page 3, line 11, by striking out "JUNE 1 1961" and inserting: January 1, 1963

Amend Sec. 1 (Sec. 203), page 3, line 13, by striking out "DECEMBER 1 1961" and inserting: June 30, 1963

Amend Sec. 1 (Sec. 203), page 4, line 2, by striking out "JUNE 1 1961" and inserting: January 1, 1963

Amend Sec. 3 (Sec. 302), page 7, line 8, by striking out "JUNE 1 1961" and inserting: January 1, 1963

Amend Sec. 3 (Sec. 302), page 7, line 13, by striking out "DECEMBER 1 1962" and inserting: June 30, 1964

Amend Sec. 9, page 15, line 9, by striking out "immediately" and inserting: January 1, 1963

On the question,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President, I would like to inform the Members of the Senate that we have had this bill on the Calendar for quite some time. The reason we have been carrying it over in order, gentlemen, is because we were looking for the money.

We have had various estimates, but I am quite convinced at this particular time that this legislation would cost approximately \$5,000,000. Actually, we do not have the money. I want to see this legislation passed because it is very meritorious and it should be passed by the Senate. However, there is only one alternative, Mr. President. We must postpone the effective date of this legislation because we are hoping that, with the legislation which will be passed by our National Congress, we may have a wind-fall of about \$38,000,000. If that be the case, we feel that we can then properly finance this program.

Mr. President, my amendments not only apply to House Bill No. 715, but also to House Bill No. 716. This is the only alternative we have. If we do not postpone the effective date, I am very much afraid that the bill will fail. I do not want to see that happen and I do not believe any Member of the Senate wants to see this happen.

Mr. BERGER. Mr. President, as Senator Lane has very correctly said, this bill and House Bill No. 716 have been on our Calendar for a long time; longer than I believe is necessary.

These amendments would postpone the effective date to 1963, approximately a year and a half from the effective date as presently written into the bill. Mr. President, there are a great many people who have looked forward to the passage of this legislation and who could qualify under it during that period of time. By these amendments, they will be barred from participating in the provisions of the bill and the benefits thereof.

I notice with interest, Mr. President, that one of the sponsors of this bill, which is a House Bill and which passed the House without any trouble, is Representative Polen, who is the Chairman of the Appropriations Committee in the House and who should know, if anybody should know, whether or not there is money available somewhere in the finances of the Commonwealth of Pennsylvania to take care of the dual coverage for the retirement of the State employees and the public school employees.

Consequently, Mr. President, I call upon all of the Members of the Senate to oppose these amendments in order that these people, who will retire in this interval, may have the benefit of this legislation.

Mr. LANE. Mr. President, if the amendments are opposed, I am very much afraid that we will lose the bill.

Mr. President, a few years ago, when this Commonwealth integrated Social Security with the pension systems, I happened to be one of the Members who worked long and hard toward integrating those systems. Senator McMenamin worked with me at that particular time, along with Senator William Z. Scott, who is not now present in the Senate.

I am very much afraid, Mr. President, that we are taking a shortsighted position on this matter. I have talked with the Budget Office on a number of occasions. They have told me quite specifically that they do not have the money. By postponing the effective date, we feel that next year we are going to have another session of the Legislature which will deal with finances and budgets. At that particular time, we feel quite sure that this Federal money will be available. If, however, we arbitrarily oppose the amendments at this time and knock the amendments down, I am fearful that we will not get the bill passed.

There is always the possibility, too, Mr. President, that next year, if we are in better financial shape, we will be able to change the effective date again, if we so desire, because these are fiscal problems right here. I feel that we should vote in favor of the amendments. I am very sincere about this. I have been trying to work this problem out for quite some time, along with Senator Weiner. There is no other alternative, gentlemen; that is the story. I would like to see the amendments adopted and then next year we can go to work on it. We are going to be in Session next year and we probably will

have more funds. We might be able to do the job then and we might change the effective date at that time.

Mr. BERGER. Mr. President, I can agree in part with what the gentleman just said, in so far as the Legislature being in Session in 1962 is concerned. However, I thoroughly and completely disagree with him that this is the type of legislation that can be considered in 1962, which is a Fiscal Session.

Let us discuss the matter this way: I have no question whatever that the financial part of this bill—the implementation of the provisions of this bill—can be considered in 1962, but not the subject matter of the bill. This bill can be passed at this Session of the Legislature. I am sure, as I said before, that funds can be found, in spite of the gentleman's assertion that we must depend upon Federal grants to take of this matter. I believe the necessary amount of money can be found between now and 1962 to take care of this legislation and to take care of the people who will be benefited by it.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. LANE. Senator Berger, you seem to have a better understanding of the fiscal problems of the Commonwealth than I have at this particular time. You seem to have knowledge of where this money is available. If you could tell us where we can find the money, I will be very happy to withdraw the amendments and vote in favor of the bill.

Mr. BERGER. Mr. President, I have not been privy to the discussions which Senator Lane has mentioned here. However, I do have some background knowledge of the availability of funds, following the adjournment of a Session of the Legislature. I again assert, Mr. President, that somewhere in the finances of the Commonwealth of Pennsylvania funds can be found for the implementation of this legislation for the period necessary, which is from June 1 up until possibly the first or second month of 1962.

Mr. LANE. Mr. President, the gentleman is talking about a lot of funds. He is talking of approximately \$5,000,000. I might also inform the gentleman that if he will check with the Senate Committee on Appropriations, I believe he will find that we have over there right now—as a matter of fact, I was going over this today—approximately \$6,000,000 of nonbudgeted items and I do not know where we are going to get the money.

Mr. President, I now request that the Senate be at ease for a few moments.

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President, there is only one alternative here. I want to save this legislation and, therefore, I am going to withdraw my amendments at this time.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I now request that House Bill No. 715, Printer's No. 1493, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, I am not going to object to this bill going over in order, as requested. However, I



merely want to point out the truth of the old saying that "Tomorrow never comes." This saying has never been more forcibly demonstrated than on this legislation.

Mr. LANE. Mr. President, we are quite sure that the sun will also set tomorrow. However, I am afraid that by tomorrow and a few more days to come, we still are not going to have the money for House Bill No. 715 and House Bill No. 716 unless the Members on the other side agree to vote for House Bill No. 95. I do not see that in the realm of possibility at this particular time.

Mr. BERGER. Mr. President, I am quite convinced that with a diligent search, the money which is necessary to implement this legislation for the few people who will retire between now and the Fiscal Session of the Legislature will be found and will be available for the purposes intended.

Mr. LANE. Mr. President, I am going to close this argument by quoting Benjamin Franklin who, I believe, once said: "Perseverance and determination are the prerequisites to success."

Mr. BERGER. Mr. President, I thank the gentleman.

The PRESIDING OFFICER. There being no objection, House Bill No. 715 will go over in its order.

**HB 716**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

#### BILLO N THIRD READING AND FINAL PASSAGE

**HB 869**—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### BILL OVER IN ORDER

**HB 1082**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 1086**—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

**HB 1139, 1144 and 1169**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### STUDENTS WELCOMED TO THE SENATE

Mr. WADE. Mr. President, I have the honor to introduce a visiting group today. If you will, Mr. President, I would appreciate the Chair extending greeting to them. They consist of a group from the North Dickinson Elementary School, of Carlisle, Pennsylvania. They are accompanied here by Mr. G. Lester Rhine.

As I said before, Mr. President, I would appreciate the Chair extending a welcome to them.

The PRESIDING OFFICER. Will the group of students from Carlisle, in Cumberland County, under the supervision of Mr. Rhine, please rise and be welcomed by the Senate?

It is nice having you students with us, and we trust you will spend a bit of your time here in the Senate Chamber and see how your government is in operation. Thank you for being with us.

#### GUESTS OF SENATOR GEORGE N. WADE PRESENTED TO SENATE

Mr. WADE. Mr. President, may I again take the privilege of introducing a group visiting us today? The group is a distinguished family from Juniata County, Mr. and Mrs. David Renault, with their seven children—three boys and four girls.

They are seated in the gallery, Mr. President. I would appreciate it if you would extend the welcome of the Senate to this family.

The PRESIDING OFFICER. Thank you, Senator Wade. Will our distinguished guests from Juniata County please rise?

Thank you so much for being with us and spending some of your time here this afternoon while we go through the Senate Calendar.

#### SECOND READING CALENDAR

#### APPROPRIATION BILL OVER IN ORDER

**SB 23**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## APPROPRIATION BILLS ON SECOND READING

**SB 572, HB 758, 759, 760, 762, 770, 803 and 1192**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING

**HB 208**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 247**—Without objection, the bill was passed over in its order at the request of Mr. EHRGOOD.

**SB 333**—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

**SB 350, 351 and 353**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILLS ON SECOND READING AMENDED

**HB 410**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 1 (Sec. 1005), page 2, line 7, by inserting brackets before and after "certified" and inserting immediately thereafter: competent independent

Amend Sec. 1 (Sec. 1005), page 2, line 8, by inserting brackets before and after "certified" and inserting immediately thereafter: competent independent

Amend Sec. 1 (Sec. 1005), page 2, line 10, by striking out "certified" and inserting: competent independent

Amend Sec. 1 (Sec. 1005), page 2, line 19, by striking out "certified" and inserting: competent independent

Amend Sec. 1 (Sec. 1005), page 3, line 5, by striking out "certified" and inserting: competent independent

Amend Sec. 1 (Sec. 1005), page 3, line 8, by striking out "certified" and inserting: competent independent

Amend Sec. 1 (Sec. 1005), page 3, line 10, by striking out "certified" and inserting: competent independent

Amend Sec. 1 (Sec. 1005), page 3, line 11, by striking out "certified" and inserting: competent independent

Amend Sec. 1 (Sec. 1005), page 3 line 13, by striking out "certified" and inserting: competent independent

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend Title, page 1, last line of title by striking out "certified" and inserting: competent independent

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

**HB 430**—The first and second sections were read and agreed to.

The third section was read.

On the question.

Will the Senate agree to the section?

Mr. SHAFER offered the following amendment:

Amend Sec. 3, page 3, line 12, by inserting after "organization": or is one which is stated by the parent church body to be and is in fact officially related to that church by being represented on the board of the institution and by providing substantial financial assistance

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Messrs. STROUP and WARE offered the following amendment:

Amend Sec. 4, page 5, by inserting between lines 15 and 16:

(d) Nothing in this section shall prohibit any educational institution from accepting and administering any inter-vivos or testamentary gift upon such terms and conditions as may be prescribed by the donor

It was agreed to.

The section was agreed to as amended.

The fifth, sixth, seventh, eighth, ninth and tenth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SHAFER.

## BILL ON SECOND READING

**SB 441**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 473**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON SECOND READING AMENDED

**HB 522**—The first, second, third and fourth sections were read and agreed to.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SESLER offered the following amendments:

Amend Sec. 5 (Sec. 801), page 21, line 15 by striking out "or".

Amend Sec. 5 (Sec. 801), page 21, line 15 by inserting after "(k)": or (l)

Amend Sec. 5 (Sec. 814), page 22, line 4 by inserting after "first": and second

Amend Sec. 5 (Sec. 1015), page 28, line 1 by inserting after "first": or second

Amend Sec. 5 (Sec. 1015), page 28, line 13 by inserting after "first": or second

They were agreed to.

The section was agreed to as amended.

The sixth, seventh, eighth and ninth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. SESLER offered the following amendment:

Amend Title, page 2, fourth line of Title by striking out "chief is" and inserting: chiefs are



It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SESLER.

#### BILL ON SECOND READING

**SB 579**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 593**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON SECOND READING AMENDED

**SB 611**—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER. Mr. President, on behalf of the special committee assigned to study education bills, I would like to offer amendments to this bill.

The PRESIDING OFFICER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 2 (Sec. 1614), page 2, line 9, by striking out "United States" and inserting: Commonwealth of Pennsylvania

Amend Sec. 2 (Sec. 1614), page 3, line 14, by striking out "United States" and inserting: Commonwealth of Pennsylvania

Amend Sec. 2 (Sec. 1615), page 4, by inserting between lines 5 and 6:

As a condition of granting any such loan to any resident who is under the age of twenty-one years, the lending person or institution shall require the signature of the parents or parent if only one is living or the guardian of said minor on any instrument of indebtedness.

Amend Sec. 2 (Sec. 1615), page 4, line 15, by striking out "United States" and inserting: Commonwealth of Pennsylvania

Amend Sec. 2 (Sec. 1615), page 4, line 18, by striking out "United States" and inserting: Commonwealth of Pennsylvania

Amend Sec. 2 (Sec. 1615), page 4, line 19, by inserting after "unreasonable": In no case shall the interest rate be more than five and one-half per cent (5½%).

Amend Sec. 2 (Sec. 1615), page 5, line 6, by striking out "classify courses of study and."

Amend Sec. 2 (Sec. 1615), page 5, line 7, by striking out "with respect thereto."

They were agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WAGNER.

#### BILL OVER IN ORDER

**SB 613**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 639, 680, 740, 828, 832, 857, 868, 871, 932, 1036, 1042, 1049, 1084, 1102, 1115, 1116 and 1204**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 1220, 1254 and 1381**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### RECONSIDERATION OF HB 1102

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1102 passed second reading at today's Session.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that House Bill No. 1102, printer's No. 1219, appear on the Second Reading Calendar.

The PRESIDING OFFICER. There being no objection, House bill No. 1102 will be placed on the Second Reading Calendar.

#### RECONSIDERATION OF SB 441

Mr. DONOLOW. Mr. President, I move that the Senate do now reconsider the vote by which Senate bill No. 441 passed second reading at today's Session.

The PRESIDING OFFICER. How did the Senator vote?

Mr. DONOLOW. Mr. President, I voted with the prevailing side.

Mr. CAMIEL. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. CAMIEL. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. DONOLOW. Mr. President, I now request that Senate Bill No. 441, Printer's No. 675, be placed on the Second Reading Calendar.

The PRESIDING OFFICER. There being no objection, the bill will be placed on the Second Reading Calendar.

#### SENATE RESOLUTION, SERIAL NO. 29, CALLED UP

Mr. WEINER, without objection, called up from page 20 of the Calendar, Senate Resolution, Serial No. 29, entitled:

Expressing Confidence in the Present Independent Structure and Operation of the Pennsylvania Historical and Museum Commission

On the question,

Will the Senate adopt the resolution?

#### SENATE RESOLUTION, SERIAL No. 29, ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 29.

Mr. MCGINNIS. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

**BILLS ON FIRST READING**

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. McGINNIS. Mr. President, I second the motion. The motion was agreed to.

The bills were as follows:

**SB 222, 322, 514, 525, 541, 547, 636, 639, 646, 667, 713, HB 29, 442, 718, 739, 873, 980, 986, 994, 1174 and 1225.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

**PERMISSION TO ADDRESS SENATE**

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, before we adjourn, I just would like to point out that during this week's Session, we have passed a little over seventy bills. We also worked on, and brought to the floor, approximately another fifty bills.

Therefore, anyone who is concerned that these two days might not have been fruitful, I think can look at the statistics and come to their own conclusion.

**ANNOUNCEMENTS BY THE SECRETARY**

The following announcements were read by the Secretary of the Senate:

MONDAY, JUNE 5, 1961

DEMOCRATIC CAUCUS .....1:00 P.M. D.S.T.

REPUBLICAN CAUCUS .....1:00 P.M. D.S.T.

**NOTICE**

The Committee on Banking will hold a Public Hearing in the Senate Majority Caucus Room at ten o'clock a.m., D.S.T., on June 7, 1961, on Senate Bill 375, regulating collection agencies.

**ADJOURNMENT**

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, June 5, 1961, at 2:30 p.m., Eastern Standard Time.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:57 p.m., Eastern Standard Time.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, JUNE 5, 1961.

No. 56.

## SENATE

MONDAY, JUNE 5, 1961.

The Senate met at 2:30 p.m., Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

## PRAYER

The Chaplain, Rev. WILLIAM McCLELLAND, JR., Rector of Prince of Peace Episcopal Church, Dallas, offered the following prayer:

Let us pray.

Almighty God, the high and mighty Ruler of the Universe, Who dost from Thy throne behold all the dwellers upon earth, we ask Thy blessing upon the people of this Commonwealth and, especially, upon their Senators here assembled. May Thy presence be known and Thy spirit rule in all their meetings. May the Members plan and act with an eye single to the permanent welfare of this State. Direct and prosper all their consultations to the advancement of Thy glory and the safety, honor and welfare of the people whom they represent. Grant that all things which shall come up for their consideration may be so ordered and settled upon the best and surest foundations so that peace and happiness, truth and justice, religion and piety, may be established among us for all generations.

These things and whatsoever else Thou shalt see necessary and convenient for us, we humbly beg through the merits and mediation of Jesus Christ, our Savior. Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. McGINNIS, further reading was dispensed with, and the Journal was approved.

## COMMUNICATION FROM THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

## RECALLING THE NOMINATION OF PATRICK E. KERWIN AS A MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

June 5, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 17, 1961, for the appointment of Patrick E. Kerwin, Lykens, Dauphin County, as a member of the Pennsylvania Turnpike Commission, until June 4, 1961, and until his successor is appointed and qualified, vice E. James Trimarchi, Jr., Indiana, resigned. I respectfully request the return to me of the official message of nomination in the premises.

David L. Lawrence.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

## MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

June 5, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick E. Kerwin, Lykens, Dauphin County, for appointment as a member of the Pennsylvania Turnpike Commission, until June 4, 1971, and until his successor is appointed and qualified, vice E. James Trimarchi, Jr., Indiana, resigned.

David L. Lawrence.

## MEMBERS OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

June 5, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Somerset State Hospital, until the third Tuesday of January, 1967, and until their successors are appointed and qualified:

Ward W. Crist, Windber, Somerset County.  
George F. Wheeling, Windber, Somerset County.

David L. Lawrence.

**BILL INTRODUCED AND REFERRED**

Mr. KESSLER presented to the Chair **SB 727**, entitled:

An Act amending the act of June 22, 1931 (P. L. 720), entitled "City State Highway Law," adding certain new routes in Lancaster County.

Which was committed to the Committee on Highways.

The PRESIDING OFFICER. Will Senator Haluska please approach the rostrum? At this time, the Chair turns the gavel over to the gentleman from Cambria, Senator Haluska, to preside.

The PRESIDING OFFICER (John J. Haluska) in the Chair.

**PERMISSION TO ADDRESS SENATE**

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, in last Sunday's Pittsburgh Press there appeared an editorial concerning the activities of Senator Donolow, of Philadelphia. The reason I am taking the floor today is because if there was any error in Senator Donolow's operations, it was primarily due to a mistake which I might have made.

Last week, during the Session, Senator Donolow was quite busy. He spoke with me and requested that I mark my Calendar and request that Senate Bill No. 441, which is the Court Administrator Bill, be carried over in order. I marked my Calendar accordingly and right at that particular time, I was working with someone with reference to House Bill No. 715 and House Bill No. 716 and their amendments. Inadvertently, Senate Bill No. 441 passed Second Reading and was passed up to Third Reading.

According to the newspaper editorial, there was an attack upon every Member of this Senate. The editorial claimed that Senator Donolow, when he took the floor and requested the reconsideration of this vote, also stated that he voted with the prevailing side. In the editorial, there was a statement stating there was no Member of the Senate who had the gumption to get on the floor and challenge that statement. I might say, Mr. President, that that statement was absolutely correct. All of us know the procedure here.

Generally speaking, on second reading bills, very few of us answer the roll call. Unless we get up on the floor and speak into the microphone, and say that we wish to vote in the negative, we automatically are recorded as voting in the affirmative. I am quite sure that was the case concerning Senator Donolow. I wish, therefore, to defend him at this time. I feel that he was absolutely right in the position which he had taken.

Mr. President, I might not agree with Senator Donolow, with reference to his position on Senate Bill No. 441 because I am going to support the legislation, but I certainly feel that every Member of this Senate has a right to vote his own convictions. That is why we are here. Therefore, I, for one, would certainly fight to give every Member of this Senate the right to express himself as he sees fit.

I feel that this attack on the Members of the Senate was unwarranted and unfair. The primary reason why we do not debate bills on Second Reading, which has been a tradition over the years, is because it has expedited the

operation of the Sessions. We could very easily debate a bill on First Reading, if we so desired. However, we have more or less agreed that we will carry the bills up to Third Reading and we also will accept amendments on Third Reading.

I can readily understand the position of the Pittsburgh Press, but I want that newspaper to know that I respect the integrity of every Member of this Senate. Therefore, if there was any error, it was my fault. I should have stayed on the floor and requested that the bill be carried over in order. However, I was working on amendments to be applied to House Bill No. 715 and House Bill No. 716. I would like the public to know that there is no Member of this Senate who does not have a lot of gumption. If there was anything illegal going on, I think all of us would have taken the floor. I feel that Senator Donolow was absolutely right. If anyone wishes to check that roll call, they will find that every Member of the Senate who did not vote "no" is automatically recorded as having voted "aye" on all bills before this Senate on Second Reading.

**CALENDAR****FINAL PASSAGE CALENDAR****BILL OVER IN ORDER**

**HB 508**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**THIRD READING CALENDAR****APPROPRIATION BILLS ON THIRD READING  
AND FINAL PASSAGE**

**SB 572 (Pr. No. 646)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—50**

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Probert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

**NAYS—0**

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

**HB 758 (Pr. No. 831)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silver,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 759 (Pr. No. 1911)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silver,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 760 (Pr. No. 1912)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silver,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 762 (Pr. No. 835)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silver,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 770 (Pr. No. 1913)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silver,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 803 (Pr. No. 876)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1192 (Pr. No. 1356)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 67 and SB 76**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 208 (Pr. No. 210)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,

Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

**SB 295**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AMENDED

**HB 428 (Pr. No. 2062)**—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 618), page 3, line 15, by striking out "NOT."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 451 (Pr. No. 490)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING AMENDED

**SB 538 (Pr. No. 598)**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?



Mr. ROONEY, by unanimous consent, offered the following amendments:

Amend Title, page 3, next to last line of Title, by striking out "performance."

Amend Sec. 1 (Sec. 911.1), page 4, line 9 by striking out "the amount" and inserting: "an amount equal to at least one-half."

Amend Sec. 1 (Sec. 911.1), page 4, line 10, by inserting after "contract:" "and an additional bond in a like amount conditioned upon the payment of labor and material furnished to the contractor and his subcontractors in the performance of the work whether or not the said material or labor enter into and become component parts of the work contemplated Each such bond shall be in a form satisfactory to the public utility."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. ROONEY.

BILLS OVER IN ORDER

**SB 579**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

**HB 584**—Without objection, the bill was passed over in its order at the request of Mr. STALSEY.

BILLS ON THIRD READING AND FINAL PASSAGE

**HB 607 (Pr. No. 2149)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, truly having voted under a misapprehension, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Bell,	Kessler,	Pechan,	Shafer,
Berger,	Lane,	Ripp,	Silvert,
Camiel,	Mahady,	Rooney,	Stalsey,
Chapman,	McCreesh,	Sarraf,	Stiefel,
Devlin,	McGinnis,	Scott,	Weiner,
DiSilvestro,	Miller,	Sesler,	Yatron,
Donolow,	Mullin,	Seyler,	Haluska,
Ehrgood,	Murray,		Presiding Officer
Hays,			

NAYS—17

Chapman,	Keller,	Propert,	Wade,
Confair,	Kromer,	Stevenson,	Wagner,
Flack,	Madigan,	Stroup,	Ware, III,
Fleming,	Mallery,	Taylor,	Wolfe,
Hawbaker,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 639 (Pr. No. 1306)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Yatron,
Fleming,	McMenamin,	Silvert,	Wolfe,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 680 (Pr. No. 2066)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Yatron,
Fleming,	McMenamin,	Silvert,	Wolfe,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

**HB 715 and 716**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILLS ON THIRD READING AND FINAL PASSAGE

**HB 740 (Pr. No. 813)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 828 (Pr. No. 910)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 832 (Pr. No. 1566)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 857 (Pr. No. 1307)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 868 (Pr. No. 2067)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)  
Mr. SESLER. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. DEVLIN. Mr. President, may we be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. BERGER. Mr. President, may I inquire what is holding up the roll call?

The PRESIDING OFFICER. The Senate is at ease.

Mr. WEINER. Mr. President, we just asked to be at ease for a moment. The purpose of being at ease is that we are trying to round up all of our people and make sure they are recorded.

Mr. BERGER. Mr. President, I just want to observe that if there should ever be a bill regulating boxing or permitting boxing on Sunday, that would be known as the original long count.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—26

Bell,	Mahady,	Rooney,	Stalsey,
Devlin,	McCreesh,	Sarrafi,	Stiefel,
DiSilvestro,	McGinnis,	Scott,	Ware, III,
Donolow,	Miller,	Sesler,	Weiner,
Ehrgood,	Mullin,	Seyler,	Yatron,
Kalman,	Murray,	Silvert,	Haluska,
Lane,	Ripp,		Presiding Officer



## NAYS—18

Berger, Chapman, Confair, Fleming, Hawbaker,	Hays, Keller, Kromer, Madigan, Mallery,	Pechan, Propert, Stevenson, Stroup,	Taylor, Wade, Wagner, Wolfe,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

**HB 871 (Pr. No. 1500)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Hawbaker, Hays,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Haluska, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 932 (Pr. No. 2068)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Hawbaker, Hays,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Haluska, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## BILL OVER IN ORDER

**HB 1036**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 1042 (Pr. No. 2069)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Hawbaker, Hays,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, Mullin,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Haluska, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

**HB 1049 (Pr. No. 1166)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SESLER. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. CHAPMAN. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—26

Berger, Devlin, DiSilvestro, Donolow, Ehrgood, Kalman, Lane,	Madigan, McCreesh, McGinnis, Miller, Mullin, Murray, Ripp,	Rooney, Sarraf, Scott, Sesler, Seyler, Silvert,	Stalsey, Stiefel, Van Sant, Weiner, Yatron, Haluska, Presiding Officer
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## NAYS—21

Bell, Chapman, Confair, Fleming, Hawbaker, Hays,	Keller, Kessler, Kromer, Mahady, Mallery,	Pechan, Propert, Shafer, Stevenson, Stroup,	Taylor, Wade, Wagner, Ware, III, Wolfe,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

**HB 1082**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

**HB 1084 (Pr. No. 1503)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. MAHADY. Mr. President, having voted under a misapprehension, I wish to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—23

Devlin,	Mahady,	Ripp,	Stalsey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,	Mullin,	Seyler,	Haluska,
Lane,	Murray,	Silvert,	Presiding Officer

#### NAYS—24

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Fleming,	Mallery,	Stroup,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 1115 (Pr. No. 1247)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1116 (Pr. No. 1248)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

**HB 1139, 1144 and 1169**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 1204 (Pr. No. 1580)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Haluska,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### STUDENTS WELCOMED TO THE SENATE

Mr. HAYS. Mr. President and Members of the Senate, I have the privilege of calling the Chair's attention to the fact that we have some young citizens from Ferguson Township, in Centre County, visiting us in the gallery. They are here under the sponsorship of their teacher, Mr. Gerald Cartwright.



I wonder if you would welcome them to the Chamber, Mr. President.

The PRESIDING OFFICER. The Senate welcomes the schoolchildren from Centre County, as introduced by Senator Hays, and their instructor and leader. We trust that you will stay for awhile, enjoy our proceedings here, and come back often.

Will the Senators kindly recognize the class from Centre County?

## BILLS INTRODUCED AND REFERRED

Mr. PROPERT, by unanimous consent, presented to the Chair **SB 728**, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law," authorizing taxes to be collected by actions of assumpsit.

Which was committed to the Committee on Finance.

Messrs. STROUP and WADE, by unanimous consent, presented to the Chair **SB 729**, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," further regulating assistance to dependent children and their mothers.

Which was committed to the Committee on Public Health and Welfare.

## RECONSIDERATION OF SB 616

Mr. LANE. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 616, Printer's No. 704, failed of final passage on May 31, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. LANE. Mr. President, I request that Senate Bill No. 616 appear on tomorrow's Final Passage Calendar.

The PRESIDING OFFICER. There being no objection, Senate Bill No. 616 will appear on tomorrow's Final Passage Calendar.

## SENATE RESOLUTION

### BEST WISHES OF THE SENATE EXTENDED TO BERWICK ON ITS 175TH ANNIVERSARY

Mr. CONFAIR, by unanimous consent, offered the following resolution (**Serial No. 65**), which was read, considered and adopted:

In the Senate, June 5, 1961.

From June 24 to July 1, 1961, Berwick, Pennsylvania, will celebrate its 175th anniversary. Founded in 1786, by a surveyor and native of England named Evan Owen, Berwick has steadily advanced throughout the years to become one of the leading communities in eastern Pennsylvania.

Though located in an area which is primarily agricultural, Berwick has long been noted as a center of industry. Its many and diversified industries include the American Car and Foundry Division of A.C.F. Industries,

Inc., which is the largest railroad car building plant in the world; the Wise Potato Chip Company, which is the largest potato chip manufacturer in the world; and a number of textile factories and other plants producing a wide variety of products.

The celebration of Berwick's 175th anniversary will commence with a fourteen division parade on Saturday, June 24th, to be followed by the Pet and Toy parade on Wednesday, the 28th, and the Six County Firemen's Association annual parade on Saturday, July 1st. Each night, Tuesday through Saturday, a cast of over five hundred will present an historical pageant at Crispin Memorial Field, and throughout the town picturesque displays will depict the highlights of Berwick's history. A number of dances and other social events will add gaiety and color to the festivities.

It is our firm belief and expressed hope that this celebration will be of great value in recalling to all those who observe it or take part in it the outstanding achievements and events in Berwick's history, and that it will serve as an inspiration for further progress; therefore be it

Resolved, That copies of this resolution be transmitted tends its very best wishes to the borough of Berwick for a successful celebration of its one hundred seventy-fifth anniversary and for continued success and advancement in the years to come; and the Senate also expresses its admiration and respect for the individuals and groups who have labored so diligently and capably to make this event one which will long be remembered; and be it further

Resolved, That copies of this resolution be transmitted to Leo Traux, General Chairman of the 175th Anniversary Committee and to Earl V. Wise, Sr., Honorary Chairman.

## PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, I am not going to discuss the subject matter of the resolution which I am about to present, except to say that it gives me the most singular pleasure and honor to present it to the Chair. I want to say also, Mr. President, that I believe this is unique in the history of the Senate inasmuch as this resolution, to the best of my knowledge, has been sponsored and signed individually by every single Member of the Senate of Pennsylvania.

Mr. President, it gives me great pleasure to offer this resolution and move for its immediate adoption.

## SENATE RESOLUTION

### CONGRATULATING THE HONORABLE M. HARVEY TAYLOR ON HIS EIGHTY-FIFTH BIRTHDAY

Mr. BERGER, on behalf of the entire Senate Membership, by unanimous consent, offered the following resolution (**Serial No. 66**), which was read as follows:

In the Senate, June 5, 1961.

The Senate of the Commonwealth of Pennsylvania hereby extends to Senator M. Harvey Taylor warmest congratulations and best wishes on his 85th birthday which was Sunday, June 4. We also want to take this opportunity to commend Senator Taylor on his long years of public service to the citizens of this State.

His loyalty and unselfish devotion as a public servant have made Senator Taylor one of the outstanding men of this Commonwealth. He is indeed the grand old man of the Republican Party. We wish him many more years of good health and public service; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby congratulates and commends Senator M. Harvey Taylor on the celebration of his 85th birthday and for his many years of public service to the people of this great State; and be it further

Resolved, That a copy of this resolution be sent to

Mrs. M. Harvey Taylor at their home in Harrisburg, Pennsylvania so that she may share in this expression of affection and esteem extended to her distinguished husband by his colleagues in the Pennsylvania Senate.

On the question,

Will the Senate agree to the resolution?

Mr. WEINER. Mr. President, we, on this side of the aisle, wish to join in this resolution. We have already indicated our feelings by signing it.

We think it is very fitting that a copy of the resolution be sent to Mrs. Taylor, thereby proving that he has been here all this time and not, like other people, have it said that he has been busy elsewhere. He has been present, on the job and voting. Sometimes I wish he would vote with us when we need the twenty-sixth vote. We hope that on Senator Taylor's birthday, he will be helpful to us if we have a few tight bills.

We wish him many, many more years of success and luck, which has followed him all of his life. We hope the Lord will spare him to be with us for many, many more years to come.

Mr. LANE. Mr. President, our senior Member on this side of the aisle, the Honorable Bernard McGinnis, has agreed to lead us in the singing of "Happy Birthday" to Senator Taylor.

Mr. MCGINNIS. Will everybody please rise?

(The Members of the Senate then joined in the singing of "Happy Birthday.")

And the question recurring,

Will the Senate agree to the resolution?

Mr. BERGER. Mr. President, on the question, I ask for a roll call.

Mr. TAYLOR. Mr. President and Members of the Senate, of course, it is a little difficult to talk with a lump in your throat. However, it is worth living eighty-five years to be with people like you.

There is one part of the resolution which I do not like; namely, the sentence referring to that "grand old man." I think I am the youngest man in the Senate.

The PRESIDING OFFICER. I must say that I think you are a younger man than Senator Lane is at times.

Mr. WEINER. Mr. President, I would like to quote from what the famous Doctor Kinsey once said: "I do not care what you do. You are all right in my book."

Mr. SESLER. Mr. President, I would like to say that I believe I am the youngest man in this Senate. If I have one-half of the energy possessed by Senator Taylor on my eighty-fifth birthday, if I should live so long, I will be very grateful.

Mr. BERGER. Mr. President, if the gentleman has one-half of Senator Taylor's energy on his next birthday, he should be grateful.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. BERGER and were as follows, viz:

YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Van Sant,
Confair,	Lane,	Rooney,	Wade,
Devlin,	Madigan,	Sarra,	Wagner,
DiSilvestro,	Mahady,	Scott,	Ware, III,

Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Hawbaker,  
Hays,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,  
Mullin,

Sesler,  
Seyler,  
Shafer,  
Silvert,  
Staisey,

Weiner,  
Wolfe,  
Yatron,  
Haluska,  
Presiding Officer

NAYS—0

So the question was determined in the affirmative, and the resolution was agreed to.

## SECOND READING CALENDAR

### BILLS OVER IN ORDER

**SB 23**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 29**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

### BILL ON SECOND READING

**SB 222 (Pr. No. 230)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**SB 247**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 322**—Read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. MULLIN. Mr. President, I move that Senate Bill No. 322 be recommitted to the Committee on Judiciary General.

Mr. MCCREESH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I am sure that the gentleman has not had an opportunity to study this bill thoroughly, or else he would not have made that motion.

Consequently, I would ask that all of the Members of the Senate vote "no" on the motion to recommit.

Mr. MULLIN. Mr. President, I do not need any time to study a bill of this type.

Mr. LANE. Mr. President, I want to join with Senator Berger and ask my colleagues to vote "no" on this motion to recommit. I think this is good legislation.

Mr. WEINER. Mr. President, I believe that just one word should be stated here.

There is a leading case which is a United States Supreme Court case, and which is one of the landmarks in the law, where this type of punishment was tried. It went a little bit less far than this. It dealt with the sterilization of people who committed serious crimes, and also with people who had a background where they were from the type of families that did not augur well for them to be good citizens and did not augur well for them to produce people who would be a credit to society. This case was an Oklahoma case and was carried to the United States Supreme Court, which overruled the courts of Oklahoma and the statutes of Oklahoma. It stated that this was a cruel and unusual punishment, and that the State had no right to subject anyone to this.

In dealing with this problem, Doctor Sarraf, who is somewhat learned in these matters, wanted to know what the term "emasculatation" really meant. If it is used in the usual sense that we discuss this matter, you will come to



the conclusion that this will not prevent the crime from being committed or further perpetrated.

I think you are going to the wrong end of the body in order to solve this problem. I think we should begin with the minds of people who are afflicted with this peculiar problem. I also think it improper to visit a cruel and unusual punishment on such people. This was done by Hitler and by others who had various convictions along these lines. However, it did not solve these problems. I think you will find that in some States, where they hang people for rape or in some other way put them to death, the rate does not decrease. This is also commensurate with the statistics they had when they used to take people who were pickpockets in public squares and hang them or, as in England, chop their hands off. They found that the greatest amount of pickpocketing went on at these public affairs.

For us to move in this direction, I think is to retrogress from the progressive position which we have been taking right along in dealing with people of this type; namely, people who are sick or have unusual problems. I believe this does not resolve the problem. I do not think this will act as a deterrent. With people who have the type of illness which leads to these types of crimes, the illness will remain and you will not get rid of or be treating the area in which this problem first originated.

Mr. BERGER. Mr. President, in connection with this legislation, I stated, when it was introduced, that I would welcome any suggestions or amendments to the legislation which might improve it or which might offer a solution to the prevention of the type of crime that is being dealt with. I do not, for a moment, disagree with Senator Weiner that every effort should be made to treat the problem, psychologically or psychiatrically, in whatever possible way it may be done.

I would suggest, Mr. President, that this is of such importance that upon disposition of the motion—if it is successful, then, of course, it will go back into committee. If it is not, I would request that the bill go over in order so that further study may be given to it.

Mr. President, I do not pretend to have any broad knowledge on this subject as to how this may be cured. However, I do say that I understand, from what reading I have done, that treatment of these so-called congenital, psychopathic inferiors is not possible and can only be met by keeping them confined and never releasing them.

Also, I believe that I introduced a companion bill in the Senate which would require that before a person convicted of such a crime might be paroled, it would have to be done only with the approval of the judge and the district attorney of the county from which he was convicted.

Mr. President, I would suggest that we proceed to the disposition of the motion and then, if it is unsuccessful, I will make the request.

And the question recurring,

Will the Senate agree to the motion?

The roll was called and resulted as follows:

## YEAS—23

Camiel,	Hays,	Murray,
Devlin,	Kalman,	Ripp,
DiSilvestro,	Mahady,	Rooney,
Donolow,	McCreesh,	Sarraï,
Ehrgood,	McGinnis,	Sesler,
Flack,	Mullin,	Seyler,

## NAYS—25

Berger,	Kromer,	Propert,	Van Sant,
Chapman,	Lane,	Scott,	Wade,
Confair,	Madigan,	Shafer,	Wagner,
Fleming,	Mallery,	Stevenson,	Ware, III,
Hawbaker,	Miller,	Stroup,	Wolfe,
Keller,	Pechan,	Taylor,	Haluska,
Kessler,			Presiding Officer

So the question was determined in the negative, and the motion to recommit was defeated.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that Senate Bill No. 322 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I wonder if the gentleman would withdraw his motion. I would like to move that Senate Bill No. 322, Printer's No. 339, appear on the Second Reading Postponed Calendar.

Mr. BERGER. I must adhere to my request that the bill go over in its order, Mr. President.

Mr. WEINER. I have no objection, Mr. President.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

**SB 333**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 350**—Mr. BERGER. Mr. President, I request that Senate Bill No. 350 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I do not want to object. However, I do want to point out to the gentleman, as we have been doing in the past two weeks, that this is a very important measure. This is the Delaware River Basin Compact. Every State has passed it except Pennsylvania. The Federal Government is now implementing this measure, and I feel that any long delay will leave us in the embarrassing position of being the only State that did not pass it.

I think we have a great deal to gain from this compact. I also feel that we, as a State that is involved in this problem, have a great deal to prepare so that we can properly take our place in the compact and adjust our problems as they exist within this framework.

We should not delay this measure and drag it on, only to pass it eventually, because it is a Senate Bill and it must go to the House from here. I hope the gentlemen do not have in mind to eventually kill this measure.

Mr. BERGER. Mr. President, as one of the sponsors of this bill, it is farthest from my mind that this legislation should be defeated. However, I understand that—and I do not advance my information as being authoritative, but it is sufficiently so that I do not hesitate to mention it—this compact bill under consideration in the Congress may be somewhat changed there.

For that reason, I believe that we ought to know exactly what is going to be done with it before we proceed further in passing it in the Legislature of Pennsylvania. If it is to be amended or changed, then we should know so that we can go along with it. I certainly intend to vote for it, and in moving to put it over in its order today, I simply want to wait and find out what may be done and get some definite information.

Mr. WEINER. Mr. President, I want to advise the gentleman—and also for the purpose of the record—that I am informed by a gentleman, who I think has some access to some of the Congressmen and also to the front office in

Washington, that they are going to go along with this compact, and that the people who took a contrary position in the beginning have now re-evaluated their position and are going to go along with this. There is also supplementary legislation.

I would like to also point out to the gentleman that the States which are involved, with the exception of ourselves, all have passed this legislation and some are no longer in Session, and I do not believe there is any change contemplated. If we amend this bill in any way, we will not be able to participate in this entire program because it has been drafted in the same way in every State in order for it to comply with all of the problems.

There have been—and I would be less than candid if I did not say this—some people in industry who had some qualms about this measure. However, that is true of anything that is new or anything that is different. My recent understanding is that they have withdrawn their objection. They are not throwing their hats in the air, but neither are they opposed to this measure now.

If we are going to pass it, I think in having this behind us we can go with greater force to the Congress and say: "This measure is now through. We want you to move ahead on the thing and let us get it cleared up." I do not think we are in a position to do that with the bill still hanging around on Second Reading in the Senate only.

Mr. BERGER. Mr. President, undoubtedly the gentleman has far more access to the sources of information that he mentioned certainly than I have.

Mr. President, I would say this: That I have seen a number of compact bills during my tenure in the Senate. I have also seen compact bills which have been amended by other States, and then we were required to amend them.

I do not say that simply because three States have passed it, and Pennsylvania has not, that it is immune from amendment. I mean it can be amended again in another State. A case in point on a similar type of bill, of course, is the Uniform Commercial Code, which is not a compact bill, but which was adopted by Pennsylvania and not adopted by only one or two other States.

Nevertheless, Mr. President, I have no question that Pennsylvania will go along on this compact. However, I do think we ought to know exactly what the Federal Government is going to do because they hold the key to the approval of the compact since they do have the paramount rights on the Delaware River.

Mr. WEINER. Mr. President, I am very happy to hear that the gentleman brought up the Uniform Commercial Code because had he listened to me then, he would not have passed that bill at that time as I opposed it and I think I spoke against it. Despite the good advice that I gave the gentleman, he still went ahead and we passed this measure.

Senator, I believe that I cannot be wrong twice along the same lines. Therefore, I am asking you to please support this measure, and you will see that this will turn out all right. If we have to amend it or change it in any way, we will be here in a position to do so, whereas if we wait until the last minute, we may not be able to do that.

Mr. BERGER. Mr. President, I do not think that last statement is what the gentleman meant to say, because he just got through saying that if we amended it tomorrow,

it would not be any good. If we say that we can amend it while we are still here, I do not believe that his point is well-taken.

Consequently, Mr. President, for the time being, I will ask that the bill go over in its order.

Mr. WEINER. Mr. President, I do not want to continue this tennis match. However, I would like to point out that I was only following along with the suggestion made by the Minority Leader that the possibility was that these measures had been amended from time to time, and this might be a problem on which we are waiting to see.

I was just pointing out that some of the Legislatures that have worked on this measure have now adjourned sine die and are not coming back. If the Federal Government would require some change after we have passed it, we at least would be in a position to do so. However, we cannot do anything on it until we take action enabling all of the States to go as a body and say to the Federal Government: "We are ready to move. It is now up to you."

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

#### BILL ON SECOND READING

**SB 351 (Pr. No. 370)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 353** and **HB 410**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 430**—Without objection, the bill was passed over in its order at the request of Mr. MAHADY.

**SB 441**—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

**HB 442** and **SB 473**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 514**—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

#### BILL ON SECOND READING AMENDED

**HB 522 (Pr. No. 2148)**—The first, second, third, fourth, fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 7 (Sec. 1041), page 30, line 7, by striking out: "or."

Amend Sec. 7 (Sec. 1041), page 30, line 8, by inserting after "contest": or to.

Amend Sec. 7 (Sec. 1041), page 30, line 11, by inserting after "one": or.

They were agreed to.

The section was agreed to as amended.

The eighth and ninth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

#### BILL OVER IN ORDER

**SB 525**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.



## BILLS ON SECOND READING

**SB 541 (Pr. No. 601) and SB 547 (Pr. No. 613)**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 593 and 611**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING AMENDED

**SB 613 (Pr. No. 743)**—The first section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. WEINER offered the following amendment:

Amend Sec. 1 (Sec. 2574), page 4, line 9, by inserting a bracket before "ONE" where it appears the first time, and after "\$1100)" and inserting immediately thereafter: one thousand two hundred dollars (\$1200).

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

It was agreed to.

Amend Sec. 3 (Sec. 2574), page 6, line 5, by striking out "Section" and inserting: section.

It was agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth and seventh sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

## BILL ON SECOND READING

**SB 636 (Pr. No. 734)**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 639**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

**SB 646**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 667 and 713**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILLS ON SECOND READING AMENDED

**HB 718 (Pr. No. 2150)**—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 2 (Sec. 8), page 6, by inserting after line 4: "(d) Every licensee shall make a report to the secretary every three months. The report shall show the exact number of articles sold in this Commonwealth or shipped into this Commonwealth for sale in this Commonwealth by the li-

censee which are covered by the provisions of this act during the period covered by the report and the licensee shall at the same time pay to the secretary one and one-half cents (1½¢) for each such article. The reports shall be made under oath within thirty days of the expiration of the three month period unless the period is extended by the secretary. Whenever any licensee shall fail to make the report and payment required herein or whenever a report is unsatisfactory the secretary may cause the books and records of such licensee to be examined for the purpose of determining the correct amount due from such licensee. Any licensee failing to pay any amount found to be due or the expenses incurred in making the examination shall forfeit its license and registration.

It was agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KESSLER offered the following amendment:

Amend Title, page 2, next to last line of Title, by inserting after "fees": reports.

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. KESSLER.

**HB 739 (Pr. No. 1612)**—The first, second, third, fourth, fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Sec. 7, page 8, line 10 by inserting after "training": and.

Amend Sec. 7, page 8, lines 13 and 14 by striking out "and (10) the provision of such administrative assistance to the" in line 13 and all of line 14.

They were agreed to.

The section was agreed to as amended.

The eighth, ninth and tenth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

## BILL ON SECOND READING

**HB 873 (Pr. No. 958)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING AMENDED

**HB 980 (Pr. No. 2151)**—The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 3, page 3, line 7, by inserting after "made": "including deductions of contributions to employees' welfare and pension plans which are subject to the "Federal Welfare and Pension Plans Discharge Act."

It was agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WADE.

#### BILLS ON SECOND READING

**HB 987 (Pr. No. 1576) and HB 994 (Pr. No. 1096)**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 1102**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 1174**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**HB 1220**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 1225 (Pr. No. 1399), HB 1254 (Pr. No. 1448) and HB 1381 (Pr. No. 1779)**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING POSTPONED

**SB 181 (Pr. No. 187)**—Without objection, the bill was called up from the Postponed Calendar by Mr. LANE.

#### BILL ON SECOND READING

**SB 181 (Pr. No. 187)**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

#### HOUSE CONCURRENT RESOLUTION NO. 24 CALLED UP

Mr. WEINER, without objection, called up from page 17 of the Calendar, House Concurrent Resolution No. 24, entitled:

General Assembly Urgently Requests All Agencies to Utilize Labor and Material to Alleviate Unemployment in Depressed Areas.

On the question,  
Will the Senate concur in the resolution?

#### SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION No. 24

Mr. WEINER. Mr. President, I move that the Senate do concur in the resolution just read by the Clerk.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the bill I am about to introduce is an important bill. It will increase the compensation of our judges, which is long overdue.

#### BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and WEINER, by unanimous consent, presented to the Chair **SB 730**, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, . . ." increasing the salaries of judges of courts of common pleas, orphans' courts, County Court and Juvenile Court of Allegheny County and Municipal Court of Philadelphia.

Which was committed to the Committee on Judiciary General.

Messrs. STASEY, DEVLIN, MCGINNIS, RIPP and SARRAF, by unanimous consent, presented to the Chair **SB 731**, entitled:

An Act making an appropriation to Western Pennsylvania School for Blind Children in Pittsburgh.

Which was committed to the Committee on Appropriations.

They also, by unanimous consent, presented to the Chair **SB 732**, entitled:

An Act making an appropriation to Western Pennsylvania School for the Deaf in Edgewood, Pittsburgh.

Which was committed to the Committee on Appropriations.

Messrs. STASEY, SILVERT and WEINER, by unanimous consent, presented to the Chair **SB 733**, entitled:

An Act making an appropriation to The Pennsylvania School for the Deaf in Philadelphia.

Which was committed to the Committee on Appropriations.

Messrs. WARE and STROUP, by unanimous consent, presented to the Chair **SB 734**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," prescribing payments to be made by foreign students at State Colleges.

Which was committed to the Committee on Education.

They also, by unanimous consent, presented to the Chair **SB 735**, entitled:

An Act amending the act of December 22, 1951 (P. L. 1726), entitled "Pennsylvania Loyalty Act," excluding from the provisions of the act certain teachers who are citizens or subjects of foreign countries.

Which was committed to the Committee on Law and Order.

#### PERMISSION TO ADDRESS SENATE

Mr. DONOLOW asked and obtained unanimous consent to address the Senate.

Mr. DONOLOW. Mr. President, not so long ago, I had the occasion to be involved in a situation in which a judge, during a criminal investigation, signed an order in the secrecy of his Chamber to a police official, permitting this police official to drill open the safe deposit box of a man,—the holder of the box—who had no connection with the case whatsoever. This police official proceeded to the bank, gave the bank the order, and the bank, without notifying



the holder of the box, drilled open the safe deposit box, looked at its contents, found everything in order and then, three days later, informed the holder of the box that his box was drilled open.

Mr. President, this was a most shocking revelation. It was shocking in view of the fact that none of us had any idea that the courts had this type of authority, without serving a petition upon the box holder to show cause why his box should not be opened. When the box holder protested to the bank, the bank apologized and said it was sorry that it permitted such an act.

The bill I am about to introduce, Mr. President, prohibits such an action. It does not prohibit a court from unsealing the box, but it also makes it a duty to serve a petition upon the holder of the box and for the holder of the box to answer such petition to show cause, within forty-eight hours, why his box should not be opened for the reasons set forth.

In the type of a democracy which we practice, this is the least any citizen can expect when the privacy of his safe deposit box is going to be invaded. Therefore, on behalf of Senator McCreesh, Senator Ehrgood, Senator Scott, Senator Camiel and myself, I am presenting this bill.

### BILL INTRODUCED AND REFERRED

Messrs. DONOLOW, MCCREESH, EHRGOOD, SCOTT and CAMIEL, by unanimous consent, presented to the Chair **SB 736**, entitled:

An Act regulating the procedure for petitioning a court to order a safety deposit box opened in furtherance of a criminal investigation or proceeding.

Which was committed to the Committee on Judiciary General.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

The PRESIDENT. The Chair wishes to thank Senator Haluska for Presiding during my unavoidable absence.

### SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO INVESTIGATE THE REVISION, MODERNIZATION AND CODIFICATION AGRICULTURE LAWS

Messrs. YATRON and MADIGAN, by unanimous consent, offered the following resolution (**Serial No. 122**), which was read and referred to the Committee on Agriculture:

In the Senate, June 5, 1961.

WHEREAS, The laws of this Commonwealth relating to agriculture and its related fields are numerous. Many of them are obsolete since we have entered into the era of modern farming and animal husbandry; and

WHEREAS, Local governmental agencies and other law enforcement agencies are unaware of existing statutes and in many cases duplicate ordinances or ordinances in conflict with existing State laws are sometimes enacted; and

WHEREAS, Inquiries are always being presented in reference to the laws relating to agriculture and many times there is misunderstanding and confusion which results in unnecessary expenditures of the taxpayers money; and

WHEREAS, There is no codification of the agriculture laws and the Acts dealing with farms and farming; therefore be it

RESOLVED (the House of Representatives concurring), That the Joint State Government Commission be directed to investigate the scope and the cost of a project which would result in the revision, modernization and codification of the laws relating to agriculture; and be it further

RESOLVED, That the Joint State Government Commission report its findings to the General Assembly as soon as possible.

### BILL INTRODUCED AND REFERRED

Messrs. STASEY and YATRON, by unanimous consent, presented to the Chair **SB 737**, entitled

An Act making an appropriation to the Department of Agriculture for a grant to Pennsylvania State University for the purpose of constructing a soil and forage testing laboratory.

Which was committed to the Committee on Appropriations.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

#### COMMITTEE MEETINGS

TUESDAY, JUNE 6, 1961

Eastern Daylight Saving Time	COMMITTEE	ROOM
9:30 A.M.	STATE GOVERNMENT	535
10:00 A.M.	JUDICIARY GENERAL	535
10:30 A.M.	HIGHWAYS	542
10:45 A.M.	SELECT COMMITTEE ON EDUCATION	302
11:15 A.M.	BANKING	302
11:45 A.M.	FORESTS & WATERS, GAME & FISH	Dem. Caucus Room
12:30 A.M.	LOCAL GOVERNMENT	301
1:00 P.M.	PUBLIC HEALTH & WELFARE	535A
REPUBLICAN CAUCUS .....		1:00 P.M. D.S.T.

WEDNESDAY, JUNE 7, 1961

9:30 A.M.	EDUCATION	302
10:00 A.M.	AGRICULTURE	539

#### NOTICE

The Committee on Banking will hold a Public Hearing in the Senate Majority Caucus Room at Ten O'clock a. m., D.S.T., on June 7, 1961, on Senate Bill 375, regulating collection agencies.

### ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, June 6, 1961, at 1:00 p.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:50 p.m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

MONDAY, June 5, 1961

The House met at 3 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty and Everlasting God, enlighten us with the revelation of Thy truth as we approach Thee in this hour; enable us to see our world and all there is therein as Thy creation, and see ourselves as stewards of Thy wondrous bounty. O God, make us conscious of the spiritual as well as the physical drive within each one of us; help us to see the burdens of others as well as our own; and ever keep us humble in the realization that Thou hast formed us for Thy honor and Thy glory, and for the edification of Thy kingdom in the hearts and minds of all mankind: through Christ, Our Lord. Amen.

## PRESENTATION OF ELECTION RETURNS

The SPEAKER. The election returns for the special election held Tuesday, May 16, 1961, to fill the vacancies in this House for the Representatives from the Counties of Wyoming, Philadelphia and Montgomery will now be opened and read by the chief clerk.

IN THE NAME AND BY AUTHORITY OF THE  
COMMONWEALTH OF PENNSYLVANIA

To All to Whom These Presents Shall Come, Greeting:  
To His Excellency the Speaker and to the Members of The House of Representatives of the General Assembly Of the Commonwealth of Pennsylvania, Greeting:

I have the honor to present the return of the Special Election of a Member of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania in the Seventh Legislative District in the City of Philadelphia, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the Philadelphia County Board of Elections:

JAMES W. GREENLEE,  
Seventh Legislative District  
City of Philadelphia Pennsylvania

In Testimony Whereof, I have hereunto set my hand, at the City of Harrisburg, this fifth day of June in the year of our Lord one thousand nine hundred and sixty-one and of the Commonwealth the one hundred and eighty-fifth.

(Seal of the Commonwealth)

E. JAMES TRIMARCHI, Jr.,  
Secretary of the Commonwealth.

SPECIAL ELECTION  
OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania  
County of Philadelphia

ss:

May 16, 1961.

To the Secretary of the Commonwealth:

We Hereby. Certify, That the following is a true and correct statement of the returns of the votes cast at the SPECIAL Election held Tuesday, May 16, 1961, for each and every candidate in the County of PHILADELPHIA as the same remain on file in this office, for the office of Representative in the General Assembly—7th District.

## REPUBLICAN

Louis D. Apothaker had Two Thousand Five Hundred Eighty-three votes, 2583.

## DEMOCRATIC

James W. Greenlee had Three Thousand Seven Hundred Sixty-eight votes, 3768.

In Testimony Whereof, We have hereunto set our hands and seal of office, this 26th day of May, 1961.

SEAL

THOMAS P. McHENRY  
MAURICE OSSER  
WILLIAM F. KULLMAN

IN THE NAME AND BY AUTHORITY OF THE  
COMMONWEALTH OF PENNSYLVANIA

To All to Whom These Presents Shall Come, Greeting:  
To His Excellency the Speaker and to the Members of The House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, Greeting:

I have the honor to present the return of the Special Election of a Member of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania in the Third Legislative District in Montgomery County, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the Montgomery County Board of Elections:

EDWIN G. HOLL,  
Third Legislative District  
Montgomery County Pennsylvania

In Testimony Whereof, I have hereunto set my hand, at the City of Harrisburg, this fifth day of June in the year of our Lord one thousand nine hundred and sixty-one and of the Commonwealth the one hundred and eighty-fifth.

E. JAMES TRIMARCHI, Jr.  
Secretary of the Commonwealth

SPECIAL ELECTION  
OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania  
County of Montgomery

ss: Norristown, Pa., May 29, 1961.

To the Secretary of the Commonwealth:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the SPECIAL Election held on Tuesday, May 16, 1961, for each and every candidate in the County of MONTGOMERY as the same remain on file in this office, for the office of Representative in the General Assembly—3rd District.

## REPUBLICAN

Edwin G. Holl had Thirty-three Thousand Nine Hundred and Ninety-Seven 33,997.

## DEMOCRATIC

Charles A. Dasch had Nine Thousand and Seventy-three votes, 9,073.

In Testimony Whereof, We have hereunto set our hands and seal of office, this 29th day of May, 1961.

SEAL

ELKINS WETHERILL  
WARREN M. CORNELL, Jr.  
DANIEL T. COSTELLO  
FRED W. FAIRLIE, Jr.

IN THE NAME AND BY AUTHORITY OF THE  
COMMONWEALTH OF PENNSYLVANIA

To All to Whom These Presents Shall Come, Greeting:  
To His Excellency the Speaker and to the Members of The House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, Greeting:

I have the honor to present the return of the Special



Election of a Member of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania in Wyoming County, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the Wyoming County Board of Elections:

ELISABETH WYND,  
Wyoming County Pennsylvania

In Testimony Whereof, I have hereunto set my hand, at the City of Harrisburg, this fifth day of June in the year of our Lord one thousand nine hundred and sixty-one and of the Commonwealth the one hundred and eighty-fifth.

(Seal of the Commonwealth)

E. JAMES TRIMARCHI, Jr.,  
Secretary of the Commonwealth.

#### SPECIAL ELECTION

#### OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania  
County of Wyoming

ss: Tunkhannock, Pa., May 16, 1961.

To the Secretary of the Commonwealth:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the SPECIAL Election held Tuesday, May 16, 1961, for each and every candidate in the County of WYOMING as the same remain on file in this office, for the office of Representative in the General Assembly.

#### REPUBLICAN

Elisabeth S. Wynd had Forty Three Hundred Ninety-seven votes, 4,397.

#### DEMOCRATIC

Benton H. Whipple had Twenty Six Hundred and Four votes, 2,604.

In Testimony Whereof, We have hereunto set our hands and seal of office, this 26th day of May, 1961.

SEAL

BRYAN LEE  
E. G. MONTROSS  
C. R. BROWN  
J. NICHOLS

The SPEAKER. Before the oath of office is administered to the gentleman from Philadelphia, Mr. Greenlee, the minority leader desires to make a statement, and the Chair now recognizes the minority leader.

#### STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, I would like to state for the record that at 11:30 this morning in the Common Pleas Court of Philadelphia an order was made with respect to an election contest regarding the election of James W. Greenlee as a member of this House. It is a rule to show cause which is returnable on June 21, at 10 a. m., having to do with an alleged illegality of the election contest.

We have before us today, however, a certificate from the Secretary of the Commonwealth and the County Election Board in Philadelphia, that Mr. Greenlee has been duly elected. With that before us, we have no other alternative but to go along with his taking the oath of office, depending upon the outcome of the court decision and the final determination of this House, which is the sole judge of the qualifications of its members. Mr. Greenlee will be vested in his seat, subject, however, to being divested in an appropriate proceeding.

The SPEAKER. The oath of office required by Article VII of the Constitution to be taken by members of the

General Assembly will now be administered by the Honorable Francis X. McClanaghan, Judge of the Court of Common Pleas of Philadelphia County, to James W. Greenlee representing the seventh district of the County of Philadelphia.

#### COMMITTEE TO ESCORT MEMBER-ELECT

The SPEAKER. The Chair appoints as a committee to escort the member-elect to the bar of the House to take the oath of office, the gentleman from Philadelphia, Mr. Eilberg, and the gentleman from Philadelphia, Mr. Dougherty, who will now proceed with their mission.

#### OATH OF OFFICE ADMINISTERED

The oath of office was administered to member-elect James W. Greenlee, as follows:

Do you solemnly swear that you will support, obey and defend the Constitution of the United States, and the Constitution of this Commonwealth, and that you will discharge the duties of your office with fidelity; that you have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure your nomination or election, except for necessary and proper expenses expressly authorized by law; that you have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in your behalf; that you will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to your office, other than the compensation allowed by law.

Mr. GREENLEE. I do.

The SPEAKER. The committee is dismissed with the thanks of the House, and the member will be escorted to his seat.

The oath of office required by Article VII of the Constitution to be taken by members of the General Assembly will now be administered by the Honorable Robert W. Trembath President Judge of the Court of Common Pleas of Wyoming and Sullivan Counties the 44th Judicial District to Mrs. Elisabeth S. Wynd representing the County of Wyoming and to Edwin G. Holl, representing the third district of Montgomery County.

#### COMMITTEE TO ESCORT MEMBERS-ELECT

The SPEAKER. The Chair appoints as a committee to escort the members-elect to the bar of the House to take the oath of office, the lady from Montgomery, Mrs. Henzel, the lady from Delaware, Mrs. Kernaghan, the lady from Bucks, Mrs. Kooker, and the lady from Lehigh, Mrs. Markley, and the gentleman from Montgomery, Mr. Willaredt. The committee will now proceed to perform its mission.

#### OATH OF OFFICE ADMINISTERED

The oath of office was administered to members-elect Mrs. Elisabeth S. Wynd and Edwin G. Holl as follows:

Do you solemnly swear that you will support, obey and defend the Constitution of the United States, and the Constitution of this Commonwealth and that you will discharge the duties of your office with fidelity; that you have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other

valuable thing to procure your nomination or election, except for necessary and proper expenses expressly authorized by law; that you have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in your behalf; that you will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to your office, other than the compensation allowed by law.

Mrs. WYND. I do.

Mr. HOLL. I do.

The SPEAKER. The committee will escort the members just sworn in to their respective seats.

### JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Wednesday, May 3, Thursday, May 4, Monday, May 8, and Tuesday, May 9, 1961? If not, and without objection, the Journals are approved.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, May 24, 1961, will be postponed until printed.

The Chair hears none.

### BILLS INTRODUCED AND REFERRED

By Messrs. J. H. ANDERSON and ISAACS.

HOUSE BILL No. 1640.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), extending the time within which informations for violations relating to official inspection stations may be brought.

Referred to the Committee on Motor Vehicles.

By Messrs. McCANN, A. M. LEE, YETTER,

DONALDSON, Mrs. KOOKER, Messrs. EILBERG, FRY, KAMYK, DAVIS, GREMMINGER, ZEMBER, SCHAAF, and A. D. WILLIAMS, Jr.

HOUSE BILL No. 1641.

An Act amending the act of April 28, 1961 (Act No. 46), entitled "An act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways; \* \* \*," changing and clarifying provisions relating to the applicability of the act in industrial and commercial areas, and to informational site signs and making editorial changes and corrections.

Referred to the Committee on Highways.

By Messrs. RUDISILL and IRVIS.

HOUSE BILL No. 1642.

An Act amending the "Municipal Unclaimed Moneys Act," approved May 17, 1949 (P. L. 1403), changing the disposition of such moneys.

Referred to the Committee on Municipal Corporations.

By Messrs. RUDISILL and IRVIS.

HOUSE BILL No. 1643.

An Act amending the act of May 16, 1919 (P. L. 177), entitled "An act providing for the payment into the State Treasury, without escheat, of certain moneys and property, subject to escheat under the provisions of any act

of the General Assembly; \* \* \*" conferring concurrent jurisdiction under certain circumstances.

Referred to the Committee on Rules.

By Messrs. O'DELL, BLAIR, SCHAAF, and

POLASKI.

HOUSE BILL No. 1644.

An Act authorizing any person diving in any waterway with the aid of a mechanical device to place a buoy at or near the place of submergence.

Referred to the Committee on Rules.

By Messrs. SCARCELLI, GALLAGHER, CAPITOLO

and PARLANTE.

HOUSE BILL No. 1645.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday.

Referred to the Committee on Liquor Control.

By Mr. GALLAGHER, Mrs. KOOKER and Mr.

GREMMINGER.

HOUSE BILL No. 1646.

An Act amending the "Municipal Authorities Act of 1945" approved May 2, 1945 (P. L. 382), permitting municipalities to withdraw from authorities incorporated by two or more municipalities, prior to issuance of bonds.

Referred to the Committee on Municipal Corporations.

By Messrs. BACHMAN, MEHOLCHICK, MUSTO

and LAMB.

HOUSE BILL No. 1647.

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing that certain death benefits for contributors shall be effective from the date of the original act.

Referred to the Committee on Appropriations.

By Messrs. FOERSTER, SCHUSTER, M. H.

GOLDSTEIN and THOMPSON.

HOUSE BILL No. 1648.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; \* \* \*" further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. PRICE and ROVANSEK.

HOUSE BILL No. 1649.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), authorizing fishing for and transporting fish without a license when taken from ponds on private premises.

Referred to the Committee on Fisheries.

By Messrs. PRICE and HAMILTON.

HOUSE BILL No. 1650.

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting cancellation of certain accident and sickness policies.

Referred to the Committee on Insurance.

By Messrs. GOODRICH, PURSLEY, GRAMLICH

and FETTEROLF.

HOUSE BILL No. 1651.

An Act amending the act of June 1, 1956 (P. L. 1944),



entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; \* \* \*," further regulating allocation of a part of the tax.

Referred to the Committee on Rules.

By Messrs. WELSH, ROVANSEK, TAYLOR and J. A. SULLIVAN. HOUSE BILL No. 1652.

An Act amending the act of April 24, 1913 (P. L. 114), entitled "An act regulating the time of payment of wages and earnings, and providing a penalty for violation hereof," further regulating the time of payment of wages and earnings.

Referred to the Committee on Rules.

By Messrs. K. B. LEE, E. S. WILLIAMS, ESHBACK and BOSSERT. HOUSE BILL No. 1653.

An Act amending the act of May 17, 1929 (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves \* \* \*," increasing the amount of the fixed charge payable by the Commonwealth.

Referred to the Committee on State Government.

By Mrs. KOOKER, Messrs. AUKEK, HOLLIDAY and Mrs. KERNAGHAN. HOUSE BILL No. 1654.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the employment of women in the offices of the Pennsylvania State Police.

Referred to the Committee on State Government.

By Messrs. BOWMAN and HEFFNER, Mrs. HENZEL and Mr. E. S. WILLIAMS. HOUSE BILL No. 1655.

An Act authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles, and making the results of the chemical tests admissible in evidence.

Referred to the Committee on Rules.

By Messrs. POLEN, BUCHANAN, ROVANSEK, McCANN, PETROSKY, EDWARDS and DONALDSON. HOUSE BILL No. 1656.

A Supplement to the act of April 29, 1874 (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," authorizing the incorporation of pipeline companies for the transportation, storage, distribution, furnishing or supplying of a fluid substance known as coal slurry;\*\*\*.

Referred to the Committee on Rules.

By Mr. WORLEY (By Request). HOUSE BILL No. 1657.

An Act providing for the submission of the question of building a new Governor's residence to the electorate of the Commonwealth and for certification of the results to the General Assembly for their guidance.

Referred to the Committee on Rules.

By Mr. WORLEY (By Request). HOUSE BILL No. 1658.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (P. L. 2897), providing for the rotation of certain employees.

Referred to the Committee on Labor Relations.

By Messrs. KORNS, HORST, ESHLEMAN and GEORGE. HOUSE BILL No. 1659.

An Act amending the "State Tax Equalization Board Law," approved June 27, 1947 (P. L. 1046), increasing and staggering the terms of members of the State Tax Equalization Board and providing for minority representation thereon.

Referred to the Committee on Rules.

By Messrs. KORNS, PURSLEY, GOODRICH and ESHLEMAN. HOUSE BILL No. 1660.

An Act amending the "State Tax Equalization Board Law," approved June 27, 1947 (P. L. 1046), requiring the board to consult with the Joint State Government Commission regarding certain contemplated certifications.

Referred to the Committee on Rules.

By Messrs. TOMPKINS and WHITTAKER. HOUSE BILL No. 1661.

An Act imposing personal liability on State officials who overspend their budget.

Referred to the Committee on Rules.

By Messrs. TOMPKINS and WHITTAKER. HOUSE BILL No. 1662.

A Joint Resolution proposing an amendment to article three, section sixteen of the Constitution of the Commonwealth of Pennsylvania prohibiting supplementing appropriations and transferring funds from one appropriation to another without action by the General Assembly and approval of the Governor.

Referred to the Committee on Judiciary.

By Messrs. KAMYK, McCANN, SCHAAF, POLEN, PETROSKY, M. H. GOLDSTEIN and MANBECK. HOUSE BILL No. 1663.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), extending the definition of manufacture.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK, McCANN, SCHAAF, POLEN, PETROSKY, M. H. GOLDSTEIN, and MANBECK. HOUSE BILL No. 1664.

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further defining and extending the manufacturing exemption with regard to capital stock tax and franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

Referred to the Committee on Ways and Means.

By Messrs. LAMB and KRAMER. HOUSE BILL No. 1665.

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), requiring taxes collected upon the transfer of real property or of any interest in real property to be collected at the county seat.

Referred to the Committee on Counties.

By Messrs. WORLEY and A. M. LEE. HOUSE BILL No. 1666.

An Act amending "The Permanent Registration Act for

Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), requiring the cancellation of registrations of persons reported dead.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. WORLEY and A. M. LEE.

HOUSE BILL No. 1667.

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), requiring the cancellation of registration of persons reported dead.

Referred to the Committee on Cities—Counties First Class.

By Messrs. WORLEY and A. M. LEE.

HOUSE BILL No. 1668.

An Act amending the "Vital Statistics Law of 1953," approved June 29, 1953 (P. L. 304), requiring reports of deaths to be made to the County Registration Commissions.

Referred to the Committee on State Government.

By Messrs. A. M. LEE, KISTLER, HOLMAN

and ZEMBER. HOUSE BILL No. 1669.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the arrangement of the names of candidates for United States Senator and Governor.

Referred to the Committee on Elections.

By Messrs. A. M. LEE, HOLMAN, ZEMBER,

and KISTLER. HOUSE BILL No. 1670.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for the appointment of overseers of elections on petition of political parties or bodies.

Referred to the Committee on Elections.

By Messrs. ASHTON and A. M. LEE.

HOUSE BILL No. 1671.

An Act creating the Pennsylvania Higher Education Assistance Authority as a body corporate and politic; defining its powers and duties; regulating loans and guarantee of loans by the authority; conferring powers and imposing duties on the Governor, President pro tempore of the Senate, Speaker of the House of Representatives, Superintendent of Public Instruction and the Department of Banking.

Referred to the Committee on Education.

By Messrs. KISTLER, HOLMAN, ZEMBER

and FOOR. HOUSE BILL No. 1672.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for returns indicating the number of votes cast by the electors of each party.

Referred to the Committee on Elections.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 1673.

A Joint Resolution proposing an amendment to article three, section twenty of the Constitution of the Commonwealth of Pennsylvania, exempting certain school districts from the provisions, prohibiting the General Assembly from delegating the power to levy taxes.

Referred to the Committee on Judiciary.

By Messrs. GOODRICH, K. B. LEE, BOSSERT

and ESHBACK. HOUSE BILL No. 1674.

An Act placing a limitation on the combined acreage to be acquired by the Department of Forest and Waters, the Pennsylvania Game Commission, and the Pennsylvania Fish Commission in any one county.

Referred to the Committee on State Government.

By Messrs. SELTZER, MANBECK, ASHTON

and BOWMAN. HOUSE BILL No. 1675.

An Act providing for the payment of money into court for persons entitled thereto in eminent domain proceedings, the crediting of such payments, and prescribing method of computing interest on awards.

Referred to the Committee on State Government.

By Messrs. SELTZER, PIPER, SHUPNIK

and MURPHY. HOUSE BILL No. 1676.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the payment of subsistence allowances to members of the Pennsylvania State Police Force.

Referred to the Committee on Rules.

By Mr. HOCKER, Mrs. MARKLEY, Mr. HELM

and Mrs. KERNAGHAN. HOUSE BILL No. 1677.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), further regulating assistance to dependent children and their mothers.

Referred to the Committee on Welfare.

By Mr. DOUGHERTY.

HOUSE BILL No. 1678.

An Act amending the act of June 22, 1935 (P. L. 414), entitled as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, \*\*\*," providing that certain corporations doing business with professional school employes shall not be subject to the provisions of the act.

Referred to the Committee on Rules.

By Mr. FRY.

HOUSE BILL No. 1679.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the Consumers Quality and Safety Commission; defining its powers and duties and making an appropriation.

Referred to the Committee on Rules.

By Messrs. A. M. LEE, ESHLEMAN, SLACK

and J. H. ANDERSON. HOUSE BILL No. 1680.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring the Budget Secretary to submit budget information to the chairmen of the committees on appropriations of the House of Representatives and the Senate at the same time such information is submitted to the Governor.

Referred to the Committee on Rules.

By Messrs. CAPANO, FLYNN, WELSH

and McKEEVER. HOUSE BILL No. 1681.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937, P. L. 2897), increasing the amount of remuneration upon which employers' contributions are required to be paid.

Referred to the Committee on Rules.



By Messrs. A. W. JOHNSON, A. M. LEE, FULMER  
and SELTZER. HOUSE BILL No. 1682.

An Act creating a Pennsylvania Youth Foundation; providing for its membership; prescribing its powers and duties; and making an appropriation.

Referred to the Committee on State Government.

By Messrs. CAPANO, J. A. SULLIVAN, BONNER  
and BRANCA. HOUSE BILL No. 1683.

An Act creating the Second Injury Reserve and Rehabilitation Fund in the Department of Labor and Industry; requiring payments by the State Workmen's Insurance Fund and certain insurance carriers; \*\*\* and prescribing limitations.

Referred to the Committee on Rules.

By Messrs. BUSH, KING, HEFFNER  
and WHITTAKER. HOUSE BILL No. 1684.

An Act amending the "Pennsylvania Industrial Development Authority Act," approved May 17, 1956 (P. L. 1609), authorizing the Authority to borrow money and issue evidences of indebtedness; regulating insurance of bonds, and conferring rights on and providing remedies for bondholders.

Referred to the Committee on Rules.

By Messrs. BUSH, FOOR, DONALDSON and KING.  
HOUSE BILL No. 1685.

An Act granting a deduction from the corporate net income tax and the capital stock tax for certain corporations and imposing duties on the Secretary of Revenue.

Referred to the Committee on Ways and Means.

By Messrs. PRENDERGAST, YETTER, VERONA  
and J. A. O'DONNELL. HOUSE BILL No. 1686.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), requiring that notice be given to property owners or reputed owners of premises affected when plans are approved by the Governor and requiring that lists of such property owners or reputed owners and the plans be furnished to the recorder of deeds for indexing and recording purposes.

Referred to the Committee on Rules.

By Messrs. PRENDERGAST, YETTER, VERONA  
and SCHAAF. HOUSE BILL No. 1687.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), restricting speed where men are working on the highways and providing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. GROSS (By Request). HOUSE BILL No. 1688.

An Act repealing section 306 of "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), removing requirements for establishing a permanent records system.

Referred to the Committee on Counties.

By Messrs. McNALLY, FLYNN, STIMMEL, AUKER  
and SAKULSKY. HOUSE BILL No. 1689.

An Act regulating the maintenance of junk and scrap yards and prescribing penalties.

Referred to the Committee on State Government.

By Messrs. FETTEROLF, DONALDSON, BUSH  
and HOCKER. HOUSE BILL No. 1690.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age.

Referred to the Committee on Motor Vehicles.

By Messrs. STANK and J. A. O'DONNELL.  
HOUSE BILL No. 1691.

An Act regulating the manufacture and use of oleo-margarine, margarine, butterine and other similar products and providing penalties.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. GAILEY, SCHAAF, OGILVIE  
and BOWMAN. HOUSE BILL No. 1692.

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; \*\*\*" further regulating the expenditure of funds by municipal authorities.

Referred to the Committee on Municipal Corporations.

By Messrs. WILLARD, FOX, HAMILTON, STONE,  
KLEIN and A. W. JOHNSON. HOUSE BILL No. 1693.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), requiring bonds to be filed by nonresident building contractors and non-resident suppliers delivering building materials for work in this Commonwealth.

Referred to the Committee on Rules.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 1694.

An Act creating the office of court administrator in counties of the first and second class; authorizing the Chief Justice and Associate Justices of the Supreme Court to appoint administrators for the State courts of record in counties of the first and second class, and providing for a judicial council and a judicial conference.

Referred to the Committee on Judiciary.

By Mr. A. D. WILLIAMS, Jr. HOUSE BILL No. 1695.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), excluding the sale of certain items in resort communities from prohibitions against Sunday sales.

Referred to the Committee on Rules.

By Messrs. BOWER, WOOD and POLEN.  
HOUSE BILL No. 1696.

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), providing for the purchase of credit for service with the United States Employment Service.

Referred to the Committee on Appropriations.

By Messrs. A. D. WILLIAMS, Jr. and POLEN,  
HOUSE BILL No. 1697.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the creation of county historical commissions to promote places of historical interest within the county.

Referred to the Committee on Counties.

By Mr. A. W. JOHNSON. HOUSE BILL No. 1698.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), establishing the McKean County Experimental Junior College, providing for the operation thereof and attendance at such institution.

Referred to the Committee on Education.

By Mr. A. W. JOHNSON. HOUSE BILL No. 1699.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the Board of Trustees of the McKean County Experimental Junior College as a departmental administrative board in the Department of Public Instruction and prescribing its powers and duties; and providing for the acquisition of property.

Referred to the Committee on Education.

By Mrs. REIBMAN, Mrs. MARKLEY and Messrs. HELM and McCANN. HOUSE BILL No. 1700.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing scholarships and loans to graduates of secondary schools.

Referred to the Committee on Education.

By Mrs. REIBMAN, Mrs. MARKLEY and Messrs. HELM and McCANN. HOUSE BILL No. 1701.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the per pupil unit cost reimbursement for elementary and secondary school construction authorizing reimbursement in the year of acquisition for school building sites purchased in advance of their need and harmonizing provisions related thereto and extending the provisions for reimbursement or preliminary payments on account of approved building construction to include the State Public School Building Authority and Municipal Authorities and abolishing the cost limitations on school building projects for reimbursement purposes.

Referred to the Committee on Education.

By Mrs. REIBMAN, Mrs. MARKLEY and Messrs. HELM and McCANN. HOUSE BILL No. 1702.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the creation, establishment and operation of community colleges; granting certain powers to the State Council of Education and the Department of Public Instruction; \*\*\*.

Referred to the Committee on Education.

By Messrs. SAKULSKY, McNALLY and GAILEY. HOUSE BILL No. 1703.

An Act providing for the regulation of credit life insurance and credit accident and health insurance, conferring powers and imposing duties on the Insurance Commissioner and prescribing penalties.

Referred to the Committee on Insurance.

By Messrs. SHERMAN, LAWSON, EILBERG and HARTLEY. HOUSE BILL No. 1704.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the dates for furnishing information as to offices to be filled; \* \* \* and further regulating the date for certification of nominees by the Secretary of the Commonwealth.

Referred to the Committee on Elections.

By Messrs. BOWMAN and SCHAAF.

HOUSE BILL No. 1705.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937, P. L. 2897), further defining base year; requiring additional reports by employers; further regulating payment of compensation and the charging of employers' accounts for such payments; further regulating qualifications required to secure compensation and the rate and amount of compensation.

Referred to the Committee on Workmen's Compensation.

By Messrs. WELSH, TAYLOR, J. A. SULLIVAN and PIPER. HOUSE BILL No. 1706.

An Act regulating the practice of public accountancy by requiring registration of public accountants and the examination of public accounts; providing for the suspension and revocation of such registrations subject to reinstatement on appeal prohibiting the practice of public accountancy unless registered as a public accountant or certificated as a certified public accountant; prescribing the powers and duties of the State Board of Examiners of Public Accountants; and imposing penalties.

Referred to the Committee on Rules.

By Mr. COMER. HOUSE BILL No. 1707.

An Act establishing and taking over as State highways certain county highways \* \* tunnels bridges, \* \* and certain streets and bridges in cities of the first class and in cities of the second class, \* \* and certain township roads and certain streets in boroughs and incorporated towns; \* \* and deleting certain State highways.

Referred to the Committee on Highways.

By Mr. POLEN. HOUSE BILL No. 1708.

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 1709.

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

## RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. BUSH, FOOR, DONALDSON and KING. RESOLUTION No. 73.

In the House of Representatives, May 24, 1961.

Whereas, Unemployment is one of the most serious problems facing the citizens of Pennsylvania at the present time, largely because of technological changes affecting many of the basic industries in the Commonwealth; and

Whereas, The solution to this problem must be found in the creation of new job opportunities; and

Whereas, It is recognized that one of the chief sources for new jobs is the establishment and growth of small business; and

Whereas, It has come to the attention of the sponsors of this resolution that legislation has been introduced in the Senate of the United States in the 87th Congress, entitled Senate Bill No. 2, and in the House of Representatives of the United States in the same Congress, entitled House Bill No. 2003, which would assist small business by granting a measure of tax relief to those small businesses which are expanding their operations, thus creating new job opportunities; and

Whereas, This legislation would provide assistance at the time that small business is most vulnerable, thus helping to insure the continued existence of those job op-



portunities involved; therefore, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby memorialize the Congress to give immediate consideration to these measures, entitled Senate Bill No. 2 and House Bill No. 2003; and, be it further

Resolved, That copies of this resolution be sent to the presiding officers of both Houses of Congress and to each member of Congress from the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

By Mr. EILBERG, Mrs. S. A. ANDERSON,  
Messrs. MULLEN and HEAVEY.

#### RESOLUTION No. 74.

In the House of Representatives, May 24, 1961.

Resolved (The Senate concurring), That there is hereby established a Commission to be known as The United States Constitution 175th Anniversary Commission of Pennsylvania (hereinafter referred to as the "Commission"), for the celebration of the 175th anniversary of the adoption of the Constitution, and to be composed of six commissioners as follows: The Governor of Pennsylvania, the President of the Senate and the Speaker of the House of Representatives ex-officio; two persons to be appointed by the Governor; two Senators to be appointed by the President of the Senate; and two Representatives to be appointed by the Speaker of the House of Representatives; and be it further

Resolved, The commissioners shall receive no compensation for their services, but shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties; and be it further

Resolved, The Commission shall elect a chairman and appoint a State Director who shall appoint, with the approval of the Commission, such assistants and subordinates as he deems necessary; and be it further

Resolved, That it shall be the duty of the commissioners, after promulgating to the people an address relative to the reason of its creation and that its purpose, to prepare a plan or plans and a program for the adequate celebration of the 175th anniversary, and to give due and proper consideration to any plan or plans which may be submitted to them; and to take such steps as may be necessary in the coordination and correlation of plans prepared by the National Commissioners and by the various local Commissions to be established within the State, or by the several bodies that may be created under appointment by the Governor and by representative civic bodies; and be it further

Resolved, That the Commission shall, make a report at its earliest convenience to the General Assembly of the Commonwealth of Pennsylvania; and be it further

Resolved, That the Commission may receive from any source contributions to aid in carrying out the general purpose of this resolution, but the same shall be explained and accounted for in the same manner as any preparation which may be made in the authority of this act.

Referred to the Committee on Rules.

By Messrs. GAILEY, POLEN and DAVIS.

#### RESOLUTION No. 75.

In the House of Representatives, May 24, 1961.

The Pennsylvania Legislature created a system in 1933 to regulate and control the sale of liquor and malt beverages with the expressed intent of protecting the public welfare, health, peace and morals of the people and of prohibiting forever the return of the open saloon.

The original laws have been frequently amended and the regulations of the Liquor Control Board have been variously interpreted to the extent that doubt and confusion exists in large measure concerning their meaning and intent. These piece-meal attempts to patch up these laws and regulations have simply compounded the confusion and have led to wholesale disregard and contempt of existing laws, together with inability to enforce them.

The Chairman of the Liquor Control Board has stated, "The members of the General Assembly, in framing the original liquor laws nearly 25 years ago, could not possibly have foreseen the great physical changes which have occurred in Pennsylvania in recent years. Population trends in Pennsylvania have been characterized by the development of a pronounced urban economy, affecting both the central city and its suburbs. It seems to me that it would be opportune for the General Assembly, to evaluate anew the laws governing the coordinate problems of licensing and enforcement and to consider remedial legislation."

In the hodge podge of regulations which have grown up over the years there must be rediscovered the fundamental principles and underlying philosophy of alcoholic beverage control. All rules and regulations should be carefully scrutinized to see whether they actually implement the principles and philosophy of alcoholic beverage control. It is essential to preserve the economic health of this industry, for certainly an industry which is economically unhealthy is certain to incubate conditions which are socially unhealthy.

There now exists an urgent need to study, evaluate and appraise the malt beverage industry separately and apart from the liquor industry; therefore be it

Resolved, That the Joint State Government Commission is hereby directed and authorized to review, investigate, study and consider all of the laws and administrative regulations relating to the manufacture, pricing, possession, sale, consumption, importation, use, storage, transportation and delivery of malt or brewed beverages and to report its findings and conclusions to the 1963 regular session of the General Assembly with proposed legislation embodying a revision and codification of such laws of the Commonwealth to be introduced at such regular session of the General Assembly.

Referred to the Committee on Rules.

By Messrs. McCORMACK and WILLAREDT.

#### RESOLUTION (Not Printed).

In the House of Representatives, May 24, 1961.

For some time the members of the General Assembly of the Commonwealth of Pennsylvania have been subjected to severe criticism on the part of many citizens, newspapers, radio and television stations due to the recently enacted legislation providing for three thousand dollars (\$3000) annually for each member as expense allowance.

It is with satisfaction that the House of Representatives notes that all of the criticism is not adverse but is constructive and objective in its nature. The following is an editorial from WCAU-TV in Philadelphia which adequately sets forth the position of the members of the House of Representatives:

"Do you care about the price and quality of your children's education?

"Do you care about the price and quality of medical care in our State Hospitals?

"Do you care about the price of milk in Pennsylvania—or gasoline? Then you must also care about the pending legislation in the Pennsylvania State Senate which will increase the annual income of our Legislators.

"Our Legislators currently have a salary of \$6,000 per year and the House has recently passed a bill adding to that \$6,000 salary \$3,000 per year of expense money. That bill is currently awaiting State Senate action.

"There has been widely publicized criticism of the proposed increase by our State Legislators of their own income. It is the opinion of WCAU-TV that the criticism of this action has been shortsighted. It is always fashionable and popular to be critical of increased governmental costs. All increased governmental costs, however, are not necessarily bad news.

"The processes of government are becoming increasingly complicated. The budget of the Commonwealth of Pennsylvania is now approximately one billion dollars a year. We, the citizens of Pennsylvania must have men of skill, judgment, and wisdom representing us in Harrisburg.

"The demands of these men have been expanded greatly

in the last few years. The Legislature, which formerly met every other year, is now meeting every year, and the sessions have been running the better part of each year.

"In addition to the days on the floor of the Legislature, their work continues in committee meetings, public and closed hearings, party caucuses and the day to day concerns of their constituents. This work load is most certainly on the increase as the complexity of government increases.

"We think you can see from this that a man who does not have a well established business at home which can run itself without his personal attention, or a man without an independent income, would not be particularly attracted to seeking a legislative office. Men with sufficient skills and the ability to properly represent you may well be tempted by the higher income potential in private industry.

"We are not suggesting that a higher price tag on these jobs will automatically create better Legislators. We are suggesting that this increase will in the future attract a larger number of well qualified candidates. The job of selecting the right man to represent you still rests entirely in your elective hands.

"It may well be that some of the men representing us are not even worth the \$6,000 we now pay let alone the \$9,000 we endorse. Again, that's up to you. We know that you don't always get what you pay for but we also know that you never get what you don't pay for"; therefore be it

Resolved, That the House of Representatives hereby congratulates and commends WCAU-TV for its fair and constructive editorial on this question; and be it further

Resolved, That a copy of this resolution be sent to Mr. John H. Schneider, Vice-President and General Manager of WCAU-TV, City Line Avenue, Philadelphia, Pennsylvania.

Referred to the Committee on Rules.

## COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF HOUSE BILLS Nos. 359, 453, 454, 635, 636, 757, 766, 768, 804, 808, 914, 915, 916, 917, 918, 919, 920, 921, 922, 983, 1005, 1119, 1120, 1121, 1149, 1166 and 1167.

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg,

May 25, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 359, printer's No. 396, entitled "An Act authorizing cities to authorize or provide for the destruction or killing of unowned pigeons by humane means."

DAVID L. LAWRENCE.

May 25, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 453, printer's No. 1359, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929,' authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of oil or gas in State parks."

DAVID L. LAWRENCE.

May 25, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 454, printer's No. 1529, entitled "An Act amending the act of April 9, 1929

(P. L. 177) entitled 'The Administrative Code of 1929,' waiving the requirement of competitive bidding for contracts and leases for mining or removal of oil, natural gas and other minerals under State forest land when the Commonwealth owns only a fractional interest in such minerals."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 635, printer's No. 1299, entitled "An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended 'Fuels Use Tax Act,' making permanent the reduction in the tax rate of fuels used in turbine propeller turbo-jet or jet driven aircraft and aircraft engines."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 636, printer's No. 1300, entitled "An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended 'The Liquid Fuels Tax Act,' making permanent the reduction in the tax rate of fuels used in turbine propeller jet turbo-jet or jet driven aircraft and aircraft engines."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 757, printer's No. 830, entitled "An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 766, printer's No. 1679, entitled "An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled 'An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June, one thousand nine hundred and thirty-seven (P. L. 1987) and making an appropriation' and for the repair, improvements or additions of certain sewage treatment plants."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 768, printer's No. 1680, entitled "An Act making an appropriation to the Department of Military Affairs for veterans' assistance."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 804, printer's No. 877,



entitled "An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania."

DAVID L. LAWRENCE.

May 25, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 808, printer's No. 1891, entitled "An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for the fiscal period June 1, 1961 to June 30, 1962 and or the payment of bills incurred and remaining unpaid at the close of the fiscal period ending May 31, 1961."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 914, printer's No. 1003, entitled "An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 915, printer's No. 1004, entitled "An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 916, printer's No. 1005, entitled "An Act making an appropriation for moneys in the Korean Conflict Veterans' Compensation Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 917, printer's No. 1006, entitled "An Act making an appropriation from the Korean Conflict Veterans' Fund to the Department of Military Affairs for certain administration expenses necessary in the administration of the 'Korean Conflict Veterans' Compensation Act'."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 918, printer's No. 1007, entitled "An Act making an appropriation from various funds of the Commonwealth to the Department of Labor and Industry for the payment of the Commonwealth's share of Social Security taxes."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 919, printer's No. 1008, entitled "An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 920, printer's No. 1009, entitled "An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 921, printer's No. 1010, entitled "An Act making an appropriation to the Department of State out of various funds for payments on account of the Annuity Reserve Account No. 2 Contingent Reserve Account and State Police Retirement System to meet the obligations of the funds to the State Employees Retirement System."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 922, printer's No. 1011, entitled "An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the 'World War II Veterans' Compensation Act'."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 983, printer's No. 1085, entitled "An Act transferring money from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund for the purpose of meeting interest and sinking fund requirements on Public Buildings Construction Bonds."

DAVID L. LAWRENCE.

May 25, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1005, printer's No. 1107, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' giving State Colleges powers to cooperate with and accept grants and assistance to prosecute research projects and programs."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1119, printer's No.

1502, entitled "An Act amending the act of May 29, 1945 (P. L. 1132) entitled 'An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor' removing compensation provisions for first aid and mine rescue instructors."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1120, printer's No. 1504, entitled "An Act amending the act of April 25, 1945 (P. L. 289) entitled 'An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector' removing salary provisions for electrical inspectors."

DAVID L. LAWRENCE.

May 31, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1121, printer's No. 1505, entitled "An Act repealing the act of May 26, 1949 (P. L. 1846) entitled 'An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office'."

DAVID L. LAWRENCE.

May 25, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1149, printer's No. 1281, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township, Snyder County, Pennsylvania."

DAVID L. LAWRENCE.

May 25, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1166, printer's No. 1313, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire ninety acres of land more or less in Canaan Township, Wayne County, for use of Farview State Hospital."

DAVID L. LAWRENCE.

May 25, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1167, printer's No. 1314, entitled "An Act amending the act of May 27, 1949 (P. L. 1903) entitled 'The Military Code of 1949' providing for promotions for certain retired Major-Generals."

DAVID L. LAWRENCE.

## SENATE MESSAGE

### SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 133.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employes' Retirement Code of 1959" redefining the words "final average salary" for retirement of officers and employes of the Pennsylvania State Police.

Referred to the Committee on Appropriations.

## SENATE MESSAGE

### SENATE RESOLUTION FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence Senate Joint Resolution as follows:

SENATE JOINT RESOLUTION No. 119.

Referred to the Committee on Rules.

## LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. VERONA for the week.

Mr. Tompkins for Mr. MAGEE for today.

## ANNOUNCEMENT

The SPEAKER. The Chair wishes to announce that it is necessary to remodel the score boards. We cannot possibly use them today. Any votes we take today will have to be oral votes. The boards will be all right tomorrow. They have to make 200 different connections in order to put in the names of the three new members.

The Chair asks the gentleman from Beaver to preside.

Mr. HAMILTON IN THE CHAIR

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 244, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743) changing compensation and allowances for magistrates.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 749, entitled:

An Act amending the "Korean Conflict Veterans' Compensation Act" approved July 8, 1957 (P. L. 569) defining "veteran" so as to include career servicemen.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1111, entitled:

An Act amending the "Child Labor Law" approved May 13, 1915 (P. L. 286) further prescribing work in which minors may engage providing for the issuance of



special permits for minors engaging in the entertainment and related fields changing provisions relating to working hours employment certificates regulations prescribing penalties and providing a short title.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1510, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) requiring certain domestic mutual insurance companies to accumulate unearned premium reserves within a prescribed period.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 519, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles and making the results of the chemical tests admissible in evidence.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 604, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897) further defining employees' eligibility for compensation.

The first section was read.  
On the question,  
Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 644, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) exempting municipal authorities incorporated under the Municipality Authorities Act of 1945 from certificate of title and registration fees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 864, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) requiring employers to insure the payment of compensation in

the State Workmen's Insurance Fund unless exempted from insurance.

The first section was read.  
On the question,  
Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 975, entitled:

An Act amending the act of August 5, 1932 (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes \* \* \* and permitting penalties to be imposed and enforced" eliminating State license fee provisions and making changes to conform to existing law.

The first section was read.  
On the question,  
Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Counties First Class.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1031, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) requiring meetings of the Pennsylvania Game Commission to be open to the public.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1041, entitled:

An Act amending the act of April 13, 1887 (P. L. 21) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" regulating the advancing of eastern standard time by counties cities boroughs towns and townships.

The first section was read.  
On the question,  
Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1077, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), authorizing superinten-

dents to exercise discretion with respect to the performance of surgery on certain patients.

The first section was read.

On the question,

Will the House agree to the section?

Mr. IRVIS offered the following amendment:

Amend Sec. 1 (Sec. 922), page 2, lines 11 and 12, by striking out "another physician or surgeon" and inserting: two other physicians or surgeons not employed by the same institution

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1141, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) further providing for the establishing of prima facie evidence by the use of registration numbers and providing for the liability of bailors for hire of motor vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1212, entitled:

An Act amending the act of July 5, 1917 (P. L. 693) entitled "An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children \* \* \*" providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1234, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) increasing liability for burial costs.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1249, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) permitting the Game Commission to sell deer killed by accident.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1317, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) providing for the payment of compensation to the spouse or certain dependents of deceased employees dying prior to receiving payment to total benefits in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1318, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) providing for the payment of compensation to the spouse or certain dependents of deceased employees dying prior to receiving payment of total benefits in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1331, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County.

And said bill having been read at length the second time and agreed to

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1402, entitled:

An Act to provide for the creation and administration of an Anthracite Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers thereto \* \* \*

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1415, entitled:

An Act amending "The Vehicle Code," approved April 29,



1959 (P. L. 58), exempting Jewish Community Centers from payment of title or registration fees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1549, entitled:

An Act amending "The Military Code of 1949," approved May 27, 1949 (P. L. 1903), discontinuing restricted use of funds realized from sale of armories and providing for expenditure of remaining balance in such restricted funds.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 94, entitled:

An Act amending the act of June 25, 1895 (P. L. 275) entitled "City Classification Law" further regulating the change of classification of cities changing the method of reclassifying cities of the second class A upon a decrease in population authorizing retention of existing classification authorizing elections and permitting selection of a form of city government in such cases from among several optional plans.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 103, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" creating the crime of fatality by motor vehicles or tractors making it illegal to cause the death of another by motor vehicle or tractor and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. IRVIS offered the following amendment:

Amend Sec. 1 (Sec. 1042), page 2, line 13, by inserting after "both": "No person prosecuted under the provisions of this section shall be prosecuted for any other criminal offense as a result of the same circumstances or events, nor shall any person prosecuted for another criminal offense be prosecuted under the provisions of this section as a result of the same circumstances or events."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 125, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania authorizing and validating legislation establishing emergency interim government.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate bill No. 200, printer's No. 767 and

Senate bill No. 201, printer's No. 770

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 309, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" providing for the merger or consolidation of domestic and foreign life insurance companies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 427, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" authorizing purchase or investment of bonds notes and obligations issued assumed or guaranteed by the Inter-American Development Bank.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 542, entitled:

An Act amending the act of June 11, 1947 (P. L. 565), entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate bill No. 553, printer's No. 771

was passed over at the request of the SPEAKER pro tempore.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 74, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" prohibiting persons under fourteen years of age from operating tractors and other equipment except under limited circumstances.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—167

Adams,	Gibb,	Kramer,	Reibman,
Anderson, J. H.,	Gibbons,	Lamb,	Reidenbach,
Anderson, S. A.,	Goldstein, J. H.,	Lawson,	Riley,
Arlene,	Goldstein, M. H.,	Lee, A. M.,	Royer,
Ashton,	Goodrich,	Leonard,	Rubin,
Auker,	Gramlich,	Limper,	Rudisill,
Bachman,	Gray,	Lippincott,	Rutherford,
Backenstoe,	Greenlee,	Long, Wm. Jas.,	Sakulsky,
Blair,	Gremminger,	Long, Wm. Jos.,	Scarcelli,
Boles,	Gross,	Lutty,	Schaaf,
Bonner,	Guesman,	Markley,	Schuster,
Bower,	Hamilton,	Maxwell,	Seltzer,
Bowman,	Hankins,	McCandless,	Shelton,
Branca,	Hartley,	McCann,	Sherman,
Breth,	Haudenschild,	McCormack,	Shupnik,
Buchanan,	Heavey,	McDevitt,	Simmons,
Bush,	Heffner,	McDonald,	Slack,
Capitolo,	Helm,	McInroy,	Snare,
Cauley,	Henzel,	McKeever,	Stank,
Clanfrani,	Hocker,	McLaughlin,	Steckel,
Clarke,	Holl,	Meholchick,	Stimmert,
Cooley,	Holliday,	Miller,	Stiteler,
Crossin,	Holman,	Mills,	Stone,
Curwood,	Horst,	Monroe,	Sullivan, J. A.,
Davis,	Irviss,	Morley,	Sullivan, T. F.,
Dengler,	Isaacs,	Mullen,	Taylor,
Dougherty,	Jim,	Munley,	Thompson,
Doughten,	Johnson, A. W.,	Murray,	Trusio,
Edwards,	Johnson, R. P.,	Needham,	Ujobal,
Ellberg,	Jones,	O'Dell,	Wall,
Eshback,	Kamyk,	O'Donnell, J. A.,	Wargo,
Eshleman,	Keiser,	Odorisio,	Weidner,
Ewing,	Kelly,	Ogilvie,	Welsh,
Fetterolf,	Kernaghan,	Parlante,	Wescott,
Filo,	Kessler,	Pashley,	Whittaker,
Fineman,	King,	Petrosky,	Willard,
Foerster,	Kistler,	Piper,	Willaredt,
Frascella,	Klein,	Polaski,	Williams, A. D.,
Galley,	Knecht,	Polen,	Wilt,
Gallagher,	Kooker,	Prendergast,	Wood,
Gelfand,	Kornick,	Price,	Zember,
George,	Korns,	Pursley,	

## NAYS—28

Bossert,	Foor,	Merry,	Walsh,
Capano,	Fox,	Musto,	Williams, E. S.,
Dennison,	Fulmer,	Renwick,	Worley,
Donaldson,	Lee, K. B.,	Rovansek,	Wynd,
Down,	Manbeck,	Strausser,	Yetter,
Farabaugh,	Marsh,	Tompkins,	Zimmerman,
Flynn,	McNally,	Varner,	Andrews,

Speaker

## NOT VOTING—14

Cioffi,	Guthrie,	Mihm,	Perry,
Comer,	Jenkins,	Murphy,	Tomascik,
Elvey,	Magee,	O'Donnell, J. P.,	Verona,
Fry,	May,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Beaver, Mr. Hamilton, for presiding.

## FERGUSON TOWNSHIP SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the sixth grade students of Ferguson Township School, Centre County, with their teachers, Mr. Gerald

Cartright and Mr. William Henry. They are the guests of the gentleman from Centre, Mr. Fulmer.

Mr. McCANN. Mr. Speaker, I call up on page 25, Senate bill 75, printer's No. 767.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 75, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring operators to depress their headlights when following or overtaking another vehicle and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—175

Adams,	Frascella,	Lee, K. B.,	Renwick,
Anderson, J. H.,	Fulmer,	Leonard,	Riley,
Anderson, S. A.,	Galley,	Limper,	Rovansek,
Arlene,	Gallagher,	Lippincott,	Royer,
Ashton,	Gelfand,	Long, Wm. Jos.,	Rubin,
Auker,	Gibbons,	Lutty,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Rutherford,
Blair,	Goldstein, M. H.,	Markley,	Sakulsky,
Boles,	Goodrich,	Marsh,	Scarcelli,
Bonner,	Gramlich,	Maxwell,	Schaaf,
Bower,	Gray,	May,	Schuster,
Bowman,	Greenlee,	McCandless,	Seltzer,
Branca,	Gremminger,	McCann,	Shelton,
Buchanan,	Gross,	McCormack,	Sherman,
Bush,	Guesman,	McDevitt,	Shupnik,
Capano,	Hamilton,	McDonald,	Simmons,
Capitolo,	Hankins,	McInroy,	Slack,
Cauley,	Hartley,	McKeever,	Snare,
Clanfrani,	Haudenschild,	McLaughlin,	Stank,
Cioffi,	Heavey,	McNally,	Steckel,
Clarke,	Heffner,	Meholchick,	Stimmel,
Cooley,	Helm,	Miller,	Stiteler,
Crossin,	Henzel,	Mills,	Stone,
Curwood,	Holl,	Monroe,	Sullivan, J. A.,
Davis,	Holliday,	Morley,	Sullivan, T. F.,
Dengler,	Irviss,	Mullen,	Taylor,
Dennison,	Isaacs,	Munley,	Thompson,
Donaldson,	Jim,	Murphy,	Tompkins,
Dougherty,	Johnson, A. W.,	Musto,	Trusio,
Doughten,	Johnson, R. P.,	Needham,	Ujobal,
Down,	Jones,	O'Dell,	Varner,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Walsh,
Elvey,	Kelly,	Odorisio,	Wargo,
Eshback,	Kernaghan,	Ogilvie,	Weidner,
Eshleman,	Kessler,	Parlante,	Welsh,
Ewing,	Klein,	Pashley,	Wescott,
Farabaugh,	Knecht,	Petrosky,	Whittaker,
Filo,	Kooker,	Polaski,	Williams, A. D.,
Fineman,	Kornick,	Polen,	Williams, E. S.,
Flynn,	Korns,	Prendergast,	Wilt,
Foerster,	Kramer,	Price,	Wood,
Foor,	Lamb,	Pursley,	Wynd,
Fox,	Lawson,	Reibman,	Yetter,
	Lee, A. M.,	Reidenbach,	Zember,

## NAYS—21

Bossert,	Holman,	Merry,	Willard,
Edwards,	Horst,	Piper,	Willaredt,
Fetterolf,	Keiser,	Strausser,	Worley,
George,	King,	Tomascik,	Zimmerman,
Gibb,	Kistler,	Wall,	Andrews,
Hocker,			Speaker

## NOT VOTING—13

Bachman,	Guthrie,	Magee,	O'Donnell, J. P.,
Breth,	Jenkins,	Mihm,	Perry,
Comer,	Long, Wm. Jas.,	Murray,	Verona,
Fry,			



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 85, entitled:

An Act amending the act of June 15, 1951 (P. L. 586), entitled "An act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" excepting certain probationary appointees from suspension and removal provisions.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, this bill pertains to police employes, police officers in police departments in any townships of the second class, or any boroughs or townships of the first class, and it sets forth in the present act that no police officer in such police department shall be suspended or removed from office except for the following enumerated reasons, and the present law goes on to spell out the reasons why they can be removed from office, such as physical or mental disability, neglect or violation of duty, violation of any law of this Commonwealth, which provides that such violation constitutes a misdemeanor or felony, inefficiency, neglect, intemperance, disobedience of orders or conduct unbecoming an officer or intoxication while on duty. That is the present law.

What this amendment does is to exclude from the purview of this law policemen who are appointed for a probationary period of one year or less, so that if we adopt the amendment to this law we would be permitting the proper authorities to remove probationary police officers without any reason whatsoever. I feel that the reasons for removal of any officer, as enumerated under the present law, is very broad and all-inclusive, and, therefore, there is no reason why the probationary police officer should be excluded from this law.

What concerns me further is this section of the law that would not apply to probationary police. It says that a person so employed shall not be removed for religious, racial or political reasons. That being so, if this becomes law, you would have the proper authority being able to remove a probationary police officer for racial, religious or political reasons. He would not be covered by the provisions of this present act. They could very well say we do not like this man's politics, and since he is a probationary police officer for a year or less, we have the right to fire him. That probationary police officer then would have no recourse under this law because this provision of the law would not apply to him. Unless somebody who has an interest in this bill can tell me why probationary policemen should be excluded from this law, I must vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—191

Anderson, J. H.	Gelfand,	Leonard,	Royer,
Anderson, S. A.,	George,	Limper,	Rubin,
Arlene,	Gibb,	Lippincott,	Rudisill,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Auker,	Goldstein, J. H.,	Lutty,	Sakulsky,
Backenstoe,	Goodrich,	Manbeck,	Scarcelli,
Blair,	Gramlich,	Markley,	Schaaf,
Boles,	Gray,	Marsh,	Schuster,
Bonner,	Greenlee,	Maxwell,	Seltzer,
Bossert,	Gremminger,	May,	Shelton,
Bower,	Gross,	McCandless,	Sherman,
Bowman,	Guesman,	McCann,	Shupnik,
Branca,	Hamilton,	McDevitt,	Simmons,
Buchanan,	Hankins,	McDonald,	Slack,
Bush,	Hartley,	McInroy,	Snare,
Capano,	Haudenshield,	McKeever,	Stank,
Capitolo,	Heavey,	McLaughlin,	Steckel,
Cauley,	Heffner,	McNally,	Stimmel,
Clanfrani,	Helm,	Meholchick,	Stiteler,
Cloffi,	Henzel,	Merry,	Stone,
Clarke,	Hocker,	Miller,	Strausser,
Cooley,	Holl,	Mills,	Sullivan, J. A.,
Crossin,	Holliday,	Monroe,	Sullivan, T. F.,
Curwood,	Holman,	Morley,	Taylor,
Davis,	Horst,	Mullen,	Thompson,
Dengler,	Irviss,	Munley,	Tomasick,
Donaldson,	Isaacs,	Murphy,	Tompkins,
Dougherty,	Jim,	Musto,	Trusio,
Doughten,	Johnson, A. W.,	Needham,	Ujobai,
Down,	Johnson, R. P.,	O'Dell,	Varnier,
Edwards,	Jones,	O'Donnell, J. A.,	Wall,
Elberg,	Kamyk,	Odoristo,	Walsh,
Elvey,	Kelser,	Ogilvie,	Wargo,
Eshback,	Kelly,	Parlante,	Weidner,
Eshleman,	Kernaghan,	Pashley,	Welsh,
Ewing,	Kessler,	Petrosky,	Wescott,
Farabaugh,	King,	Piper,	Whittaker,
Fetterolf,	Kistler,	Polaski,	Willard,
Filo,	Klein,	Polen,	Willaredt,
Fineman,	Knecht,	Prendergast,	Williams, A. D.,
Flynn,	Kooker,	Price,	Williams, E. S.,
Foerster,	Kornick,	Pursley,	Wilt,
Foor,	Korns,	Reibman,	Wood,
Fox,	Kramer,	Reidenbach,	Worley,
Frascella,	Lamb,	Renwick,	Wynd,
Fulmer,	Lawson,	Riley,	Yetter,
Galley,	Lee, A. M.,	Rovansek,	Zember,
Gallagher,	Lee, K. B.,		Zimmerman,

#### NAYS—5

Adams,	Goldstein, M. H.,	McCormack,	Andrews,
Dennison,			Speaker

#### NOT VOTING—13

Bachman	Fry,	Long, Wm. Jas.,	Murray,
Breth,	Guthrie,	Magee,	O'Donnell, J. P.,
Comer,	Jenkins,	Mihm,	Perry,
			Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 90, entitled:

An Act amending the act of May 17, 1949 (P. L. 1403), entitled "Municipal Unclaimed Moneys Act" further regulating the deposit of moneys by municipal officers and imposing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams,	Gallagher,	Lee, K. B.,	Royer,
Anderson, J. H.,	Gelfand,	Leonard,	Rubin,
Anderson, S. A.,	George,	Limper,	Rudisill,
Arlene,	Gibb,	Lippincott,	Rutherford,
Ashton,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Lutty,	Schaaf,
Blair,	Goodrich,	Manbeck,	Schuster,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Greenlee,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCann,	Slack,
Buchanan,	Hamilton,	McCormack,	Snare,
Bush,	Hankins,	McDevitt,	Stank,
Capano,	Hartley,	McDonald,	Steckel,
Capitolo,	Haudenshield,	McInroy,	Stimmel,
Cauley,	Heavey,	McKeever,	Stiteler,
Cianfrani,	Heffner,	McLaughlin,	Stone,
Cioffi,	Helm,	McNally,	Strausser,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Cooley,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holl,	Miller,	Taylor,
Curwood,	Holliday,	Mills,	Thompson,
Davis,	Holman,	Monroe,	Tomasck,
Dengler,	Horst,	Morley,	Tompkins,
Dennison,	Irvis,	Mullen,	Trusio,
Donaldson,	Isaacs,	Munley,	Ujobal,
Dougherty,	Jim,	Murphy,	Varner,
Doughten,	Johnson, A. W.,	Musto,	Wall,
Down,	Johnson, R. P.,	Needham,	Walsh,
Edwards,	Jones,	O'Dell,	Wargo,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Weldner,
Elvey,	Kelser,	Odoriso,	Welsh,
Eshback,	Kelly,	Ogilvie,	Wescott,
Eshleman,	Kernaghan,	Parlante,	Whittaker,
Ewing,	Kessler,	Pashley,	Willard,
Farabaugh,	King,	Petrosky,	Willaredt,
Fetterolf,	Kistler,	Piper,	Williams, A. D.,
Filo,	Klein,	Polaski,	Williams, E. S.,
Fineman,	Knecht,	Polen,	Wilt,
Flynn,	Kooker,	Prendergast,	Wood,
Foerster,	Kornick,	Price,	Worley,
Foor,	Korns,	Pursley,	Wynd,
Fox,	Kramer,	Reibman,	Yetter,
Frascella,	Lamb,	Reidenbach,	Zember,
Fulmer,	Lawson,	Renwick,	Zimmerman,
Galley,	Lee, A. M.,	Riley,	Andrews,
		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—12

Bachman,	Fry,	Magee,	O'Donnell, J. P.,
Breth,	Guthrie,	Mihm,	Perry,
Comer,	Jenkins,	Murray,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 161, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949" changing provisions relating to the order of payment of claims against estates.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams,	Gallagher,	Lee, K. B.,	Royer,
Anderson, J. H.,	Gelfand,	Leonard,	Rubin,
Anderson, S. A.,	George,	Limper,	Rudisill,
Arlene,	Gibb,	Lippincott,	Rutherford,
Ashton,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Lutty,	Schaaf,
Blair,	Goodrich,	Manbeck,	Schuster,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Greenlee,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCormack,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Capitolo,	Haudenshield,	McKeever,	Stimmel,
Cauley,	Heavey,	McLaughlin,	Stiteler,
Cianfrani,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Strausser,
Clarke,	Henzel,	Merry,	Sullivan, J. A.,
Cooley,	Hocker,	Miller,	Sullivan, T. F.,
Crossin,	Holl,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomasck,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Ujobal,
Dougherty,	Jim,	Musto,	Varner,
Doughten,	Johnson, A. W.,	Needham,	Wall,
Down,	Johnson, R. P.,	O'Dell,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kamyk,	Odoriso,	Weldner,
Elvey,	Kelser,	Ogilvie,	Welsh,
Eshback,	Kelly,	Parlante,	Wescott,
Eshleman,	Kernaghan,	Pashley,	Whittaker,
Ewing,	Kessler,	Petrosky,	Willard,
Farabaugh,	King,	Piper,	Willaredt,
Fetterolf,	Kistler,	Polaski,	Williams, A. D.,
Filo,	Klein,	Polen,	Williams, E. S.,
Fineman,	Knecht,	Prendergast,	Wilt,
Flynn,	Kooker,	Price,	Wood,
Foerster,	Kornick,	Pursley,	Worley,
Foor,	Korns,	Reibman,	Wynd,
Fox,	Kramer,	Reidenbach,	Yetter,
Frascella,	Lamb,	Renwick,	Zember,
Fulmer,	Lawson,	Riley,	Zimmerman,
Galley,	Lee, A. M.,	Rovansek,	Andrews,
			Speaker

## NAYS—0

## NOT VOTING—12

Bachman,	Fry,	Magee,	O'Donnell, J. P.,
Breth,	Guthrie,	Mihm,	Perry,
Comer,	Jenkins,	Murray,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with the information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 197, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for special and summer classes for children of migrant laborers requiring the filing of certain reports and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.



## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1335, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. Are these amendments to be read at length or are they accepted?

Mr. McCANN. I will ask if the gentlemen want them read at length. Mr. Tompkins is going to speak against the amendments.

Mr. TOMPKINS. Mr. Speaker, I think interrogation will bring out at length the provisions of the amendment.

The SPEAKER. The interrogation will clarify the amendments.

The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 4), page 3, lines 11 and 12, by inserting brackets before and after "and lakes on State land" and inserting immediately thereafter: "reservoirs and lakes."

Amend Sec. 1 (Sec. 4), page 4, lines 16 to 18, by striking out all of lines 16 and 17 and "HUNDRED AND TEN DOLLARS (\$869,474,210)" in line 18, and inserting: "eight hundred seventy-four million nine hundred two thousand two hundred twenty dollars (\$874,902,220)."

Amend Sec. 2, page 5, line 16, by striking out "35,715,-442" and inserting: "38,470,261."

Amend Sec. 2, page 11, by inserting between lines 12 and 13:

"E. Pennsylvania Fish Commission Recreational Facilities Program (\$2,754,819)

(1) Baltimore and Ohio Reservoirs—Jefferson County

(a) Acquisition of Land, Construction of Roads, Parking Lots, Boat Launching Ramps, and Sanitary Facilities ..... 271,224

(2) Lily—Luzerne County

(a) Acquisition of Lake ..... 159,473

(3) Negro Glade—Somerset County

(a) Construction of Dam ..... 352,009

(4) Hammer Creek—Lancaster County

(a) Acquisition of Land and Construction of Dam ..... 503,801

(5) East Bangor Dam—Northampton County

(a) Acquisition of Land and Construction of Dam ..... 226,285

(6) East Branch, Martins Creek—Northampton County

(a) Acquisition of Land and Construction of Dam ..... 327,424

(7) Delaware River Boating Area—Bucks County

(a) Acquisition of Land, Construction of Roads, Parking Lot, Boat Launching Ramps, Docking Facilities and Sanitary Facilities ..... 121,125

(8) Erie Boating Access—Erie County

(a) Acquisition of Land, Construction of Roads, Parking Lot, Boat Launching Ramps, Docking Facilities, Breakwater and Sanitary Facilities ..... 85,172

(9) Ohio River Access—Beaver, Butler and Allegheny Counties

(a) Acquisition of Land, Construction of Roads, Parking Lots and Boat Launching Ramps ..... 148,761

(10) Four Mile Run Dam Site—Westmoreland County

(a) Acquisition of Land ..... 79,736

(11) Harvey's Lake—Luzerne County

(a) Acquisition of Land, Construction of Boat Launching Ramps, Parking Lot and Docking Facilities ... 37,472

(12) Yellow Creek—Indiana County

(a) Acquisition of Land, Construction of Dam ..... 442,337"

Amend Sec. 2, page 20, line 11, by striking out "(\$35,-107,541)" and inserting: "(\$38,389,853)."

Amend Sec. 2, page 22, line 5, by striking out "AND."

Amend Sec. 2, page 22, line 5, by inserting after "DESIGN" "and Construction."

Amend Sec. 2, page 22, line 6, by striking out "87,710" and inserting: "2,485,116."

Amend Sec. 2, page 43, line 10, by striking out "12,402,-141" and inserting: "12,677,926."

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, as I read these amendments they add projects to the General State Authority bill 1335 in the sum of \$2,754,819. Is that right?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. They cover 12 different items. There are several of these items I want to interrogate upon. For instance, item No. 5, East Bangor Dam, Northampton County, acquisition of land and construction of dam; item No. 6, East Branch, Martins Creek, Northampton County, acquisition of land and construction of dam; item No. 7, Delaware River Boating Area, Bucks County, acquisition of land, construction of roads, parking lot, boat launching ramps, docking facilities and sanitary facilities.

Now, my inquiry on those three items is, are all or any one of them included as a part of the Delaware River Basin Development?

Mr. POLEN. They are not, Mr. Speaker. These are purely Fish Commission projects.

Mr. TOMPKINS. These have no relation to any portion of the Delaware River Basin bills that are presently before the House?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. Now, going down the list, No. 1, Baltimore and Ohio Reservoirs in Jefferson County, acquisition of land, construction of roads, parking lots, boat launching ramps and sanitary facilities; Lily Lake in Luzerne County, the acquisition of the lake; Negro Glade in Somerset County, construction of dam; Hammer Creek, Lancas-

ter County, acquisition of land and construction of a dam; East Bangor Dam, Northampton County, was covered; Erie Boating Access, Erie County, acquisition of land, construction of roads, parking lot, boat launching ramps, docking facilities, breakwater and sanitary facilities; Ohio River Access, Beaver, Butler and Allegheny Counties, acquisition of land, construction of roads, parking lots and boat launching ramps; item No. 10, Four Mile Run Dam Site, Westmoreland County, acquisition of land; Harvey's Lake, Luzerne County, acquisition of land, construction of boat launching ramps, parking lot and docking facilities; item No. 12, Yellow Creek, Indiana County, acquisition of land and construction of dam.

Now, my interrogation is, the total of them come to \$2,754,819. How are these to be financed?

Mr. POLEN. These are to be financed by rental payments paid out of Fish Commission funds.

Mr. TOMPKINS. And what would that annual rental amount to?

Mr. POLEN. It is estimated to be approximately \$125,000.

Mr. TOMPKINS. \$125,000? Now, can any portion of the money received from the Federal Government be used to pay any of these rentals?

Mr. POLEN. I understand, Mr. Speaker, that on most of the projects approximately 75 percent of the funds can come from the Federal Government.

Mr. TOMPKINS. Mr. Speaker, a further interrogation: Will the acquisition of any of these lands also take in, or will it ruin, any minerals, subsurface minerals, where the land is located?

Mr. POLEN. It is my understanding it will not.

Mr. TOMPKINS. I understand the one in Indiana County will destroy a tremendous acreage of coal that has given employment to a great number of men for quite a number of years?

Mr. POLEN. Mr. Speaker, on that I would not be able to answer whether it would or would not, because that item was just given to me and is an additional item which was not in the ones that I previously talked about. It is possible that that is true. I think the gentleman from Indiana, Mr. Buchanan, might be able to answer that question.

Mr. TOMPKINS. There is a lot of land acquisition involved in here. Have land prices been fixed so that you know this is the amount for which they can be acquired?

Mr. POLEN. It is my understanding that these properties have long been under acquisition, they have wanted to acquire them, but due to the lack of funds they have been unable to do so, that the prices have been set and that a period of negotiations has been going on for many months.

Mr. TOMPKINS. Have any of the lands been optioned that they know where they stand on them?

Mr. POLEN. I understand that some of the lands are under option and at least all of them have been negotiated for.

Mr. TOMPKINS. That is all, Mr. Speaker. I thank the gentleman from Washington.

Mr. Speaker, we are asking here that these twelve projects be added to this bill for the purpose of building boat landings, parking lots, sanitary facilities, and what-have-you, to be paid for out of the Fish Commission funds. I am wondering whether or not the expenditures out of the Fish Commission funds are proper for such purposes. Is that the purpose for which the Fish Commission was created, to build roads, build boat landings, dock-

ing facilities, sanitary facilities and acquire a lot of land, or is it to operate a system of fishing in the State of Pennsylvania?

Secondly, with all the furor that we have heard in connection with the lack of funds in the Fish Commission with the decrease in fishing licenses, and so forth, there is no evidence before us that the Fish Commission, even with its present finances, is able to stock and take care of the waters already available to them, and here they are asking for the expenditure of upwards of \$125,000 a year for a lot of additional facilities when they cannot take care of what they already have.

I question the advisability of adding these chunks of pork to this bill to be paid for by the Fish Commission without having any indication from the sportsmen as to whether or not they wish to have our sportsmen's money spent for this purpose. For that reason, Mr. Speaker, I oppose this amendment.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, the gentleman from Cameron mentioned that he questioned whether this money could be spent by the Fish Commission for this purpose. I might say that on projects of this nature the Fish Commission is presently spending money for that purpose. The purpose of this amendment is to advance 15 or 20 years the program in Pennsylvania for the Fish Commission and for the sportsmen.

They have been spending anywhere from \$100,000 to \$140,000 a year on a piecemeal basis doing this work. They say now that they can advance it 15 to 20 years, and it would seem to me that their purpose is sound, to give to the people, the sportsmen and fishermen in Pennsylvania, these projects to presently use and enjoy rather than have to wait for this number of years, while the cost each year will be practically the same as now being spent and they only have the limited facilities.

This is not, of course, an administration amendment. This amendment was presented by the Fish Commission, and I have talked it over with others who are interested in fishing in Pennsylvania. It is my understanding, at least from the ones who have talked to me, that they are thoroughly for this amendment and they think it is a great advance in Pennsylvania.

I believe, Mr. Speaker, that as long as we are having GSA and we are using it for other projects it may very well be extended to the Fish Commission in order that these benefits will accrue to the sportsmen and fishermen of Pennsylvania.

Mr. TOMPKINS. Mr. Speaker, I would like to further interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. The gentleman will proceed.

Mr. TOMPKINS. Mr. Speaker, what will be the life of the bonds issued to build these?

Mr. POLEN. It has not been determined, but they will be worked out on a basis so that they could be retired in approximately 20 to 25 years, based upon the figures the Fish Commission gave me. That, however, will be determined when the final interest rate is known.

Mr. TOMPKINS. But between 20 and 25 years?

Mr. POLEN. That would be correct.

Mr. TOMPKINS. Mr. Speaker, I should like to ask, will a lot of the facilities that are provided for in this amendment be able to stand and live out the life of the bonds?

Mr. POLEN. It is my understanding, Mr. Speaker, that



these facilities will be here long, long after the bonds have been paid off. I do not think, Mr. Speaker, that dams and construction of that nature are perishable; they would be permanent.

Mr. TOMPKINS. I am thinking now of boat landings, sanitary facilities, launching ramps, and what-have-you that are designed under this bill to be constructed?

Mr. POLEN. I believe, Mr. Speaker, that all the facilities will be here and in good working order when all the bonds have been paid off.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, the gentleman has raised one further question upon which I want to make a remark. He has said that the annual rental to take care of this situation would be \$125,000. Then he tells me that they presently are spending about \$140,000 a year doing the same thing, but they want to do these things in a hurry. If they only have that amount of money to spend now, then are we going to say that we will spend the entire amount which the Fish Commission has, \$125,000 a year, for these purposes, only for these 12 projects, and neglect the rest of the Commonwealth of Pennsylvania? How much are we cheating the rest of the Commonwealth of Pennsylvania by putting a program of that kind through? I do not think it is fair to the rest of the Commonwealth.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Curwood.

Mr. CURWOOD. Mr. Speaker, just a few remarks on this amendment. I would like to interrogate the gentleman from Cameron just for a minute.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. CURWOOD. Mr. Speaker, how many lakes does the gentleman have in his area, in his county, I will say?

Mr. TOMPKINS. I have none and that has absolutely nothing to do with the things involved in this bill.

Mr. CURWOOD. Thank you, Mr. Speaker. I did not ask you to give a speech. I just asked you to answer a question. Thank you, Mr. Tompkins.

Here is the way I feel about the program. I think I have had just a little bit of experience in the situation. I think if our fellows about 25 years ago had done the same thing and got these lakes and taken care of them, we would be ahead. It is just like Mr. Polen says, a lake is good fun for a million years and it does not have to be taken care of. We have one particular lake that is on this bill right here. It is a 200-and-some-odd acre lake. It has been there since I was a little boy and I think a lot of little boys before me. It is places like this that the State of Pennsylvania, the State Fish Commission, has got to buy if we are going to sell licenses. Up in Sullivan County we have several, and around different places, and the majority of these are being bought up by individuals and companies, and nobody can fish them.

So my argument is that we must buy these places in order to give our fishermen a chance and a place to fish.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. O'Dell.

Mr. O'DELL. Mr. Speaker, in this amendment there is \$85,172 for the purpose of acquiring land, construction of roads, parking lots, boat ramps, launching ramps, docking facilities, breakwaters, sanitary facilities in Erie County. Now, that is to be at North East. We have tried for years to get the Fish Commission to come up to North East and

put in these various facilities that they want to put in now. We need them. You know that the boating business is increasing every year. I do not own a boat, I am not a fisherman, but the people out around this area have been wanting these facilities put in for years. The land is available. I talked to Mr. Day, executive director of the Fish Commission, and he tells me that the Fish Commission is run the same as an ordinary business; they operate from day to day. Now they have come to the conclusion that they will be able to increase their facilities the same as a business, by going to the bank. I would go to the bank and borrow money to make improvements to my business. Here they are asking the GSA to take over the putting in of some of these facilities. I am in favor of the amendments and I intend to vote for them. I ask all the members on this side of the House to vote for them.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, anyone who is familiar with the facts in this particular situation recognizes that this move is one of the greatest and most beneficial moves made by any agency of government in behalf of all the people. Everyone of these sites in here is for public recreation, not just for fishing. Everyone of these sites in here will be immediately available, instead of waiting 15 or 20 years for the probable development of an overall program of this magnitude.

I want to read into the record a letter from Albert M. Day, executive director of the Fish Commission, to Dean Polen, regarding this. He says: "...this would permit the Fish Commission to gain some fifteen or twenty years in its program of acquisition and development of public fishing and boating areas. As of now, we are unable to save enough cash to do more than build a minor project each year. By allocating something like \$100,000 per year of license revenue, we can immediately gain the advantage of around \$2,500,000," for capital development for public recreation. He says, "There is no problem insofar as the payment of our obligation to GSA is concerned. The obligations of \$100,000 per year which would make this program possible would be only a portion of the funds," available from the Dingle-Johnson funds in Washington, D. C., which hands us approximately \$140,000 per year now for this identical purpose and can be used to amortize this \$2.5 million fund. He also says, "Nobody stands to lose by this approach, but everybody stands to gain."

Now, the point about this is that you accelerate, and you take advantage of, all kinds of adequate financing which the Fish Commission today is unable to do. These projects, these 12 projects, are not going to be the end of the Fish Commission's program for 20 years. It is to be the supplement of an outstanding program. Furthermore, here is the danger, if we do not do this now with the rate that we are getting into the price of recreational land and dam sites in this State, we stand to have private interests, private clubs, individuals who are interested in their own financial development to step in and say to the Fish Commission, in the next two, six, eight or ten years, buy up these sites and then the public loses them forever.

This is a marvelous thing. This is what we should have done long ago, and I here want to publicly congratulate Albert Day for originating it and I think this House should overwhelmingly support it.

The SPEAKER. Can we resolve this difference of opinion by a division?



Mr. McCANN. Yes, Mr. Speaker. We will accept a division, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I have nothing against such projects or such developments in the State of Pennsylvania. But when I have been informed as to the condition of the fish hatcheries in this State, of our stocking program, and of the loss of revenue because of decreased licenses because of the inability of the Fish Commission to keep pace with the facilities they already have, I cannot mortgage the future of the Fish Commission and the present facilities for 20 years and stop them by authorizing these projects.

Whereupon, a division was called for, more than a majority having voted in the affirmative, the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I might say that I am not going to offer amendments. We are going to present the problem that I want to present in a different way perhaps tomorrow. I did want to try to write into the bill a declaration of legislative intent that once we obligate the Commonwealth for another \$260 million, or for whatever this bill is, that would be the end. So, we are going to do it by another method tomorrow. Therefore, I will not offer my declaration of legislative intent amendments which I had intended to offer.

Mr. McCANN. Mr. Speaker, I thank the gentleman.

Mr. A. M. LEE asked unanimous consent to offer amendments at this time.

The SPEAKER. Are these amendments controversial?

Mr. McCANN. Mr. Speaker, these are very controversial.

Mr. A. M. LEE. Mr. Speaker, I would suggest that they be read in the short way and I will explain them in the course of my remarks.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, ninth line of Title, by striking out "increasing" and inserting: "changing."

Amend Title, page 2, last two lines of Title, by striking out "such increased borrowing capacity" and inserting: "a portion of the borrowing capacity; requiring prior approval of projects by the General Assembly, and providing for the reduction of the Authority's borrowing capacity."

Amend Sec. 1 (Sec. 4), page 3, lines 5 and 6, by inserting a bracket before "State" where it appears the second time in line 5 and after "fields" in line 6.

Amend Sec. 1 (Sec. 4), page 4, line 6, by inserting brackets before and after "and the" and inserting immediately thereafter: "No project shall be started until legislation specifically authorizing the same has been enacted. The"

Amend Sec. 1 (Sec. 4), page 5, line 7, by inserting after "thereof": "Upon the retirement of any bonds issued the Authority's power to borrow shall be reduced by the amount of the bonds so retired."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

One on the question,

Will the House agree to the amendments?

Mr. A. M. LEE. Mr. Speaker, the General State Authority is a creature of the General Assembly and we have literally created a monster.

In 1957 we authorized an increase of \$50 million in the borrowing capacity. In 1959 the increase was \$140 million. This bill before us today would increase the borrowing capacity of the General State Authority by approximately \$250 million. In my opinion, it is rapidly becoming a monument to the fiscal irresponsibility of the State administration.

In 1955, they adopted the principle of writing into the GSA bill the specific projects upon which the funds were to be spent. In 1959, however, House bill 2386 was passed by this General Assembly and included in that bill at one stage of the game were several authorized projects which ultimately were deleted by the General Assembly, and I come to find that, despite the fact that these projects were rejected by the General Assembly, the General State Authority has gone ahead and committed funds of the taxpayers, funds of the General State Authority, for the construction and design of these particular projects which had been rejected.

There are a number of these. As an example, on page 8 of House bill 2386 there was a project to construct facilities at Presque Isle State Park Marina. That was stricken out of the bill before it became law.

Also, on page 18 of House bill 2386 was the purchase and renovation of Pittsburgh Tuberculosis League Institution, the Western Mental Health Center. That likewise was stricken out of the bill before it became law.

However, in the Governor's capital budget there is a section which shows the capital improvements and projects submitted which are under construction. This is a capital budget for 1961-63 which was presented to us earlier this year. In there we find, on page 56, Presque Isle State Park, Erie County Marina, \$561,000 committed for design.

Also in the capital budget, on page 67, we find Western Pennsylvania Diagnostic and Evaluation Center budget purchase of property \$797,045.

It seems to me incredible, Mr. Speaker, that the legislature should specify as to what these funds in the capital budget are to be used for and then have the General State Authority turn around and in defiance of the will of the legislature to go ahead and build projects which have been rejected by this General Assembly.

In my personal opinion, the real solution and the long-term solution to the problem of GSA, the problem of this monster we have created, is to permit the issuance of general obligation bonds by the Commonwealth of Pennsylvania which we can do at a less interest rate, and all of these capital improvements would then be submitted to the people of Pennsylvania for their approval. That is the long-range way.

As a first step towards bringing this monster under control, I think what we should do is to pass legislation in this House which will prohibit the General State Authority from committing funds or spending funds in any way on any project which has not been authorized by the General Assembly. To do otherwise is a complete and utter abdication of our Constitutional responsibility. We are handing to someone else a blank check for millions and millions of dollars in taxpayers' funds.

The original planning commission or State planning board recommendations for expenditures under the 1961-63 capital program amounted to about \$408 million. The



authorizations contained in House bill 1335 amount to approximately \$250 million. There is a difference of about \$40 million in what the planning board says these projects will cost and what we are being asked to authorize as far as the General State Authority is concerned. Now that 40-some million dollars represents potential unallocated funds which, if the funds become available as unallocated funds, could be expended by the General State Authority on any capital project of any kind, any place in this Commonwealth without further consultation with this General Assembly.

Now I give you an example. By giving this example I do not mean any reflection on the particular project. I just give you an example of how these unallocated funds come about.

In the capital budget is a proposal to build a new general hospital in Ashland, Schuylkill County. The planning board estimates the cost of building this hospital is \$5,575,000. The planning board indicates that they expect to receive \$1,858,000 in Hill-Burton funds from the Federal Government, so that the net cost of this facility to the Commonwealth of Pennsylvania would be \$3,717,000. However, if you will examine House bill 1335, you will find in there that the General State Authority is asking for an authorization to borrow \$6,168,000 for the purpose of building this particular facility.

If they get this \$6 million-some-odd-thousand in authorization, and if they receive this \$1.8 million from the Federal Government, and if they are able to save additional funds from the loading factor which they apply to all projects, there will be a couple million dollars there in unallocated funds which they can spend in any way they see fit.

I think that is wrong. There are a number of other examples in the capital budget where Federal funds are anticipated to come in from heavy loading in the estimates in the cost of these projects.

As far as my amendments are concerned, Mr. Speaker, I seek in these amendments to write into House bill 1335 a provision that will stop this business of spending money on projects which we do not authorize because that is fiscal irresponsibility at its greatest.

Now, Mr. Speaker, as far as my amendments are concerned, I would like to ask first, as it is my opinion that the question on these amendments is divisible, to have the question on the amendments divided.

The SPEAKER. How does the gentleman desire to divide the question?

Mr. A. M. LEE. The amendment to Section 1, page 4, line 6, providing for the addition of the following language, "No project shall be started until legislation specifically authorizing the same has been enacted." I would like the question on that particular amendment to be put first and, in the event it fails, I would withdraw the other amendments.

The SPEAKER. The Chair believes that the suggestion is in line with acceptable procedure and, without objection, the question will be so divided.

The Chair recognizes the majority leader.

Mr. A. M. LEE. Mr. Speaker, I had not concluded my remarks. I would like to conclude with a few other remarks.

The SPEAKER. The gentleman has the floor.

Mr. A. M. LEE. The amendment which is now being con-

sidered would say specifically that no project could be started until we, the legislature, had specifically authorized it.

It seems to me that this is one of the most reasonable and sensible sort of things that could possibly be done in connection with a bill that carries authorization for the expenditure of so many millions of dollars and which commits the tax-paying public of the Commonwealth of Pennsylvania to the repayment of those tremendous sums.

I would just like to say to my colleagues in Philadelphia who have recently shown a growing interest in fiscal responsibility that this is their opportunity, if ever there was one, because on these amendments there is a clear choice between responsibility and irresponsibility.

Mr. Speaker, I move the adoption of this amendment.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, Mr. Lee of Philadelphia, in discussing the amendment that will be voted on first, must be aware that the General State Authority at one time never indicated any projects to the General Assembly. It was created by the General Assembly. In the law in which you created the authority you designated who shall serve on that authority and who shall have appointive powers to serve on the authority. Therefore, on the executive committee of the General State Authority, there serves the Speaker of this House, The President Pro Tempore of the Senate, the minority leader or his designate, the Speaker's appointee, the Secretary of Internal Affairs, the Auditor General, the State Treasurer and an appointment of the Governor. Those are the twelve people who serve on the executive committee. In all the projects there are unallocated funds. For example, we are probably right at this point, in June of 1961, in the neighborhood of maybe about \$9 million of unallocated funds.

In the executive committee of the General State Authority there is also a priority committee which acts on these projects, and the executive committee then approves or disapproves. For example, take the TB hospital in Pittsburgh which was struck out of the GSA bill a year ago. It was, at that time, I believe, a question of the value of the purchase of a Pittsburgh Tuberculosis League hospital which is no longer in use. I was a member of that committee, along with the then Auditor General of this Commonwealth, Charles C. Smith, who personally examined those facilities and came back and recommended the purchase of that hospital for the now Western Diagnostic Clinic that the gentleman speaks about. There is no question of the value to the Commonwealth, absolutely no question of the dollar value; no question of a thorough investigation; and then it was approved in executive committee. There was not legislative approval, but the executive committee of the General State Authority does have such authority. And yet since that time there have been additional dormitories built at state colleges and other facilities for which planning stages of programs were enacted. It is not any one person who does this. It is not that any legislative right is taken away. It is not that programs are approved which do not go through the executive committee. For example, we could tell you very plainly concerning all the programs you approved in the present House bill 1335, that the priorities committee and the executive committee could never, if they so desired, ever build any of those projects. They would not be built, they would not be approved. There is nothing that is fiscal

irresponsibility; there is sound fiscal responsibility here in this program.

I say to you on the programs that we do try to step up, both in welfare and in education, these being the two main fields, the executive committee does have the right and those projects should proceed from the unallocated funds. Therefore, I rise to oppose the amendment to Section 1, subsection 4, on page 4, that the gentleman from Philadelphia, Mr. Lee, has offered, that no projects shall be started until legislation specifically authorizing the same has been enacted, and so forth.

This amendment as it is proposed here, I believe, we should vote down because we are in the position right now of \$9 million unallocated funds with which projects that are needed in the Commonwealth can be built. In addition, from the construction that is now in the 1960-61 year, it would be a rough estimate that there would be between \$3 to \$5 million additional money in the unallocated funds which would go to projects that are needed.

To say to you that you ought to stop this program is saying to you that you do not want to proceed with the heavy program which we have both in welfare, health and education, for these are extremely heavy. In the preparation of 1335, in its original status last year, there was over \$600 million worth of projects. So, therefore, priorities have to be established. These are things that are needed, and I do not think there is any fiscal irresponsibility, and I can stand here and say I know that men like the Speaker and others who serve on that executive committee will never permit fiscal irresponsibility. For that reason I ask that you vote against the amendments offered by the gentleman from Philadelphia, Mr. Lee.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, let me say that I could not disagree more with what the gentleman from Greene said, whatever he said.

He talked about a lot of people, he talked about a lot of worthwhile projects, and so forth, and then all of a sudden he was on the side of fiscal responsibility. I just do not believe it because, so far as this legislature is concerned—I do not care what the history of the General State Authority is—as far as we are concerned, if we did things right the first time in this legislature we could probably go home and stay home for four or five years before we would have to come back. When we put legislation on the books, we always have to work with it and perhaps we do make mistakes, and, if we do, we ought to face up to them and they should be rectified.

Let me say also, I did not deal in any personalities when I talked about this, but it just seems to me incredible that the gentleman from Greene cannot get a grip on the fundamental issue here, which is whether or not we, the members of the General Assembly, are going to have the say as to what projects are built under a capital program. That is not unreasonable, is it, that we should ask that we should have the say? We should not be required to give anybody, no matter how august a body it may be, a blank check for nine-point-some-million dollars and a further blank check in this \$250-million authorization. I do not think it is right, I do not think it should be done, and that is the purpose of the amendment.

If we are going to set about to do these programs for the benefit of the people of Pennsylvania, we ought to sit here and decide how much in capital funds we are going to

expend, and we, the legislature, ought to then sit down and decide exactly how they are going to be allocated. We can set the priority schedule. There is nothing wrong with that, that is our right, that is our duty to do that. But, as far as I am concerned, I think it is typical of all the operations of this State administration.

A number of weeks ago we had a highway code, and I offered an amendment to that highway code to require the Secretary of Highways to submit to this legislature a capital program for State highways. But, no, the majority party in this House wants the Secretary of Highways to do that planning for all the people of Pennsylvania in secret. Now, that is fiscal irresponsibility, and it is fiscal irresponsibility in this situation too. As far as I am concerned, I think we ought to put an end to it while we have the opportunity.

I ask for a roll call, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, as much as I have disagreed with the gentleman from Philadelphia, Mr. Lee, in the past, I am inclined to agree with him as to the reasonableness of this amendment.

I do not appreciate the applause coming from the minority side. I would appreciate a little over here, which I do not think I am going to get.

Nevertheless, I listened to this debate and I thought about this for a long time. I was aided in my thinking by a brochure called "The Legislative Spotlight," published monthly by the Pennsylvania State Chamber of Commerce, which, despite the fact that I find myself in disagreement with their philosophy, nevertheless, on this one rather important issue I have learned a lot and I am inclined to agree with some of the statements they make in this brochure. They went very carefully into Pennsylvania's bonded indebtedness and they subtitled the report, "An Increase in Indebtedness, A Decrease In Control." There is no question in my mind, despite the manifestations of protest by the majority leader, that there is legislative control by the members of the General State Authority. I consider legislative control as being control by every member of this House on the floor of this House to cast his and her vote. I am not at all satisfied with what the General State Authority has been doing, despite the fact that there are members on that Authority who are personal friends of mine and with whom I have served in the House. I think that a lot of these projects are viewed very casually and, too, I think a lot of these projects authorized, in the final analysis, are so authorized by the Governor. For that reason, I want to bring some control back into this House.

Again I say, the amendment proposed by the gentleman from Philadelphia is a reasonable one.

In this discussion by the Chamber they go back to a 1947 loan there for \$50 million. I believe that we have not resorted to that constitutional amendment since that time. They cite the fact that general obligation borrowing by means of a constitutional amendment of course, is a cumbersome thing; it requires two successive legislative sessions to pass such an amendment and it normally involves two governors, the one governor recommends it and the other one reaps the benefits of the prior administration.

In 1949 this constitutional amendment was short-



circuited when we set up this General State Authority. It was soon joined by the highway and bridge authorities, which had a borrowing capacity at that time of \$40 million.

I am trying to extract what I want to say from this. I do not want to be too long and, therefore, I do not want to read at length. Anyhow, as a result of the General State Authority and the other authorities we have really simplified the borrowing process for ourselves as legislators and, except for the Korean Bonus loan, we have not had this constitutional amendment.

Mr. Speaker, each Legislative session since 1949 has seen an increase. Since I have been here I believe I have voted in every session of the legislature to increase the borrowing capacity of the authorities. I find that last session the legislature, in voting on the General State Authority increase, deleted several items which I believe were alluded to by the gentleman from Philadelphia. Despite the fact that they have been deleted, we find that after we adjourned the authority reinstated these projects, despite the fact that we had specifically eliminated them.

Since the authorities came into being as a result of legislative action, there is no question but we are the principals and the authorities are the agents for us and for the Commonwealth. Under the law the agents—I am using this analogy because I feel that it certainly is to the point—must follow what the principal has determined. If we sit in legislative session and strike out provisions of an increase in authorization, that is our instructions to the agent, to the authority, not to proceed. If the agent does, nevertheless, proceed, he is in violation of that agreement. When you are dealing with millions of dollars, I think it is rather important that the authority adhere strictly to the principles of principal and agent and not deviate from the instructions that we in legislative session have issued.

Apart from my thinking on this, and I would be glad to listen to the contrary and have it explained to me that I am wrong, I examined the Capital Budget 1961-1962. Now I did not check who appointed the State planning board, but I can tell you who some of the members are. I believe the Governor appoints them. Is that correct, Mr. Majority Leader? You nod in agreement.

These members are appointed by the Governor, they include John Robin, the chairman, who is the executive vice president of the Philadelphia Development Corporation. They include the Secretary of Commerce, the Secretary of Forests and Waters, the Secretary of Highways, Harry Boyer, the president of the AFL-CIO, Senator Clark, and a number of others, clearly, men from both the Republican Party and the Democratic Party. What did they say about this? Here is what they say in the report submitted to Governor Lawrence:

"It is urged by the Board that the legislative act"—I am reading on page 74 of the Capital Budget—"authorizing any increase in the borrowing power of the General State Authority should specifically designate the projects which are to be financed through the additional borrowing. This reflects the conviction that the initiation of major public works should be a matter of legislative determination rather than being left to the decision of the members of the General State Authority. The primary function of the Authority should be to effectuate the decisions of the General Assembly, as approved by the

Governor, and not, on its own volition, to decide which projects should or should not be constructed. The only flexibility contained in the authorizing act should be permission for the Authority to reallocate from one authorized project to another authorized project such small proportions of individual allocations as are necessary to accommodate unforeseeable changes in project costs."

Now, that is from the State planning board. That is from the Democratic administration. Our administration in Harrisburg has submitted to the Governor a report that embodies the essence of the amendment offered by the gentleman from Philadelphia, Mr. Lee. So, therefore, who can say that it is not a reasonable one?

The conclusions reached by the Chamber of Commerce are very brief, they are to the point, and, therefore, I will ask the indulgence of the House while I read those conclusions as food for thought:

"1. The debt of the Commonwealth is high and undoubtedly will go higher with a great chance for greater reliance or type of debt not subject to constitutional restrictions.

"2. The procedures for authorizing payment of debts are badly in need of overhaul. Very large increases in debt are authorized in a casual fashion with a minimum of consideration by the legislature and with no review by the electorate. The State Constitution should be amended to get use of full faith and credit debt with the consent of the voters when practical.

3. Legislative controls on the use of money borrowed by authorities are almost nonexistent. The spending decisions of the General State Authority amount at times to appropriations not subject to legislative review. The legislature should reassert its control over this type of expenditure at once.

Now, I say to you, Mr. Speaker, if it is good enough for the State planning board, if it is good enough for the Chamber of Commerce, I think that we should think seriously about rejecting such a useful amendment and say to the voters once again, if we are not going to resort to constitutional-amendment borrowing because it is too cumbersome, then, at least, we, the legislative representatives in a republican form of government, are going to see that we do not delegate that authority to any authority that is not responsible to the will of the people. I say, further, that there was a bill introduced in the legislature which hung around on the calendar for several weeks, or even a month, that would authorize substitutions on the General State Authority. So, we are getting away from that fiscal responsibility. Let's get back to it; let's adopt this amendment and show the people we really do care about these millions of dollars that we are authorizing for worthwhile purposes.

Mr. McCANN. Mr. Speaker, the gentleman from Philadelphia specifically read what the State planning board recommended and it dealt with the additional borrowing power. There is nothing in this bill that does not meet every requirement there. Evidently he is unaware of unallocated funds that are a part of the General State Authority from all the projects after they are completed. It is from this money, these unallocated funds, that these projects are completed. You will not find anything in the bill that is contrary to what the State planning board recommended, because it is all listed in the borrowing power.

You are evidently not aware, and the Speaker certainly understands, as do others, that there is in every project, when the project is completed, a certain portion of every project which had been set up quite some time ago, and when it is done there is an unallocated fund return. It goes to the unallocated fund of the General State Authority. This is the \$9 million I spoke about a moment ago.

There is no fiscal irresponsibility in this. All the projects are outlined there on the borrowing power, the additional, or new borrowing power, of the bonds for the General State Authority.

The unallocated funds that are returned to the GSA are from the bonds that have been approved in the borrowing power and it is these projects then that were spoken about by Mr. Lee from Philadelphia.

I ask again that the membership of this House vote down these amendments, and I understand there will be a roll call. I believe there was a request for a roll call on the amendments to House bill 1335.

Mr. MULLEN. Mr. Speaker, I am in a very difficult position as to how to vote on these amendments, as are a number of us on this side. We certainly are in agreement with them in many respects because at least it is the first step I have seen during this session that has been taken that will try to bring a halt to this spend, spend, spend idea that seems to be prevalent on both sides of the House.

The question is, what to do. Of course I am very concerned about the bill itself, as well as the amendments. I am afraid if we vote for the amendments, it certainly will not do any good for our particular side. It is certainly regrettable that we did not present the amendments, because I think they would be very beneficial for sound fiscal responsibility.

On the other hand, when we look at the program as a whole, it is certainly going to mean that there are going to be additional taxes that will have to be levied, if not this year, next year or the year after.

But at the same time, I think we should put our administration on guard to consider the amendments and try to do something about it. Of course, it is a very difficult job to do anything about something like this, because you are taking care of the members on both sides of the House. In other words it is a General State Authority bill. I do not think there are many members whose counties have not been remembered. That is what makes it so difficult on this type of legislation.

What to do about it? I think the administration certainly ought to give very serious consideration to the amendments, but not at this time. I think that if we look at them next year after having warned the administration and after having warned the executive committee what Mr. McCann is speaking about, I think we can come up with some sort of an amendment that will bring a halt to this spending which we have been voting for session after session.

I am going to vote against the amendments, although I sympathize with them 100 percent, and I think we are going to have to do something on this side, at least next year, to get our people to view this type of amendment with very serious consideration. Thank you.

Mr. SCHAAF. Mr. Speaker, I am very impressed by the pious and economically and fiscally responsible statements of my three colleagues from Philadelphia County.

I would like to try to be constructive, something which I do not think this particular amendment is.

From my own experience, Mr. Speaker, and I venture to say that most of us here will bear me out, there is no easier way to reach the people than to talk about their pocketbook.

So let us be constructive.

Why is the General State Authority in existence? Frankly, because of a provision in our State Constitution which excludes a bonded indebtedness, in spite of Mr. Lee's assertions, in excess of \$1 million, except for the purposes of highway construction.

Mr. Speaker, I think that a constructive attempt to meet this problem, if it does in fact exist, would be to alter our Constitution in this respect.

I am the first one to admit that altering constitutions is a difficult procedure, but nevertheless I think we owe the obligation of making the attempt.

Mr. Speaker, I also want to make this observation and I have not been on the scene too long, but it seems to me that many, many communities throughout the State, and I would venture to say there is hardly a member here whose community does not benefit in some way from the activities of the General State Authority since it came into existence.

Mr. Speaker, as I understand the argument of the two gentlemen who spoke previously, they say that the legislature is losing control. Gentlemen, I suggest to you, and I say this in all sincerity, with no attempt on my part to be partisan, that what you suggest, what you advocate, by this amendment would create the most gigantic pork barrel that ever hit Pennsylvania, because we would sit here in a horse trade in the halls of the legislature as to which projects are going to have which priority.

Mr. Speaker, we have all had experience, to a limited degree at least, with the highway omnibus bill. To me it is a pork barrel. I have always considered it a pork barrel. I wish it did not exist, and I say to you, should this amendment be adopted, you will have identically the same thing in terms of capital improvements throughout the commonwealth of Pennsylvania.

I do not think this is fiscal irresponsibility to have legislation as is suggested here about the amendments you propose. I think this is a perfect form of delegated legislative responsibility and appropriate delegation of legislative responsibility. It is not in the hands of one party or one administration. Certainly you have your members who can make sounding boards of that same commission, that same authority, for if they err, then you are protected.

Mr. Speaker, I think the amendment is destructive to good government and certainly not constructive.

I thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee, and as he is very intelligent, he will know our rules say that after the second round—

Mr. A. M. LEE. I appreciate that, Mr. Speaker. I thank the gentleman for his courtesy.

The SPEAKER. The gentleman will proceed. The Chair hears no objection.

Mr. A. M. LEE. Mr. Speaker, the gentleman from Erie implied that I was not familiar with the fact that we would have to amend the Constitution in order to issue general obligation bonds. I can assure him I am familiar with that fact and I am the sponsor of a bill which is



presently in committee in this House which would propose that amendment so that could be done.

The second thing I want to say is: It seems to me that the gentleman from Erie is having the same difficulty that the gentleman from Greene is having in getting a grip on this thing. He complains that if we return this authority to the legislature then we will sit around here and horse trade. It certainly seems to me that since we are the elected representatives of the people, if anybody is going to do the horse trading, it ought to be us, the members of the legislature, rather than 12 people sitting in a room some place, because if you try to tell me that horse trading does not go on at the present time, why I say you are just incorrect.

The third thing I want to say, Mr. Speaker, is in deference to the gentleman from Philadelphia, Mr. Mullen. He is apparently having some misgivings about this bill, and I would make the offer to him that if credit for the sponsorship of the amendments will be the determining factor in his casting his vote, I would be happy to withdraw my sponsorship of these amendments and let him go on them.

Mr. ADAMS. Mr. Speaker, I wish to compliment the gentleman from Philadelphia, Mr. McCormack, on the statesmanlike attitude that he employed in commenting on the amendments. I was also pleased by the statement made by the other gentleman from Philadelphia, Mr. Mullen, until he got to the point where he said that the amendment should be delayed until next year.

If the amendments are going to be good next year, why should they not be good this year? Why should we wait until the horse is stolen before we lock the barn?

The SPEAKER. The Chair recognizes the lady from Philadelphia.

Mrs. PASHLEY. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Lee, what Philadelphia ever got out of horse trading around the halls of this legislature? I think Philadelphia seems to do pretty well with the General State Authority.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. A. M. LEE and McCANN and were as follows:

#### YEAS—91

Adams,	Gibb,	Kooker,	Snare,
Anderson, J. H.,	Gibbons,	Korns,	Steckel,
Ashton,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Auker,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Backenstoe,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Manbeck,	Thompson,
Bower,	Gross,	Markley,	Tompkins,
Bowman,	Haudenshield,	Marsh,	Ujobai,
Bush,	Helm,	McCandless,	Wall,
Davis,	Henzel,	McCormack,	Weidner,
Dengler,	Hocker,	McInroy,	Wescott,
Donaldson,	Holl,	Merry,	Whittaker,
Down,	Holliday,	Miller,	Willard,
Edwards,	Holman,	Odorisio,	Willaredt,
Elvey,	Horst,	Ogllive,	Williams, A. D.,
Eshback,	Isaacs,	Piper,	Williams, E. S.,
Eshleman,	Johnson, A. W.,	Price,	Wilt,
Ewing,	Johnson, R. P.,	Pursley,	Wood,
Fetterolf,	Keiser,	Royer,	Worley,
Foor,	Kernaghan,	Rutherford,	Wynd,
Fox,	Kessler,	Seltzer,	Zember,
Fulmer,	King,	Simmons,	Zimmerman,
George,	Kistler,	Slack,	

#### NAYS—101

Anderson, S. A.,	Foerster,	Long, Wm. Jos.,	Renwick,
Arlene,	Frascella,	Lutty,	Riley,

Bachman,	Galley,	Maxwell,	Rovansek,
Boles,	Gallagher,	McCann,	Rubin,
Bonner,	Gelfand,	McDevitt,	Rudisill,
Branca,	Gray,	McDonald,	Sakulsky,
Breth,	Greenlee,	McKeever,	Scarcelli,
Buchanan,	Gremminger,	McLaughlin,	Schaaf,
Capano,	Hamilton,	McNally,	Schuster,
Capitolo,	Hankins,	Meholchick,	Shelton,
Cauley,	Hartley,	Mills,	Sherman,
Cianfrani,	Heavey,	Monroe,	Shupnik,
Cloffi,	Irviss,	Morley,	Stank,
Clarke,	Jim,	Mullen,	Stone,
Cooley,	Jones,	Munley,	Sullivan, J. A.,
Crossin,	Kamyk,	Murphy,	Sullivan, T. F.,
Curwood,	Kelly,	Needham,	Taylor,
Dennison,	Klein,	O'Donnell, J. A.,	Tomascik,
Dougherty,	Kornick,	Parlante,	Trusio,
Doughten,	Kramer,	Pashley,	Varner,
Eilberg,	Lamb,	Petrosky,	Walsh,
Farabaugh,	Lawson,	Polaski,	Wargo,
Filo,	Leonard,	Polen,	Welsh,
Fineman,	Limper,	Prendergast,	Yetter,
Flynn,	Long, Wm. Jas.,	Reibman,	Andrews,
		Reidenbach,	Speaker

#### NOT VOTING—17

Blair,	Guthrie,	Magee,	Musto,
Comer,	Heffner,	May,	O'Dell,
Fry,	Jenkins,	Mihm,	O'Donnell, J. P.,
Guesman,	Knecht,	Murray,	Perry,
			Verona,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

Mr. A. M. LEE. Mr. Speaker, I will withdraw the balance of the amendments.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### Mr. HELM IN THE CHAIR

#### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, there will be no more roll calls, but we have committee announcements and reports of committees and amendments to bills that have been agreed to. I ask that committee meetings be announced first, if agreeable to the Chair, Mr. Speaker.

The SPEAKER pro tempore. The Chair hears no objection.

#### COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, chairman, Room 231-A, Tuesday, June 6, at 10 a.m.

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Tuesday, June 6, at 10 a.m. There will be a Public Hearing on House bill 1177, the meeting following immediately.

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Parlante, chairman, Room 131-A, Tuesday, June 6, at 12 noon.

CITIES—COUNTIES FIRST CLASS, Mr. Dougherty, chairman, Room 521, Tuesday, June 6, at 12:30 p.m.

EDUCATION, Mrs. Reibman, chairman, Room 324, Tuesday, June 6, at 9:15 a.m.

ELECTIONS, Mr. Eilberg, chairman, Room 323, Tuesday, June 6, at 11:30 a.m.

FISHERIES, Mr. Jim, chairman, Room 323, Tuesday, June 6, at 10 a.m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Tuesday, June 6, at 10 a.m.

MINES and MINERAL INDUSTRIES, Mr. Rovanseck, chairman, Room 131-E, Tuesday, June 6, at 11 a.m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521, Tuesday, June 6, at 10:45 a.m.

WAYS and MEANS, Mr. Kamyk, chairman, Room 131-E, Tuesday, June 6, at 10 a.m.

(All times are Daylight Saving Time.)

### COMMITTEE APPOINTED

The SPEAKER pro tempore. The Speaker has requested that the following appointments be read:

In the House of Representatives, June 5, 1961.

In accordance with the provisions of House Resolution No. 61, printer's No. 1670, adopted by the House on Wednesday, May 3, 1961, the Speaker appoints:

1. The lady from Northampton, Mrs. Reibman, Chairman.
2. The gentleman from Washington, Mr. Polen.
3. The gentleman from Philadelphia, Mr. Eilberg.
4. The gentleman from Allegheny, Mr. Irvis.
5. The gentleman from Armstrong, Mr. Helm.
6. The gentleman from Allegheny, Mr. Goldstein.
7. The lady from Montgomery, Mrs. Henzel.
8. The gentleman from Lancaster, Mr. Eshleman.

/s/ HIRAM G. ANDREWS, Speaker.

The SPEAKER pro tempore. This is the special educational study committee.

### RECONSIDERATION OF VOTE ON SENATE BILL NO. 297

Mr. ESHLEMAN. Mr. Speaker, I move that the vote by which Senate bill No. 297, printer's No. 313, entitled:

"An Act amending the act of June 25, 1947 (P. L. 956) entitled, 'An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes,' increasing certain fees and making certain editorial corrections."

was defeated on final passage Monday, May 22, 1961, be reconsidered.

Mr. RUTHERFORD. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Lancaster, Mr. Eshleman, vote on the final passage of this bill?

Mr. ESHLEMAN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Lancaster, Mr. Rutherford, vote on the final passage of this bill?

Mr. RUTHERFORD. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

### BILL POSTPONED

Mr. ESHLEMAN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

### PERMISSION TO ADDRESS HOUSE

Mr. ADAMS asked and obtained unanimous consent to address the House.

Mr. ADAMS. Mr. Speaker, I wish to thank the parties responsible—

The SPEAKER pro tempore. Will the gentleman yield? The gentleman has asked consent to make a brief statement.

Mr. McCANN. Is this the resolution he is speaking about?

Mr. ADAMS. No, Mr. Speaker.

The SPEAKER pro tempore. The gentleman has asked unanimous consent to make a brief statement.

Mr. McCANN. I have no objection.

The SPEAKER pro tempore. The Chair hears no objection. The gentleman will proceed.

Mr. ADAMS. Mr. Speaker, I wish to thank the parties responsible for replacing the 62 burned-out light bulbs and the other light bulbs—

Mr. McCANN. Mr. Speaker, I object. Let us proceed with the calendar.

Mr. A. W. JOHNSON. Mr. Speaker, there is nothing wrong with the statement of Mr. Adams. I think he has been treated very unfairly in this House and I think he has a right to speak. I think he has done an admirable job in calling attention to the serious defects in this lighting and I think he is entitled to speak about it.

The SPEAKER pro tempore. The gentleman from Berks has the floor. The gentleman is speaking on unanimous consent. There was no objection at the time the gentleman started to speak.

Mr. ADAMS. I will make it very brief. I thank the parties responsible for putting in the extra lights. It has shed a lot of light on the subject.

### REPORTS FROM COMMITTEE

Mr. J. A. O'DONNELL from the Committee on Public Health and Sanitation, reported as committed, House bill No. 1237, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; \* \* \* and fixing penalties," increasing penalties.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1404, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the penalty provisions for collection of per capita taxes in school districts of the first class less than 1,500,000 population.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1486, entitled:

An Act amending the act of July 8, 1947 (P. L. 1428), entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof, conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties" to exempt from its regulatory scope any real estate school approved by the State Real Estate Commission under the Real Estate Brokers Act.

Mrs. MONROE from the Committee on Public Health and Sanitation, reported as committed, House bill No. 1496, entitled:

An Act repealing section 5.1 of the "Local Health Ad-



ministration Law" approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1512, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating regulations.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1564, entitled:

An Act limiting the use of appropriations for hospital or institutional care or training in certain cases.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1572, entitled:

An Act amending the act of December 8, 1959 (P. L. 1718), entitled "An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases," extending the act to provide for payment of salary, medical and hospital expenses of employes of State mental hospitals, Youth Development Centers and County Boards of Assistance who are injured in the course of their employment, and of employes of the Department of Public Welfare injured while fighting fires.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1588, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; \* \* \*," removing the requirement that metallic plates shall be issued.

Mr. McCANN from the Committee on Rules, re-reported as committed, House bill No. 455, entitled:

An Act amending the act of September 29, 1951 (P. L. 1646), entitled, "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes \* \* \*" authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1237, entitled:

An Act amending the act of May 18, 1936 (P. L. 654), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; \* \* \* and fixing penalties," increasing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1404, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the penalty

provisions for collection of per capita taxes in school districts of the first class less than 1,500,000 population.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1486, entitled:

An Act amending the act of July 8, 1947 (P. L. 1428), entitled, "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof, conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties," to exempt from its regulatory scope any real estate school approved by the State Real Estate Commission under the Real Estate Brokers Act.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1496, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1512, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating regulations.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1564, entitled:

An Act limiting the use of appropriations for hospital or institutional care or training in certain cases.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1572, entitled:

An Act amending the act of December 8, 1959 (P. L. 1718), entitled, "An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases," extending the act to provide for payment of salary, medical and hospital expenses of employes of State mental hospitals, Youth Development Centers and County Boards of Assistance who are injured in the course of their employment, and of employes of the Department of Public Welfare injured while fighting fires.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1588, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled, "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; \* \* \*" removing the requirement that metallic plates shall be issued.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

## RESOLUTION

### CONDOLENCE

Mr. PIPER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, June 5, 1961.

It is with considerable sadness that the House of Representatives notes the passing of a former member of this body. Robert R. Adam, of Centerport, died June 2, 1961, at the age of 68 years. He served two terms as Democratic Representative from his district.

He leaves surviving him his wife, Anna Bitterman Adam, of Centerport.

He was a conscientious and able public servant and acted in various capacities throughout his life for his home community; therefore, be it

Resolved, That the House of Representatives extend to his wife, Anna Bitterman Adam, deepest condolences in the passing of her beloved husband who throughout his life was a faithful public servant; and be it further

Resolved, That a copy of this resolution be sent to his wife, Anna Bitterman Adam, Centerport, Pennsylvania.

Mr. McCANN. I request permission to call up bills for the purpose of amendment. On page 14, I call up House bill No. 518.

## BILLS ON THIRD READING

Agreeably to order,  
The House proceeded to the third reading and consideration of House bill No. 518, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) further providing for no passing zones.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2 (Sec. 1113), page 3, line 7, by inserting after "zones": "Any no passing zone shall extend for a distance of not greater than one-eighth (1/8) of a mile between such signs and any extension of such no passing zone shall be marked by additional signs in like manner."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1540, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire easements rights-of-way and other interests in real estate including the title in fee simple to fifteen parcels of land with improvements erected thereon and rights connected thereto for the maintenance of radio communications systems.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 3, page 7, line 16, by striking out "titles" and inserting: "lands"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 481, entitled:

An Act providing for and fixing the fees and mileage for witnesses attending a coroner's inquest imposing duties on coroners and repealing inconsistent legislation.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 4, page 2, line 16, by striking out "immediately" and inserting: "the first Monday of January, 1962."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1172, printer's



No. 1319, on page 13 of today's calendar, bills on final passage postponed.

### BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

### SENATE MESSAGE

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

#### SENATE BILL No. 172.

An Act authorizing counties cities boroughs incorporated towns and townships to create historic districts within their geographic boundaries providing for the appointment of Boards of Historical Architectural Review empowering governing bodies of political subdivision to protect the distinctive historical character of these districts and to regulate the erection reconstruction alteration restoration demolition or razing of buildings within the historic districts

### SENATE MESSAGE

#### AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 369.

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment and providing a penalty.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 638.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for annual estimates of expenses.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 20.

An Act establishing a separate orphans' court in and for the County of Bucks.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 45.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," changing the number of copies of the State Manual to which members and officers of the General Assembly shall be entitled.

Referred to the Committee on State Government.

#### SENATE BILL No. 258.

An Act requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries wages and other compensation paid to officers and employees of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the Revenue Commissioner of such city.

Referred to the Committee on State Government.

#### SENATE BILL No. 298.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" providing for the ordering and sale of miniature bottles to certain licensees.

Referred to the Committee on Liquor Control.

#### SENATE BILL No. 317.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" prohibiting the refilling of any liquor bottle or other liquor container.

Referred to the Committee on Liquor Control.

#### SENATE BILL No. 318.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating license fees and default in the payment of such fees.

Referred to the Committee on Liquor Control.

#### SENATE BILL No. 373.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing certain salaries and work loads prescribing extension education areas decreasing the number of names needed for free extension education raising the deposit fee and providing for a tuition fee in certain instances deleting provisions relating to free evening schools and making an appropriation.

Referred to the Committee on Education.

#### SENATE BILL No. 391.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the repair and restoration of the Caleb Pusey House subject to certain conditions.

Referred to the Committee on Rules.

## SENATE BILL No. 431.

An Act relating to the competency of surviving and interested witnesses and the admissibility of evidence in civil proceedings.

Referred to the Committee on Judiciary.

## SENATE BILL No. 448.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing other than separate confinement in county penal institutions and requiring the approval of plans by the Department of Justice in certain cases.

Referred to the Committee on State Government.

## SENATE BILL No. 455.

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" changing provisions governing the change of the place of business of a branch and changing provisions for the period of public notice for the discontinuance of a branch.

Referred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 469.

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" making further provisions concerning authorized investments in corporate bonds and stock.

Referred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 472.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" requiring a copy of the application to be sent to the police or the sheriff where the buyer resides.

Referred to the Committee on Judiciary.

## SENATE BILL No. 508.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" further defining disorderly conduct in order to protect passengers lawfully occupying any railroad or railway passenger station or platform.

Referred to the Committee on Law and Order.

## SENATE BILL No. 509.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the use of railroad passenger station facilities by loiterers.

Referred to the Committee on Law and Order.

## SENATE BILL No. 511.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting savings banks to service mortgages.

Referred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 522.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the issuance of new hotel licenses.

Referred to the Committee on Liquor Control.

## SENATE BILL No. 527.

An Act amending the act of October 27, 1955 (P. L. 744) entitled as amended "Pennsylvania Human Relations Act" increasing the membership of the commission and changing quorum provisions.

Referred to the Committee on State Government.

## SENATE BILL No. 535.

An Act to provide for the exchange of historical materials between historical societies as herein defined.

Referred to the Committee on Rules.

## SENATE BILL No. 555.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the participation of loans between banking companies.

Referred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 556.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further regulating certain loans secured by mortgages on deeds of trust on real property.

Referred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 557.

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" further regulating mortgage loans.

Referred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 570.

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

Referred to the Committee on Cities—Counties First Class.

## SENATE BILL No. 582.

An Act amending the act of November 21, 1959 (P. L. 1579) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers . . ." authorizing the acquisition of the Thorn Hill School at Warrendale Allegheny County.

Referred to the Committee on State Government.

## SENATE BILL No. 583.

An Act amending the act of May 27, 1949 (P. L. 190) entitled "The Military Code of 1949" removing the exemption of certain persons from jury duty.

Referred to the Committee on Military Affairs.

## SENATE BILL No. 589.

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

Referred to the Committee on Agriculture and Dairy Industries.



## SENATE BILL No. 629.

An Act amending the act of May 17, 1956 (P. L. 1609) entitled "Pennsylvania Industrial Development Authority Act" empowering the Authority to purchase first mortgages and to make payments on first mortgages on industrial development projects where necessary to protect loans made by the Authority on industrial development projects and increasing the amount the Authority can contract to loan and decreasing the amount that must be provided by industrial development agencies in the financing of industrial development projects, and removing the limitation as to the amount of Authority loans on industrial development projects where Federal agencies participate in the financing of such projects.

Referred to the Committee on State Government.

## SENATE BILL No. 631.

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" authorizing the granting of mortgage loans to industrial development agencies and the acquisition of such loans and participations therein subject to limitations.

Referred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 693.

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of the abolition of capital punishment in Pennsylvania.

Referred to the Committee on Rules.

## SENATE RESOLUTION SERIAL No. 121.

Referred to the Committee on Rules.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 146.

An Act amending the "Pennsylvania Loyalty Act" approved December 22, 1951 (P. L. 1726), providing for the filing of loyalty oaths by persons nominated or elected as write-in candidates.

## HOUSE BILL No. 242.

An Act amending the act of April 22, 1953 (P. L. 184), entitled "An act to continue the imposition of the tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies \*\*\*\*" further providing for the distribution of amounts received from tax on foreign fire insurance companies.

## HOUSE BILL No. 246.

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death imposing additional taxes to equal Federal Estate Tax Credits \* \* \*

## HOUSE BILL No. 323.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), specifically exempting from taxation all property used for limited access highways.

## HOUSE BILL No. 351.

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further regulating leaves of absence for presidents and faculty members of State Colleges.

## HOUSE BILL No. 408.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), permitting expenditures for fire protection from the general township fund.

## HOUSE BILL No. 452.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to exchange State park land

## HOUSE BILL No. 574.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), adding and increasing certain penalties and conforming a section to show a previous repeal.

## HOUSE BILL No. 576.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), making it unlawful to assist in the taking killing or wounding of any game and providing penalties.

## HOUSE BILL No. 578.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing provision relating to revocation of licenses.

## HOUSE BILL No. 580.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating the use of automatic and magazine shotguns and providing a penalty.

## HOUSE BILL No. 581.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), prohibiting the use of twenty-two or twenty-five calibre rimfire cartridges for killing big game destroying property.

## HOUSE BILL No. 585.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), clarifying changing and increasing certain fees.

## HOUSE BILL No. 587.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), permitting a nonresident who is not a resident of the United States to purchase a three-day license for hunting on regulated shooting grounds.

## HOUSE BILL No. 588.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), extending provision relating to when license tags are required to be displayed.

## HOUSE BILL No. 589.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing certain penalties.

## HOUSE BILL No. 731.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the daily expense allowance for delegates to meetings of the State associations of township officers.

## HOUSE BILL No. 856.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled, "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class \*\*\*" providing for payments to dependent parents.

## HOUSE BILL No. 870.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), removing from the jurisdiction of the Department of Public Welfare jails, prisons and penal institutions and inmates thereof.

## HOUSE BILL No. 874.

An An Act amending "The Administrative Code" approved April 9, 1929 (P. L. 177), creating and redesignating boards of trustees of certain institutions in the Department of Public Welfare.

## HOUSE BILL No. 875.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), changing the name of Laurelton State Village and the Pennhurst and Polk State Schools.

## HOUSE BILL No. 876.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), limiting the Department of Public Welfare's power in purchasing services.

## HOUSE BILL No. 970.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), providing for certain payments to dependent parents when there is no widow or no surviving children.

## HOUSE BILL No. 1086.

An Act amending the "Public Assistance Act" approved June 24, 1936 (P. L. 2051), making editorial changes; removing certain functions vested in the State Board of Public Assistance; providing for work relief projects and the establishment of county boards and their powers and duties; and further providing for the disposition of federal contributions.

## HOUSE BILL No. 1131.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 98.918 acres, more or less, of land situate in Kilbuck Township, Allegheny County.

## HOUSE BILL No. 1146.

An Act amending the act of May 16, 1919 (P. L. 193), entitled, "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation, supervision of public dances and balls in cities of the first, second, and third class"; increasing license fees.

## HOUSE BILL No. 1371.

An Act amending the act of May 28, 1915 (P. L. 596), entitled, "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions"; regulating credit for pension for previous employment by the city in the bureau of fire or bureau of police.

With the information that the Senate has passed the same without amendment.

## BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

## SENATE BILL No. 172.

An Act authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries; providing for the appointment of Boards of Historical Architectural Review; empowering governing bodies of political subdivision to protect the distinctive historical character of these districts; and to regulate the erection, reconstruction, alteration, restoration, demolition, or razing of buildings within the historic districts.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bills returned for concurrence Nos. 503 and 869.

## ADJOURNMENT

Mrs. KOOKER. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 6, 1961, at 12 o'clock noon, e. s. t.

The motion was agreed to, and (at 6:32 p. m., e. s. t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, JUNE 6, 1961.

No. 57.

## SENATE

TUESDAY, JUNE 6, 1961.

The Senate met at 1:00 p.m., Eastern Standard Time.

The PRESIDING OFFICER (Jo Hays) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM McCLELLAND, JR., Rector of Prince of Peace Episcopal Church, Dallas, offered the following prayer:

Let us pray.

O God, the Fountain of Wisdom, Whose statutes are good and gracious and Whose law is truth, we beseech Thee so to guide and bless the Senate assembled that it may ordain for our governance only such things as please Thee, to the glory of Thy name and the welfare of Thy people, through Jesus Christ, Thy Son, our Lord. Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. McGINNIS, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 74, 85, 90 and 161**, with the information that the House has passed the same without amendments.

### SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 75**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will be placed on the Calendar.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

### BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills: **SB 74, 85, 90 and 161**.

The PRESIDING OFFICER (Jo Hays) in the Chair.

## REPORTS FROM COMMITTEE

Mr. HALUSKA, from the Committee on Local Government, reported as committed, **SB 438, 605, 674, 701, HB 319, 483, 985, 1017 and 1396**.

### PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, both of the bills which I am about to report from committee are an implementation of the Report of the Governor's Committee on Education.

## REPORTS FROM COMMITTEE

Mr. SEYLER, from the Select Committee on Education, reported, as committed, **SB 688 and 690**.

## SENATE RESOLUTION

### COMMENDING THE DUQUESNE WORKS EMPLOYEES FEDERAL CREDIT UNION

Mr. STASEY offered the following resolution (**Serial No. 67**), which was read, considered and adopted:

In the Senate, June 6, 1961.

The Duquesne Works Employees Federal Credit Union was organized June 3, 1936, with a total membership of forty members and with total assets of \$210.

As of April 30, 1961, the members number over 3600, with assets totaling over \$3,150,000.

On June 10, 1961, a new building will be dedicated at 9 South Second Street in Duquesne. The cost of this building is approximately \$120,000; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby commends and congratulates the Duquesne Works Employees Federal Credit Union on its phenomenal growth since its organization in 1936. The Senate also wishes to commend this organization for its faith in the future of Duquesne in the construction of a new building, thereby contributing to the redevelopment of this City; and be it further

Resolved, That a copy of this resolution be sent to the Duquesne Works Employees Federal Credit Union, 9 South Second Street, Duquesne, Pennsylvania.

## REPORTS FROM COMMITTEES

Mr. STASEY, by unanimous consent, from the Committee on Highways, reported, as committed, **SB 405, 512, 725, HB 218, 398, 417 and 1259**; as amended, **SB 601**.

Mr. WARE, by unanimous consent, from the Committee on Banking, reported, as committed, **SB 636**.

Mr. MULLIN, by unanimous consent, from the Committee on State Government, reported, as committed, **SB 195, 590, HB 197, 227 and 1186**.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

### ALDERMAN

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Evanish, 33 Coal Street, Nanticoke, Luzerne County, for appointment as Alderman in and for the Second Ward of the City of Nanticoke, Luzerne County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

### ALDERMAN

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur W. Harper, 1265 Straka Street, Pittsburgh 4, Allegheny County, for appointment as Alderman in and for the Twenty-eighth Ward of the City of Pittsburgh, Allegheny County, to serve until the first Monday of January 1962, vice Clarence H. Stein, resigned.

DAVID L. LAWRENCE.

### MEMBER OF THE STATE EMPLOYEES' RETIREMENT BOARD

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Louise M. John, 829 South High Street, West Chester, Chester County, for appointment as a member of the State Employees' Retirement Board, until her successor is appointed, vice Mrs. Grace M. Sloan, Clarion, resigned.

DAVID L. LAWRENCE.

### MEMBER OF THE STATE FARM PRODUCTS SHOW COMMISSION

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leon Falk, Jr., Falkland Farms, Schellsburg, Bedford County, for appointment as a member of the State Farm Products Show Commission, for the term of four years, and until his successor is qualified, vice Fred H. Cook, Sr., Beaver, deceased.

DAVID L. LAWRENCE.

### JUSTICE OF THE PEACE

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Brane, 360 Saratoga Drive, Pleasant Hills, Pitts-

burgh, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Pleasant Hills, Allegheny County, to serve until the first Monday for January 1962, vice Glenn Crawford, resigned.

DAVID L. LAWRENCE.

### JUSTICE OF THE PEACE

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edna J. Brown, McClellandtown, Fayette County, for appointment as Justice of the Peace in and for the Township of German, Fayette County, to serve until the first Monday of January 1962, vice Thomas J. Gillen, resigned.

DAVID L. LAWRENCE.

### JUSTICE OF THE PEACE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clayton L. Shaner, Jr., 526 Broad Street, Spring City, Chester County, for appointment as Justice of the Peace in and for the Borough of Spring City, Chester County, to serve until the first Monday of January 1962, vice William H. Sutcliffe, deceased.

DAVID L. LAWRENCE.

### MEMBER OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE COLLEGE

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate T. Gerald Stanley, 321 Main Street, Belle Vernon, Fayette County, for reappointment as a member of the Board of Trustees of California State College, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

### MEMBER OF THE BOARD OF TRUSTEES OF SHIPPENSBURG STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John B. Minehart, Route 1, Chambersburg, Franklin County, for reappointment as a member of the Board of Trustees of Shippensburg State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

### MEMBERS OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Hollidaysburg State Hospital, until the third



Tuesday of January 1965, and until their successors are appointed and qualified:

Theodore D. Whitsel, 416 Penn Street, Huntingdon, Huntingdon County, vice Robert I. Grove, Alexandria, whose term expired.

Charles T. Benner, Mifflin Street, Saxton, Bedford County. (Reappointment)

DAVID L. LAWRENCE.

## EXECUTIVE NOMINATIONS

### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. LANE, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

### NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations just reported from committee today and previously read by the Clerk.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafi,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

## PERMISSION TO ADDRESS SENATE

Mr. EHRCOOD asked and obtained unanimous consent to address the Senate.

Mr. EHRCOOD. Mr. President, I am about to introduce a bill, dealing with State scholarships and with student loans. I would be hopeful that this bill would come to the attention of the six Members of the Senate who are on the Select Committee on Education.

As you know, Mr. President, in 1957, Senator Dent

and I cosponsored a student loan bill. In the 1959 Session and in the present Session, Senator Silvert and I cosponsored a student loan bill. Also, I later introduced a scholarship bill. None of these bills has any magic in itself. Of course, there is a bill, known as Senate Bill No. 611, on our Second Reading Calendar at this time. This bill raises certain questions and, therefore, with a little more study, I came up with the bill which I am about to introduce.

Not to explain but at least to bring to the knowledge of the Members of the Senate, preliminarily this bill it would set up a Higher Education Assistance Authority, which would take cognizance and have authority over both the scholarships and the loans. It would relieve a lot of tedious detail which presently exists in the Department of Public Instruction. It would set up in this Authority something which is logically all in one bit, which would be the items dealing with scholarships in higher education and loans.

Secondly, it would do something which is very important. As you know, Mr. President, we now have the State Council of Education, giving, on a competitive basis, scholarships in the various counties. This bill would retain that feature. Of course, however, it would be under the auspices of this Higher Education Assistance Authority. More than that, it would divide and put in a second class of scholarships. The bill would provide for 600 additional scholarships to individuals attending private institutions of higher learning. In order words, this bill would provide that if a child desires to go to Gettysburg College or to Villanova College, there would be, on the basis of competitive examination, a scholarship awarded. In effect, it provides for a new concept of State scholarships; that being State scholarships which would go to these institutions of higher learning that are not publicly owned or receive public funds.

The reason for this measure and these 600 scholarships is that the Commonwealth of Pennsylvania now does aid the four universities. In that aid which they are receiving, they are receiving, in effect, money to be used for the students of the Commonwealth of Pennsylvania. There has been, however, a great lag or a great vacuum as to students who desire to go to an institution and do not have the money to go to a private institution. This does not give them the \$200, but it gives them, on the basis of these competitive scholarships, the value of the tuition which that individual, private institution charges on the basis of tuition. The Authority would be made up of nine members, consisting of the Governor, various other public officials, and also the Senate President pro tempore and the Speaker of the House, who have the power to appoint others. The Authority would have full control not only over the scholarships, but over the student loan fund. I think it important that we do not get too embellished with the idea of the student loan fund because, after all, the National Defense Education Act has proven, in places like the Commonwealth of Massachusetts, that State funds which are provided have not been used because of the Federal funds that the students desire to use.

Therefore, Mr. President, I am about to introduce this bill, with the hope that the committee will seriously consider it and, perhaps, amalgamate it into their own bill.

The PRESIDING OFFICER. I find, as Presiding Officer,

that I must refer this bill to the Committee on Education rather than to the Select Committee, as the gentleman suggested. However, if I may play another role for just a moment, I will say that I shall be glad to have the Committee on Education consider giving this bill and perhaps other bills, dealing with problems in the Governor's Report, to the Select Committee. I think, under the rules by which we are operating, I must refer the bill, initially, to the Committee on Education.

### BILL INTRODUCED AND REFERRED

Mr. EHRGOOD, by unanimous consent, presented to the Chair **SB 738**, entitled:

An Act providing for assistance to needy Pennsylvania students desiring to attend institutions of higher education within the Commonwealth; creating the Pennsylvania Higher Education Assistance Authority; defining the powers and duties of its board of directors; and making an appropriation.

Which was committed to the Committee on Education.

### PERMISSION TO ADDRESS SENATE

Mr. DONOLOW asked and obtained unanimous consent to address the Senate.

Mr. DONOLOW. Mr. President, all the Members of this Senate, as well as the Members of the House, received a letter yesterday from our distinguished Attorney General. In that letter, she set forth that in 1959 she had introduced in the House a Court Administrator Bill, which never came out of committee. This is the first time I knew that in 1959 a Court Administrator Bill was introduced. Therefore, Mr. President, I called for that bill yesterday afternoon. I find that this bill, which the Attorney General sponsored in 1959, is exactly the same type of bill that I am trying to get this Senate to pass. It is the same type of bill that I have been trying to put amendments into Senate Bill No. 441 to accomplish; mainly, that there should be one administrator in the entire Commonwealth of Pennsylvania who shall have jurisdiction over all the judicial districts and, secondly, that this administrator shall have the power to move judges from county to county as he sees fit and as the necessity becomes apparent from the backing of cases.

Mr. President, I am happy to say that the Attorney General and I agree in that we are both trying to accomplish the same purpose.

Therefore, Mr. President, it gives me great pleasure to introduce the 1959 Attorney General's bill for a court administrator, today, in 1961, with my wholehearted endorsement.

### BILLS INTRODUCED AND REFERRED

Mr. DONOLOW, by unanimous consent, presented to the Chair **SB 739**, entitled:

An Act for the improvement of the judicial system by providing for an administrator for the courts and for an annual conference of judges.

Which was committed to the Committee on Judiciary General.

Messrs. SHAFER, STROUP and BERGER, by unanimous consent, presented to the Chair **SB 740**, entitled:

An Act authorizing the Supreme Court to appoint administrators for courts of record in counties of the first

and second class, to define their powers and duties and fix their compensation, and making an appropriation.

Which was committed to the Committee on Judiciary General.

Messrs. FLEMING, WOLFE and SHAFER, by unanimous consent, presented to the Chair **SB 741**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," requiring a receipt containing certain items in the case of an installment sale and imposing a penalty.

Which was committed to the Committee on Judiciary General.

### REPORTS FROM COMMITTEES

Mr. McCREESH, by unanimous consent, from the Committee on Public Health and Welfare, reported, as committed, **SB 343, 413, 420, HB 10, 555, 1025, 1076 and 1085**; as amended, **SB 342, 344 and 345**.

Mr. KALMAN, by unanimous consent, from the Committee on Judiciary General, reported as committed, **SB 596, 597, 632, 661, 663, 670 and 678**.

### CALENDAR

#### FINAL PASSAGE CALENDAR

##### BILL ON FINAL PASSAGE

**HB 508 (Pr. No. 551)**—On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—29

Camel,	McCreesh,	Rooney,	Stiefel,
Devlin,	McGinnis,	Sarra,	Van Sant,
DiSilvestro,	Miller,	Sesler,	Wagner,
Donolow,	Mullin,	Seyler,	Ware, III,
Fleming,	Murray,	Shafer,	Weiner,
Haluska,	Propert,	Silvert,	Yatron,
Kalman,	Ripp,	Stalsey,	Hays,
Lane,			Presiding Officer

##### NAYS—18

Bell,	Keller,	Mallery,	Stevenson,
Berger,	Kessler,	McMenamin,	Stroup,
Confair,	Kromer,	Pechan,	Wade,
Ehrgood,	Madigan,	Scott,	Wolfe,
Hawbaker,	Mahady,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### RECONSIDERATION OF VOTE

**SB 616 (Pr. No. 704)**—On the question, Shall the bill pass finally?

Mr. STEVENSON. Mr. President, I move to reconsider the vote by which Senate Bill No. 616, Printer's No. 704, passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. STEVENSON. Mr. President, I voted with the prevailing side.

Mr. MALLERY. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. MALLERY. Mr. President, I voted with the prevailing side.



The motion was agreed to.  
And the question recurring,  
Will the Senate agree to the bill on third reading?  
Mr. STEVENSON, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 1102), page 2, line 6, by inserting after "time": other than within four years of the rejection by the voters of any city of the "council-manager plan" pursuant to the act of July 15, 1957 (P. L. 901) known as the "Optional Third Class City Charter Law" and its amendments."

Amend Sec. 1 (Sec. 1102), page 2, line 12, by inserting after "ordinance": except that each department of the city government shall continue to be under the supervision and direction of an elected commissioner.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

### THIRD READING CALENDAR

#### BILLS OVER IN ORDER

**HB 67** and **SB 76**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 181 (Pr. No. 187)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 222 (Pr. No. 230)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,

Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mallery,	Scott,	Wagner,
Donolow,	McCreesh,	Sesler,	Ware, III,
Ehrgood,	McGinnis,	Seyler,	Weiner,
Flack,	McMenamin,	Shafer,	Wolfe,
Fleming,	Miller,	Silvert,	Yatron,
Haluska,	Mullin,	Staisey,	Hays,
Hawbaker,			Presiding Officer

#### NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

**SB 295**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING, REFEATED ON FINAL PASSAGE

**SB 351 (Pr. No. 370)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, in order to be in a position to reconsider this measure, I wish to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. LANE. Mr. President, I wish to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. BELL. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman from Delaware will be so recorded.

#### VERIFICATION OF THE ROLL

Mr. BERGER. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will proceed to call the names of those recorded as voting in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Camiel	Kalman	Mullin	Sesler
Devlin	Mahady	Murray	Silvert
DiSilvestro	McCreesh	Ripp	Staisey
Donolow	McGinnis	Rooney	Stiefel
Haluska	McMenamin	Sarraf	Yatron

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will now proceed to call the names of those recorded as voting in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bell	Hays	Pechan	Taylor
Berger	Keller	Propert	Van Sant
Chapman	Kessler	Scott	Wade
Confair	Kromer	Seyler	Wagner
Ehrgood	Lane	Shafer	Ware
Flack	Madigan	Stevenson	Weiner
Fleming	Mallery	Stroup	Wolfe
Hawbaker	Miller		

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—20

Camiel,	Kalman,	Mullin,	Sesler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Staisey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraf,	Yatron,

## NAYS—30

Bell,	Keller,	Propert,	Van Sant,
Berger,	Kessler,	Scott,	Wade,
Chapman,	Kromer,	Seyler,	Wagner,
Confair,	Lane,	Shafer,	Ware, III,
Ehrgood,	Madigan,	Stevenson,	Weiner,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,	Miller,	Taylor,	Hays,
Hawbaker,	Pechan,		Presiding Officer

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

## PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, this statement is only in the nature of an observation.

I see, and I know, that on Sunday all clubs are open in Philadelphia, and probably throughout the Commonwealth. Some of these clubs acquired ancient charters as singing societies, literary societies, and dancing groups. However, you do not see anybody dancing there, you do not see anybody delivering literary essays, and you do not see anybody singing. All they do is imbibe liquor. They are open all throughout Sunday, at any hours, until four o'clock in the morning.

I feel this is the worst discrimination. For the people who are struggling and the people of the lower middle class who want to take a drink, we limit the time. If we want to extend it for two hours, down comes the negative vote. Yet, the opulent continue to join the succulent.

## PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I just want to point out to the gentleman who just spoke that the theme song of the singing societies is: "Never on Sunday."

## THIRD READING CALENDAR

## BILLS OVER IN ORDER

**HB 428** and **SB 538**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 541 (Pr. No. 601)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

## NAYS—1

Hays,  
Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 547 (Pr. No. 613)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**SB 579 (Pr. No. 653)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that Senate Bill No. 579 appear on tomorrow's Final Passage Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Senate Bill No. 579 will appear on tomorrow's Final Passage Calendar.

**HB 584**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.



## BILL ON THIRD READING AND FINAL PASSAGE

**SB 636 (Pr. No. 734)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silver,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 715 and 716**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 873 (Pr. No. 958)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarra,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silver,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 987 (Pr. No. 1576)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. President, I rise to oppose the passage of this bill.

I think this bill has quite a bit of danger in it. A person seventeen years of age, together with his or her spouse who is twenty-one or over, would thus be able

to convey or to mortgage real estate. I can see a situation where either a young man or a young woman, under twenty-one, owning real estate with a spouse over twenty-one could give a good deed. I think this is not a step in the right direction.

Also, under a bond and warrant accompanying a mortgage, the minor seventeen years of age or over, together with a spouse of twenty-one or over, could give a good bond and warrant. This is a radical departure from the law of Pennsylvania. I am not content in my own mind that a young man or a young woman, seventeen years of age, fully realizes the effect of a bond and warrant. I do not think they have the discretion that should enable them to give a good deed, a good mortgage, or a good bond and warrant.

Therefore, I am voting against this bill.

Mr. WEINER. Mr. President, I have no real feeling about this bill in either direction. However, I think the other side is entitled to equal time.

I just want to say that I think we ought to consider here that there are situations—and the fact that early marriages are prevalent today in a great many of the areas of our Commonwealth—which make this type of legislation something to be well-considered. There are situations where the husband may be twenty-one, which makes one an adult, and the spouse in chronological age may be only eighteen or nineteen, which makes one a minor. The age or age grouping is what decides this. This is arbitrary. There is nothing to indicate that a person twenty-one years old is more mature than a person who is sixteen or seventeen except that in chronological years and by custom and by usage this has become the sine qua non which brings one to maturity.

I do think we ought to give this some consideration because there are many situations where people find themselves in the position where they should obtain a mortgage, or try to obtain one, without going through the legal mumbo jumbo that you must go through,—and I say this with all due respect to lawyers and those ap-purtenant thereto—which may preclude someone from carrying out some act or acts they would like to do.

I am not speaking on behalf of this legislation. I just wanted to point out the other side of it, because I have no real feeling about this either way.

Mr. BELL. Mr. President, in very brief reply to the Majority Leader, I do not think people are getting married any younger today than they were twenty years ago or one hundred years ago.

This legal mumbo jumbo, under the law of Pennsylvania, is to protect the rights of people under the age of twenty-one years.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—38

Berger,	Kessler,	Pechan,	Taylor,
Camiel,	Kromer,	Propert,	Wade,
Chapman,	Madigan,	Rooney,	Wagner,
Confair,	Mallery,	Scott,	Ware, III,
Ehrgood,	McCreesh,	Sesler,	Weiner,
Flack,	McGinnis,	Seyler,	Wolfe,
Fleming,	McMenamin,	Shafer,	Yatron,
Hawbaker,	Miller,	Silver,	Hays,
Kalman,	Mullin,	Stevenson,	Presiding Officer
Keller,	Murray,	Stroup,	

## NAYS—9

Bell,  
DiSilvestro,  
Donolow,

Lane,  
Mahady,

Ripp,  
Sarraf,

Staisey,  
Stiefel,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 994 (Pr. No. 1096)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,  
Mullin,

Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Staisey,

Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Hays,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1036 (Pr. No. 1145)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. EHRGOOD. Mr. President, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—29

Bell,  
Camiel,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Kalman,

Keller,  
Kessler,  
Lane,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,

Seyler,  
Silvert,  
Staisey,  
Stiefel,  
Van Sant,  
Wagner,  
Weiner,

## NAYS—19

Berger,  
Chapman,  
Flack,  
Fleming,  
Hawbaker,

Kromer,  
Madigan,  
Mahady,  
Mallery,  
Pechan,

Propert,  
Shafer,  
Stevenson,  
Stroup,  
Taylor,

Wade,  
Ware, III,  
Wolfe,  
Hays,  
Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 1082, 1139 and 1144**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 1169**—Without objection, the bill was passed over in its order at the request of Mr. KESSLER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 1225 (Pr. No. 1399)**—Read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,  
Mullin,

Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Staisey,

Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Hays,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1254 (Pr. No. 1448)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. BELL. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. VAN SANT. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—28

Camiel,  
Devlin,  
DiSilvestro,  
Donolow,  
Fleming,  
Haluska,  
Kalman,  
Lane,

Mahady,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,  
Mullin,  
Murray,

Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Silvert,

Staisey,  
Stiefel,  
Wagner,  
Weiner,  
Yatron,  
Hays,  
Presiding Officer

## NAYS—22

Bell,  
Berger,  
Chapman,  
Confair,  
Ehrgood,  
Flack,

Hawbaker,  
Keller,  
Kessler,  
Kromer,  
Madigan,  
Mallery,

Pechan,  
Propert,  
Shafer,  
Stevenson,  
Stroup,

Taylor,  
Van Sant,  
Wade,  
Ware, III,  
Wolfe,



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1381 (Pr. No. 1779)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silver,	Yatron,
Haluska,	Miller,	Staisey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### STUDENTS WELCOMED TO THE SENATE

Mr. ROONEY. Mr. President, I am pleased to present to the Senate a group of students from the fourth grade of the Hays School. Hays School is situated in Wilson Borough, one of the boroughs in my District.

This group consists of twenty-eight students, and they are accompanied here by Mrs. Darwin Gano, Mrs. John Miller, Mrs. James Bartholomew, Mrs. William Ferency, Mrs. Eugene Basta, Mrs. Edward Starniri and Miss Gloria Eyrich. Also, along with them is Miss Jane Brader, their principal.

These young students have something in common with the Senate of Pennsylvania. They are evenly divided. I took a poll this morning and found that they consist of fourteen young Democrats and fourteen young Republicans.

The PRESIDING OFFICER. The Chair is happy to recognize the balanced delegation of young citizens from Wilson Borough, in Northampton County. We are so happy that you brought in some of the brightness which, I am sure, is outside today, and have brightened up this Senate Chamber with your presence.

Will you please rise in order for us to recognize you, the young citizens from Wilson Borough?

### SECOND READING CALENDAR

#### BILL OVER IN ORDER

**SB 23**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**HB 29 (Pr. No. 883)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 247**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 322**—Mr. BERGER. Mr. President, I request that Senate Bill No. 322, Printer's No. 339, go over in its order. The PRESIDING OFFICER. Is there objection?

Mr. MULLIN. Mr. President, I object to this bill going over in order, and I would like to make a motion that it be rereferred to the Committee on Historical Preservation or the Committee on Agriculture.

Mr. BERGER. Mr. President, I now move that Senate Bill No. 322 go over in its order.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

The PRESIDING OFFICER. Senate Bill No. 322, Printer's No. 339, will go over in its order.

**SB 333**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**SB 350 (Pr. No. 369)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 353 and HB 410**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**HB 430 (Pr. No. 2146)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 441**—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

#### BILL ON SECOND READING AMENDED

**HB 442 (Pr. No. 2147)**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER. Mr. President, I wish to offer an amendment to House Bill No. 442, which will bring the bill back to its original form as it passed the House. I understand that the bill has a better opportunity of passing with the amendment deleted.

The PRESIDING OFFICER. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 2), page 4, line 12, by striking out "thirty-six" and inserting: eighteen

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 473 (Pr. No. 518)**—Read at length the second time, On the question,

Mr. CONFAIR offered the following amendments:

Amend Sec. 1 (Sec. 6), page 3, line 9, by striking out the brackets before and after "less a discount if."

Amend Sec. 1 (Sec. 6), page 3, line 9, by striking out "If."

Amend Sec. 1 (Sec. 6), page 3, line 10 to 13, by striking out "and he presents proof that he allowed for shrinkage" in line 10, and all of lines 11 to 13.

Amend Sec 1 (Sec. 6), page 4, by inserting between lines 5 and 6:

Every distributor shall pay or credit to each retail dealer the sum of fifty cents (35¢) per one thousand gallons or fraction thereof liquid fuels delivered to such dealer as an allowance for shrinkage evaporation or spillage. Such allowance shall be paid or credited by every distributor on or before the last day of July each year covering the deliveries made during the preceding year ending June 30th. Any such allowance paid or credited shall be deducted by the distributor from the tax due and payable to the Commonwealth for the month in which such allowance is actually paid or credited.

Amend Title, page 2, fifth line of Title, by striking out "requiring distributors to allow" and inserting: allowing

Amend Title, page 2, last two lines of Title, by striking out "as a condition to" in next to last line, and all of last line of Title.

On the question,

Will the Senate agree to the amendments?

Mr. SILVERT. Mr. President, I desire to interrogate the gentleman from Lycoming, Senator Confair.

The PRESIDING OFFICER. Will the gentleman from Lycoming, Mr. Confair, permit himself to be interrogated?

Mr. CONFAIR. I will, Mr. President.

Mr. SILVERT. Mr. President, will the gentleman explain just what his amendments do to this bill?

Mr. CONFAIR. Mr. President, the distributor will pay, at the end of every six months, back to the retailer at the rate of thirty-five cents per thousand gallons, as a credit to him for his loss. Then the distributor will deduct it from his payment to the Commonwealth.

Mr. SILVERT. Under this bill, if it passes, there would be no money taken out of the State Treasury. Is that correct?

Mr. CONFAIR. No money will be taken out of the State Treasury. The distributor will pay it.

Mr. SILVERT. I wish to thank the gentleman, Mr. President.

Mr. CONFAIR. Mr. President, the distributor will pay the amount of money which he ordinarily would give to the State Treasurer. He will deduct that amount to be returned to the retailer. Is that understood?

Mr. WEINER. Mr. President, I would ask my colleagues to vote "no" on these amendments.

This will further cost the Commonwealth money and weaken the entire program, as it is now set up.

Mr. BELL. Mr. President, as I understand these amendments, under the bill as it is presently written, the dis-

tributor gives so many cents per thousand gallons to the retailer. Then, the distributor is left holding the bag.

As I understand the explanation of the amendments, when the distributor gives a credit to the fellow who sells the gasoline of thirty-five cents per thousand gallons, he, in turn, takes a credit against what he sends to the Commonwealth. In other words, the thirty-five cents is given back to the retailer. Why should we leave the distributor holding the bag on that?

Mr. SILVERT. Mr. President, the reason the Senate Finance Committee considered this bill favorably was on the assurance that it would not cost the Commonwealth one penny. This is a situation where an allowance is made to distributors for evaporation, and the distributor will share what he receives with the retailer. If this is going to take money out of the State Treasury, then I intend to vote against the amendments.

Mr. BELL. Mr. President, again, I may be wrong because I have not studied the amendments. However, I understand that with gasoline, there is so much which evaporates. Under the present law, the retailer has to pay the tax on that gasoline whether he sells it or whether it evaporates without being sold and being used on the highways.

This bill would give the retailer a small shrinkage credit. If this bill passes, the distributor—the refiner—is caught where he has to give the shrinkage allowance to the fellow who sells the gasoline for gasoline which was never used on the highways, and, yet, he cannot look to the Commonwealth for credit for that same gasoline that was never used in Pennsylvania. I understand that is the purpose of these amendments. I think they are very fair.

Mr. SILVERT. Mr. President, I still object to them. If that were the situation, I do not think the majority in the Finance Committee would have approved this bill.

Mr. SEYLER. Mr. President, I would like to interrogate the sponsor of the amendments.

The PRESIDING OFFICER. Will the gentleman from Lycoming, Mr. Confair, permit himself to be interrogated?

Mr. CONFAIR. I will, Mr. President.

Mr. SEYLER. Mr. President, I would like to state to the gentleman that I am favorable to this bill. I am not sure what the amendments do, and I would like to ask the gentleman what is his estimate of the cost of this in loss of revenue to the Commonwealth?

Mr. CONFAIR. Mr. President, I have not estimated it.

Mr. SEYLER. Mr. President, I thank the gentleman.

I wish I had known about the amendments. I wish we had some way of finding out this very important fact, because I, personally, am not ready to vote on the amendments until I know just what that would be. I would suggest that the gentleman hold his amendments until he can get the information to accompany the amendments so that we know that answer. Otherwise, many of us who are favorable to the idea will be forced, I am afraid, to vote "no."

My suggestion would be, in view of the fact that the information is not available, that we let the bill go over in its order without amendments, and that he offer the amendments tomorrow when he is able to accompany his amendments with the information that we need to make a judgment on them.

Mr. LANE. Mr. President, I was listening to the debate here, and I recall that we had similar legislation before



us quite a number of years ago. At that time, if my memory serves me correctly, it was pointed out that there is a considerable amount of shrinkage given to the distributors by the Commonwealth whereby they are exempt from paying the tax.

In view of the fact that we have increased the tax on gasoline by two cents a gallon, I think the wise thing to do would be to withhold these amendments until tomorrow. Let us go over to the Liquid Fuels Tax Division, in the Department of Revenue, and secure adequate information with reference to the amendments and to the bill itself. In that way, we will know what we are doing.

I would like to vote for the amendments, but I am afraid I cannot do so unless I know what I am voting for.

Mr. CONFAIR. Mr. President, I now withdraw the amendments, and I will request that the bill go over in its order until tomorrow.

The PRESIDING OFFICER. Senator Confair, of Lycoming County, withdraws the proposed amendments to Senate Bill No. 463, Printer's No. 518, and has requested that the bill go over in its order. Hearing no objection, Senate Bill No. 473, on second reading, will go over in its order.

**SB 514 (Pr. No. 569)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS ON SECOND READING AMENDED

**HB 522 (Pr. No. 2158)**—The first, second, third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY, on behalf of Mr. ROONEY, offered the following amendment:

Amend Sec. 5 (Sec. 801), page 20, lines 16 and 17, by inserting a bracket before "twenty-" in line 16 and after "(24)" in line 17 and inserting immediately thereafter: twenty (20).

It was agreed to.

The section was agreed to as amended.

The sixth, seventh, eighth and ninth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. MAHADY.

**SB 525 (Pr. No. 834)**—The first, second, third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendment:

Amend Sec. 5, page 3, line 15, by striking out "Bureau of Corporations" and inserting: prothonotary of the court of the county in which the association has its principal office.

It was agreed to.

The section was agreed to as amended.

The sixth section was read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendment:

Amend Sec. 7, page 4, line 12, by striking out "shares" and inserting: interests.

It was agreed to.

The section was agreed to as amended.

The eighth and ninth sections were read and agreed to.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendments:

Amend Sec. 10, page 5, line 12, by striking out "share of."

Amend Sec. 10, page 5, line 12, by inserting after "ownership": in the association:

They were agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendments:

Amend Sec. 11, page 5, line 13, by striking out "share" and inserting: portion.

Amend Sec. 11, page 5, lines 14 and 15, by striking out "a share" and inserting: an ownership.

They were agreed to.

The section was agreed to as amended.

The twelfth section was read and agreed to.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendments:

Amend Sec. 13, page 6, line 7, by striking out "Shares" and inserting: Interests.

Amend Sec. 13, page 6, line 10, by striking out "share of ownership" and inserting: interest.

They were agreed to.

The section was agreed to as amended.

The fourteenth and fifteenth sections were read and agreed to.

The sixteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendment:

Amend Sec. 16, page 7, line 3, by striking out "share of his interest" and inserting: ownership.

It was agreed to.

The section was agreed to as amended.

The seventeenth section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendments:

Amend Sec. 17, page 7, line 8, by striking out "business" and inserting: operation.

Amend Sec. 17, page 7, line 11, by striking out "business" and inserting: operation.

They were agreed to.

The section was agreed to as amended.

The eighteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendment:

Amend Sec. 18, page 8, line 2, by striking out "share of ownership" and inserting: interest.

It was agreed to.

The section was agreed to as amended.

The nineteenth section was read and agreed to.

The twentieth section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendments:

Amend Sec. 20, page 8, line 12, by striking out "Liquidation" and inserting: Dissolution.

Amend Sec. 20, page 8, line 19, by striking out "liquidate" and inserting: dissolve.

Amend Sec. 20, page 9, line 1, by striking out "liquidation" and inserting: dissolution.

Amend Sec. 20, page 9, line 4, by striking out: "of shares."

Amend Sec. 20, page 9, line 6, by striking out "liquidation" and inserting: dissolution.

Amend Sec. 20, page 9, line 9, by striking out "liquidate" and inserting: dissolve.

They were agreed to.

The section was agreed to as amended.

The twenty-first section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. PROPERT.

#### BILL ON SECOND READING

**SB 593 (Pr. No. 773)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 611 and 613**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**SB 639 (Pr. No. 737)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 646**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 667, 713 and HB 718**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILL ON SECOND READING

**HB 739 (Pr. No. 2160)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

**HB 980 (Pr. No. 2161)**—The first, second, third, fourth, fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Section 7, page 5, line 6, by striking out all of said line.

It was agreed to.

The section was agreed to as amended.

The eighth, ninth, tenth, eleventh, twelfth and thirteenth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

#### BILLS OVER IN ORDER

**HB 1102, 1174 and 1220**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### RECONSIDERATION OF HB 828

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 828, Printer's No. 910, passed finally on June 5, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. LANE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. SARRAF. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. SARRAF. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendment:

Amend Bill, page 3, by inserting after line 3: Section 2. This act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Third Reading Calendar.

#### REPORTS FROM COMMITTEES

Mr. SILVERT, by unanimous consent, from the Committee on Judiciary General, reported, as amended, **SB 111**.

He also, by unanimous consent, from the Committee on Banking, reported, as amended, **SB 456**.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS, LAID ON THE TABLE

Mr. DEVLIN, by unanimous consent, from the Committee on Executive Nominations, reported the following nomination, made by His Excellency, the Governor, which was laid on the table:



## SECRETARY OF LABOR AND INDUSTRY

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Allen Sulcove, 709 Spruce Street, Philadelphia, Philadelphia County, for appointment as Secretary of Labor and Industry, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Hon. William L. Batt, Jr., resigned.

DAVID L. LAWRENCE.

## BILLS ON FIRST READING

Mr. DiSILVESTRO. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. STIEFEL. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

**SB 111, 195, 342, 343, 344, 345, 405, 413, 420, 438, 456, 512, 590, 596, 597, 601, 605, 632, 656, 661, 663, 670, 674, 678, 688, 690, 701, 725, HB 10, 197, 218, 227, 319, 398, 417, 483, 555, 985, 1017, 1025, 1076, 1085, 1186, 1259 and 1396.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

## PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I am about to introduce two bills, affecting the great life insurance industry of the Commonwealth which does so much for the people.

The PRESIDING OFFICER. The Chair is not certain whether he agrees with the statement of the gentleman from Cumberland, but his remarks will be made a part of the record.

Mr. WADE. Mr. President, I am sure if you would read the bills, you would agree with me.

## BILLS INTRODUCED AND REFERRED

Mr. WADE, by unanimous consent, presented to the Chair **SB 742**, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended, "The Insurance Department Act of 1921," changing the maximum fee to be charged for group life insurance.

Which was committed to the Committee on Insurance.

He also, by unanimous consent, presented to the Chair **SB 743**, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled, as amended "The Insurance Department Act of 1921," further regulating the issuance of agents' licenses.

Which was committed to the Committee on Insurance.

## PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, by the nature of the contents of the bill which I am about to introduce, I am

sure that you will send it to a very fine committee. This is a committee of high culture, dealing with the historical preservation of Pennsylvania.

Just about a half-hour ago, one of the Senators, probably not meaning to do so, made a derogatory statement about it. As if it were a dumping block, he said: "Send it to the Committee on Historical Preservation." Be that as it may, this man, who is a man of great crudition, probably did not mean what he said, So, we will forgive him.

I would appreciate it if this bill would be sent to the Committee on Historical Preservation.

## BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and CHAPMAN, by unanimous consent, presented to the Chair **SB 744**, entitled:

An Act to authorize the collection of scattered public records and manuscript materials on the history of the Commonwealth by the Pennsylvania Historical and Museum Commission and providing an appropriation.

Which was committed to the Committee on Historical Preservation.

They also, by unanimous consent, presented to the Chair **SB 745**, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purpose of purchasing museum material.

Which was committed to the Committee on Appropriations.

Messrs. SESLER and YATRON, by unanimous consent, presented to the Chair **SB 746**, entitled:

An Act to regulate the sale and distribution for agricultural purposes of ground limestone, burned and hydrated lime, gypsum, slag, and related products in the Commonwealth of Pennsylvania; conferring powers and imposing duties on the Department of Agriculture; establishing fees; making an appropriation and prescribing penalties.

Which was committed to the Committee on Agriculture.

Messrs. SESLER, STASEY and YATRON, by unanimous consent, presented to the Chair **SB 747**, entitled:

An Act defining milk and its derivatives, prohibiting its adulteration, regulating its labeling, sale and serving; imposing powers and duties on the Department of Agriculture; providing penalties and making repeals.

Which was committed to the Committee on Agriculture.

NOMINATIONS BY THE GOVERNOR  
REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BOARD OF TRUSTEES OF  
SHAMOKIN STATE HOSPITAL

June 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Shamokin State Hospital:

Michael F. Stewart, 1471 Chestnut Street, Kulpmont, Northumberland County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Archer B. Croll, 828 West Spruce Street, Shamokin, Northumberland County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

C. Robert Chervanik, Elysburg, Northumberland County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

June 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Eugene C. Schaad, Buckingham, Bucks County, for appointment as Justice of the Peace in and for the Township of Buckingham, Bucks County, to serve until the first Monday of January 1962, vice E. Franklin Rogers, deceased.

DAVID L. LAWRENCE.

#### HOUSE MESSAGE

##### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 565**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will be placed on the Calendar.

#### RECESS

Mr. WEINER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a Democratic Caucus.

Mr. FLEMING. Mr. President, I also request a fifteen minute recess of the Senate for the purpose of a Republican Caucus, to be held in the Minority Floor Leader's Office.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

At this time, the Chair would like to turn the gavel over to the President pro tempore.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

#### BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:

**HB 146, 242, 246, 323, 351, 369, 408, 452, 574, 576, 578, 580, 581, 585, 587, 588, 589, 638, 731, 856, 870, 874, 875, 876, 970, 1086, 1131, 1146 and 1371.**

#### GUESTS OF SENATOR PAUL W. MAHADY PRESENTED TO SENATE

Mr. MAHADY. Mr. President, at this time I would like to introduce some very outstanding ladies from the Italian Auxiliary of Hahntown, in Westmoreland County. There are forty of them present.

Will the ladies rise, please?

The PRESIDENT pro tempore. I am sure that I interpret the sentiment of the Senate in welcoming you to Harrisburg—"Sono di verdervi." It is very nice to see you.

The PRESIDING OFFICER (Jo Hays) in the Chair.

#### PETITIONS AND REMONSTRANCES

Mr. DONOLOW. Mr. President, I am going to ask the apology of my colleagues if I appear to be obnoxious on an issue, which is not my intention. However, in order to play the game fair and to be fair to everyone, I wish to make these few additional remarks.

I made a statement earlier today—and since, I have received word that I was incorrect—that the Attorney General, in 1959, asked for one administrator. I have been told that in 1959, she wanted three. I want the Senate to know that one of my amendments will call for three administrators. So, I am still in agreement with her.

Thank you very much, I just wanted to correct the record.

#### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

##### COMMITTEE MEETINGS WEDNESDAY, JUNE 7, 1961

Eastern Daylight Saving Time	COMMITTEE	ROOM
9:00 A.M.	CORPORATIONS	301
9:30 A.M.	EDUCATION	302
10:00 A.M.	AGRICULTURE	539
10:30 A.M.	STATE GOVERNMENT	535

##### WEDNESDAY, JUNE 7, 1961

The Committee on Banking will hold a Public Hearing in the Senate Majority Caucus Room at ten o'clock a.m., D.S.T., on June 7, 1961, on Senate Bill 375, regulating collection agencies.

#### ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, June 7, 1961, at 10:00 a.m., Eastern Standard Time.

Mr. STASEY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:44 p.m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

TUESDAY, June 6, 1961

The House met at 12 o'clock noon, e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, our Father, Thou whose name is holy and is held in awe and respect by all Thy infinite family, we bow in reverence before Thee at the beginning of today's session. We humbly pray that we may value highly the name we bear, but consciously recognize that each one of us may be aware of the responsibility which rests so heavily upon us. Endow us with the competency of Thy stewardship and enable us with Thy counsel to discharge the opportunities and privileges which fall to our lot with resolve and determination. In Thy dear name. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, June 5, 1961, will be postponed until printed.

The Chair hears none.

## RESOLUTION INTRODUCED AND REFERRED

By Mr. TOMPKINS. RESOLUTION No. 76

In the House of Representatives, June 5, 1961.

Whereas, On April 10, 1961, Governor David L. Lawrence presented to the General Assembly the Report of the Governor's Committee on Education; and

Whereas, When the Governor presented said report he said:

"Within the Executive Branch of the Government, I am directing the Superintendent of Public Instruction, the Secretary of Administration and the Executive Secretary to the Governor, to complete an analysis of the report which will list such recommendations as might be put into effect by executive order. I will then decide as to the scheduling of such orders"; and

Whereas, A written request was made to the Governor under date of May 25, 1961 to;

1. Furnish a list of such recommendations as might be put into effect by executive order.
2. How much such respective orders will cost.
3. The date when such orders are to become effective.
4. That such order be accompanied with either statutory or constitutional citations for the authority to put such orders into effect by Executive action; and

Whereas, Select committees have been authorized to review prospective legislation to effectuate the Report of the Governor's Committee on Education; and

Whereas, The General Assembly has already received and will probably receive numerous bills to effectuate said report; and

Whereas, The General Assembly, without information as to what portions of the report has been or is intended to be carried out by executive order, is unable to determine its area of jurisdiction and possible duplication of effort; therefore be it

Resolved, That the House of Representatives call upon the Governor to:

1. Furnish a list of such recommendations as is intended to be put into effect by executive order.
2. How much such respective orders will cost.
3. The date when such orders are to become effective.
4. That such orders be accompanied with either statutory or constitutional citations for the authority to put

such orders into effect by Executive action; and be it further

Resolved, That a certified copy of this resolution be transmitted to His Excellency, David L. Lawrence, Governor of the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

## SENATE MESSAGE

## CONCURRENCE IN HOUSE RESOLUTION No. 24

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

## HOUSE RESOLUTION No. 24.

General Assembly urgently requests all agencies to utilize labor and materials to alleviate unemployment in depressed areas.

## REPORTS FROM COMMITTEES

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 537, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing boards of school directors to appropriate moneys for payment of the costs of athletic equipment and uniforms used by members of school bands or athletes in extra curricular intramural or interscholastic activities events or competitive games.

Mr. IRVIS from the Committee on Education, reported as committed, House bill No. 697, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing certain salaries and work loads; prescribing extension education areas; decreasing the number of names needed for free extension education; raising the deposit fee and providing for a tuition fee in certain instances; deleting provisions relating to free evening schools and making an appropriation.

Mr. HAMILTON from the Committee on Education, reported as committed, House bill No. 810, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the employment of professional and temporary professional employees of county boards of school directors regulating the employment, dismissal, suspension, and demotion of such employees, and providing for their rights and obligations.

Mr. LUTTY from the Committee on Banking and Building and Loan Associations, reported as committed, House bill No. 997, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457), permitting mortgage loans on industrial property.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 1221, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095) further regulating anthracite strip mining operations; changing provisions with respect to bonds, backfilling restoration permits and registration, including certain persons within the provisions of the act and imposing penalties.

Mr. IRVIS from the Committee on Judiciary, reported as committed, House bill No. 1337, entitled:

An Act amending the "Wills Act of 1947," approved April 24, 1947 (P. L. 89), providing a rule of interpretation regarding the source of payment of inheritance tax.

Mr. BOWMAN from the Committee on Judiciary, reported as committed, House bill No. 1338, entitled:

An Act amending the "Estates Act of 1927" approved April 24, 1947 (P. L. 100), providing a rule of interpretation regarding the source of payment of inheritance tax.

Mr. J. A. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1346, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating procedures with respect to general return sheets and tally papers.

Mr. T. F. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1347, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the advertising of election proclamations and providing for advertising of a primary election proclamation in counties of the second class.

Mr. T. F. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1350, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the preservation of records.

Mrs. S. A. ANDERSON from the Committee on Education, reported as committed, House bill No. 1377, entitled:

An Act amending the "Public School Code for 1949," approved March 10, 1949 (P. L. 30), further providing for the expenses of members of boards of school directors attending certain meetings and for the expenses of certain employes incurred in the furthering of the educational program of the school district.

Mr. CROSSIN from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 1438, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act," approved May 31, 1945 (P. L. 1198) further regulating bituminous strip mining operations; changing provisions with respect to bonds, filing dates, reports, registration, backfilling and overburden, including certain persons within the provisions of the act, and providing for the use of funds in certain cases.

Mr. HAMILTON from the Committee on Appropriations, re-reported as amended, House bill No. 1447, entitled:

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589) further providing for the tuberculous and brucellosis ring tests to be given to cows.

Mr. HAMILTON from the Committee on Appropriations, re-reported as amended, House bill No. 1451, entitled:

An Act amending the act of August 5, 1932 (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes \* \* \*" requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries \* \* \* paid to officers and employes of the Commonwealth domiciled or performing services within that city \* \* \*.

Mr. ISAACS from the Committee on Judiciary, reported as committed, House bill No. 1457, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), extending the act to property, the owner of which is unknown and has been unknown for a period of not less than ten years.

Mr. LUTTY from the Committee on Banking and Building and Loan Associations, reported as committed, House bill No. 1469, entitled:

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), further defining and limiting the rights, powers, duties and liabilities of such associations; further specifying types of collateral for mortgage loans.

Mr. EDWARDS from the Committee on Fisheries, reported as committed, House bill No. 1509, entitled:

An Act amending the act of May 29, 1917 (P. L. 322), entitled, as amended, "An act to give protection, and to regulate the catching or taking or having in possession, within this Commonwealth, of any turtles, frogs, and tadpoles; \* \* \*" excepting snapping turtles from the limitation upon the number of turtles which may be caught, taken or killed in any one day.

Mr. OGILVIE from the Committee on Ways and Means, reported as committed, House bill No. 1513, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), fixing minimum compensation for recorders of deeds acting as agents for the sale of stamps.

Mr. FOERSTER from the Committee on Ways and Means, reported as committed, House bill No. 1538, entitled:

An Act relating to trading stamps; providing for the escheat to the Commonwealth of Pennsylvania of unredeemed trading stamps and the value thereof issued in this Commonwealth, and providing the procedure in connection therewith; \* \* \*.

Mrs. HENZEL from the Committee on Education, reported as committed, House bill No. 1546, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing an alternative method for establishing area technical schools.

Mr. CAPANO from the Committee on Education, reported as committed, House bill No. 1552, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing eligibility for State scholarships.

Mr. PRENDERGAST from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 1575, entitled:

An Act making an appropriation to the School of Forestry of Pennsylvania State University for research on diseases of maple trees.

Mr. PRICE from the Committee on Ways and Means, reported as committed, House bill No. 1663, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), extending the definition of manufacture.

Mr. PRICE from the Committee on Ways and Means, reported as committed, House bill No. 1664, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further defining and extending the manufacturing exemption with regard to capital stock tax and franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.



Mr. GRAY from the Committee on Agriculture and Dairy Industries, reported as committed, Senate bill No. 312, entitled:

An Act amending the act of July 24, 1913 (P. L. 965), entitled "Commodities Weight and Measure Law," requiring additional markings on certain packages.

Mr. HAMILTON from the Committee on Insurance, reported as committed, Senate bill No. 419, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended "The Insurance Department Act of 1921," constituting insurance agents and brokers fiduciaries with respect to funds received as insurance agents or brokers and prescribing penalties for the violation thereof.

Mr. HAMILTON from the Committee on Appropriations, reported as committed, Senate bill No. 442, entitled:

An Act amending the act of June 9, 1911 (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" limiting the terms of such liens to twenty years.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 761, entitled:

An Act making an appropriation to the Department of Commerce for payments of grants to local agencies for tourist promotional assistance.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 763, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 764, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed House bill No. 765, entitled:

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 769, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 771, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 772, entitled:

An Act making an appropriation to the Department of Public Instruction for the improvement of library services.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 773 entitled:

A Supplement to the act of April 1, 1863 (P. L. 213)

entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 774, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the Library School.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 775, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 776, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 777, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 778, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 779, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 780, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 781, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 782, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 783, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 784, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations,

reported as committed, House bill No. 785, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 786, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 787, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 788, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 789, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 790, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 791, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 792 entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 793, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

Mr. POLEN from the Committee on Appropriations, reported as amended, House bill No. 794, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

Mr. POLEN from the Committee on Appropriations, re-reported as amended, House bill No. 65, entitled:

An Act providing for pensions for war veterans blinded through service connected injuries; conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General and making an appropriation.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 795, entitled:

An Act making an appropriation to the Dickinson School of Law Carlisle Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 796, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 797, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 798, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 799, entitled:

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for services for the aging.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 800, entitled:

An Act making an appropriation to the Glenn Mills School in Delaware County, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 801, entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 802, entitled:

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for juvenile delinquency programs.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 805, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 806, entitled:

An Act making an appropriation to the City of Harrisburg, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House bill No. 924, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the maintenance of a professorship in the School of Medicine.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1013, entitled:

An Act making an appropriation to the Cystic Fibrosis Laboratory at the Albert Einstein Medical Center in Philadelphia.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1193, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for certain capital improvements in accordance with long range planning for



capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1194, entitled:

An Act making an appropriation to the Department of Military Affairs for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1195, entitled:

An Act making an appropriation to the Department of Health for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1196, entitled:

An Act making appropriations to the Department of Public Welfare for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1197, entitled:

An Act making an appropriation to the Department of Justice for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1198, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements, in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1199, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements, in accordance with long range planning for capital improvements, designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as amended, House bill No. 1431, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania, for maintenance and support.

Mr. POLEN from the Committee on Appropriations, reported as amended, House bill No. 1610, entitled:

An Act making an appropriation to the Supreme Court of Pennsylvania for a portrait of Chief Justice Charles Alvin Jones.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1708, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1709, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

Mr. POLEN from the Committee on Appropriations, reported as amended, Senate bill No. 115, entitled:

An Act making an appropriation to the committee appointed by the 1960 General Assembly to study the unemployment problem in Pennsylvania.

Mr. MURPHY from the Committee on Mines and Mineral Industries, reported as amended, House bill No. 755, entitled:

An Act defining and prohibiting waste in the production of oil and gas; defining the powers and duties of the Oil and Gas Conservation Commission and the Oil and Gas Division of the Department of Mines and Mineral Industries with respect to the prevention of waste in the production of oil and gas from certain geological horizons; \* \* \* imposing penalties and making an appropriation.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as amended, House bill No. 1009, entitled:

An Act to protect the public safety by regulating the mining of bituminous coal; prescribing duties for certain municipal and township officers and imposing penalties.

Mr. IRVIS from the Committee on Judiciary, reported as amended, House bill No. 1356, entitled:

An Act amending "The Notary Public Law," approved August 21, 1953 (P. L. 1323), providing for the registration of notaries public in the clerk of courts' office in counties of the second class.

Mr. J. A. SULLIVAN from the Committee on Cities—Counties First Class, reported as amended, House bill No. 1551, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), further regulating the days and hours of registration and the days and hours of changing party enrollment.

Mr. BRANCA from the Committee on Cities—Counties First Class, reported as amended, House bill No. 1555, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), further regulating the days, hours and places of registration.

Mr. LAMB from the Committee on Judiciary, reported as amended, House bill No. 1578, entitled:

An Act amending the "Adoption Law," approved April 4, 1925 (P. L. 127), changing provisions relating to hearings in certain cases.

Mr. SCHAAF from the Committee on Judiciary, reported as amended, Senate bill No. 526, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" defining the crimes of fraudulent use of credit cards and fraudulent obtaining of telecommunications service and prescribing penalties.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 697, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing certain

salaries and work loads; prescribing extension education areas; decreasing the number of names needed for free extension education; raising the deposit fee and providing for a tuition fee in certain instances; deleting provisions relating to free evening schools and making an appropriation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 810, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the employment of professional and temporary professional employees of county boards of school directors regulating the employment, dismissal, suspension, and demotion of such employees, and providing for their rights and obligations.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 997, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457), permitting mortgage loans on industrial property.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1221, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1946 (P. L. 1095), further regulating anthracite strip mining operations; changing provisions with respect to bonds, backfilling restoration permits and registration, including certain persons within the provisions of the act and imposing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1337, entitled:

An Act amending the "Wills Act of 1947," approved April 24, 1947 (P. L. 89), providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1338, entitled:

An Act amending the "Estates Act of 1927" approved April 24, 1947 (P. L. 100), providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1346, entitled:

An Act amending the "Pennsylvania Election Code,"

approved June 3, 1937 (P. L. 1333), further regulating procedures with respect to general return sheets and tally papers.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1347, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the advertising of election proclamations and providing for advertising of a primary election proclamation in counties of the second class.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1350, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the preservation of records.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1377, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the expenses of members of boards of school directors attending certain meetings and for the expenses of certain employees incurred in the furthering of the educational program of the school district.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1438, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act," approved May 31, 1945 (P. L. 1198), further regulating bituminous strip mining operations; changing provisions with respect to bonds, filing dates, reports, registration, backfilling and overburden, including certain persons within the provisions of the act, and providing for the use of funds in certain cases.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1457, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), extending the act to property, the owner of which is unknown and has been unknown for a period of not less than ten years.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1469, entitled:

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), further defining and



limiting the rights, powers, duties and liabilities of such associations; further specifying types of collateral for mortgage loans.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1509, entitled:

An Act amending the act of May 29, 1917 (P. L. 322), entitled, as amended, "An act to give protection, and to regulate the catching or taking or having in possession, within this Commonwealth, of any turtles, frogs, and tadpoles; \* \* \*" excepting snapping turtles from the limitation upon the number of turtles which may be caught, taken or killed in any one day.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1513, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), fixing minimum compensation for recorders of deeds acting as agents for the sale of stamps.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1538, entitled:

An Act relating to trading stamps; providing for the escheat to the Commonwealth of Pennsylvania of unredeemed trading stamps and the value thereof issued in this Commonwealth, and providing the procedure in connection therewith; \* \* \*.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1546, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing an alternative method for establishing area technical schools.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1552, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing eligibility for State scholarships.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1575, entitled:

An Act making an appropriation to the School of Forestry of Pennsylvania State University for research on diseases of maple trees.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1663, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), extending the definition of manufacture.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1664, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further defining and extending the manufacturing exemption with regard to capital stock tax and franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 312, entitled:

An Act amending the act of July 24, 1913 (P. L. 965), entitled "Commodities Weight and Measure Law" requiring additional markings on certain packages.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 419, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended "The Insurance Department Act of 1921" constituting insurance agents and brokers fiduciaries with respect to funds received as insurance agents or brokers and prescribing penalties for the violation thereof.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 442, entitled:

An Act amending the act of June 9, 1911 (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" limiting the terms of such liens to twenty years.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### STUDENTS FROM THE HAY SCHOOL WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of a group of students from the Hay School, Wilson Borough, Northampton County, who are here under the supervision of their principal, Miss Jane Brader.

They are guests of the delegation from Northampton: the lady from Northampton, Mrs. Reibman; the gentlemen

from Northampton, Messrs. O'Donnell, Prendergast and Verona.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MAXWELL asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

The SPEAKER. The Chair has a lot of bills to sign and requests the gentleman from Armstrong to preside temporarily.

Mr. HELM IN THE CHAIR

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 244, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743), changing compensation and allowances for magistrates.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 749, entitled:

An Act amending the "Korean Conflict Veterans' Compensation Act" approved July 8, 1957 (P. L. 569), defining "veteran" so as to include career servicemen.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1111, entitled:

An Act amending the "Child Labor Law" approved May 13, 1915 (P. L. 286), further prescribing work in which minors may engage providing for the issuance of special permits for minors engaging in the entertainment and related fields changing provisions relating to working hours employment certificates regulations prescribing penalties and providing a short title.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1237, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed \* \* \* and fixing penalties" increasing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1404, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing the penalty provisions for collection of per capita taxes in school districts of the first class less than 1,500,000 population.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1486, entitled:

An Act amending the act of July 8, 1947 (P. L. 1428), entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties" to exempt from its regulatory scope any real estate school approved by the State Real Estate Commission under the Real Estate Brokers Act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1496, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1512, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating regulations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1564, entitled:

An Act limiting the use of appropriations for hospital or institutional care or training in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1572, entitled:

An Act amending the act of December 8, 1959 (P. L. 1718), entitled "An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duties and providing benefit



to their widows and dependents in certain cases" extending the act to provide for payment of salary medical and hospital expenses of employes of State mental hospitals Youth Development Centers and County Boards of Assistance who are injured in the course of their employment and of employes of the Department of Public Welfare injured while fighting fires.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1588, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth \* \* \*" removing the requirement that metallic plates shall be issued.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate bill No. 200, printer's No. 769

Senate bill No. 201, printer's No. 770 and

Senate bill No. 553, printer's No. 771

were passed over at the request of Mr. McCANN.

#### BILLS ON THIRD READING

##### BILL PASSED OVER

There being no objection

Senate bill No. 95, printer's No. 95

was passed over at the request of Mr. McCANN.

#### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. PERRY for today to attend the graduation of his son.

Mr. Dougherty for Mr. KLEIN for the week because of hospitalization of a member of his family.

Mr. Tompkins for Mr. A. M. LEE for today.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 207, entitled:

#### BILLS ON THIRD READING

An Act amending the act of May 9, 1949 (P. L. 927), entitled "Sheriff's Fee Bill Second to Eighth Class Counties" changing fees mileage and other costs chargeable by sheriffs and making editorial corrections.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—175

Adams,	Galley,	Limper,	Renwick,
Anderson, J. H.,	Gallagher,	Lippincott,	Riley,

Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rovansek,
Arlene,	George,	Long, Wm. Jos.,	Royer,
Ashton,	Gibb,	Lutty,	Rubin,
Bachman,	Gibbons,	Magee,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Blair,	Gray,	Markley,	Scarcelli,
Boles,	Greenlee,	Marsh,	Schaaf,
Bonner,	Gremminger,	Maxwell,	Schuster,
Bossert,	Guesman,	May,	Seltzer,
Bower,	Guthrie,	McCandless,	Shelton,
Bowman,	Hamilton,	McCann,	Sherman,
Branca,	Hankins,	McDevitt,	Simmons,
Breth,	Hartley,	McDonald,	Slack,
Buchanan,	Haudenschild,	McInroy,	Steckel,
Capano,	Heavey,	McKeever,	Stimmel,
Capitolo,	Heffner,	McLaughlin,	Stiteler,
Cioffi,	Helm,	McNally,	Stone,
Comer,	Henzel,	Meholchick,	Strausser,
Cooley,	Hocker,	Merry,	Sullivan, J. A.,
Crossin,	Holl,	Mihm,	Sullivan, T. F.,
Davis,	Holliday,	Miller,	Taylor,
Dengler,	Holman,	Mills,	Thompson,
Dennison,	Horst,	Monroe,	Tomascik,
Donaldson,	Irviss,	Morley,	Trusio,
Dougherty,	Isaacs,	Mullen,	Ujibai,
Doughten,	Jenkins,	Munley,	Wall,
Edwards,	Jim,	Needham,	Walsh,
Eilberg,	Johnson, A. W.,	O'Dell,	Wargo,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Eshback,	Jones,	Odoriso,	Wescott,
Eshleman,	Kamyk,	Ogilvie,	Willard,
Ewing,	Kelser,	Parlante,	Willaredt,
Farabaugh,	Kelly,	Pashley,	Williams, A. D.,
Fetterolf,	Kernaghan,	Petrosky,	Williams, E. S.,
Filo,	Kessler,	Piper,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	Kooker,	Polen,	Wynd,
Foerster,	Kramer,	Prendergast,	Yetter,
Foot,	Lamb,	Price,	Zember,
Fox,	Lawson,	Pursley,	Zimmerman,
Frascella,	Lee, K. B.,	Reibman,	Andrews,
Fulmer,	Leonard,	Reidenbach,	Speaker

#### NAYS—12

Auker,	Cianfrani,	Korns,	Weidner,
Bush,	Goldstein, M. H.,	Murphy,	Whittaker,
Cauley,	King,	Tompkins,	Worley,

#### NOT VOTING—22

Clarke,	Gramlich,	Lee, A. M.,	Rudisill,
Curwood,	Gross,	McCormack,	Shupnik,
Down,	Kistler,	Murray,	Snare,
Fry,	Klein,	Musto,	Stank,
Goodrich,	Kornick,	O'Donnell, J. P.,	Varner,
		Perry,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 223, entitled:

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947" providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. I am sorry, Mr. Speaker, but I was on the telephone.

Did or did not Mr. Gailey explain this bill?

The SPEAKER pro tempore. The Chair asked the gentleman if he wanted to be recognized, and he said he did not.

Mr. McCANN. Mr. Speaker, the indication was that the gentleman from Dauphin, Mr. Bowman, was going to ask a question and it was recorded that Mr. Gailey would answer, but the question never arose.

Mr. A. W. JOHNSON. Mr. Speaker, I will yield to the gentleman from Dauphin, Mr. Bowman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, the inquiries I had concerning this bill have been satisfactorily answered as far as I am concerned by Mr. Gailey and Mr. Lee, being a Joint State Government Commission bill, and I am supporting the bill and request all other members of the House to support the legislation. It is satisfactory.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Adams,	Gallagher,	Limper,	Renwick,
Anderson, J. H.,	Gelfand,	Lippincott,	Riley,
Anderson, S. A.,	Gibb,	Long, Wm. Jas.,	Rovansek,
Arlene,	Gibbons,	Long, Wm. Jos.,	Royer,
Ashton,	Goldstein, J. H.,	Lutty,	Rubin,
Auker,	Goldstein, M. H.,	Magee,	Rutherford,
Bachman,	Goodrich,	Manbeck,	Sakulsky,
Backenstoe,	Gramlich,	Markley,	Scarcelli,
Blair,	Gray,	Marsh,	Schaaf,
Boies,	Greenlee,	Maxwell,	Schuster,
Bonner,	Gremminger,	May,	Seltzer,
Bossert,	Guesman,	McCandless,	Shelton,
Bower,	Guthrie,	McCann,	Sherman,
Bowman,	Hamilton,	McCormack,	Simmons,
Branca,	Hankins,	McDevitt,	Slack,
Breth,	Hartley,	McDonald,	Steckel,
Bush,	Haudenschild,	McInroy,	Stimmel,
Capano,	Heavey,	McKeever,	Stiteler,
Capitolo,	Hefner,	McLaughlin,	Stone,
Cauley,	Helm,	McNally,	Strausser,
Cianfrani,	Henzel,	Meholchick,	Sullivan, J. A.,
Cioffi,	Hocker,	Merry,	Sullivan, T. F.,
Comer,	Holl,	Mihm,	Taylor,
Cooley,	Holliday,	Miller,	Thompson,
Crossin,	Holman,	Mills,	Tomasick,
Davis,	Horst,	Monroe,	Tompkins,
Dengler,	Irvis,	Morley,	Trusio,
Dennison,	Isaacs,	Mullen,	Ujobai,
Donaldson,	Jenkins,	Munley,	Varner,
Dougherty,	Jim,	Murphy,	Wall,
Doughten,	Johnson, A. W.,	Murray,	Walsh,
Down,	Johnson, R. P.,	Needham,	Wargo,
Edwards,	Jones,	O'Dell,	Weidner,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Welsh,
Eshback,	Keiser,	Odorisio,	Wescott,
Eshleman,	Kelly,	Ogilvie,	Whittaker,
Ewing,	Kernaghan,	Parlante,	Willard,
Farabaugh,	Kessler,	Pashley,	Willaredt,
Fetterolf,	King,	Petrosky,	Williams, A. D.,
Filo,	Knecht,	Piper,	Williams, E. S.,
Fineman,	Kooker,	Polaski,	Wilt,
Flynn,	Kornick,	Polen,	Wood,
Foerster,	Korns,	Prendergast,	Wynd,
Foor,	Kramer,	Price,	Yetter,
Fox,	Lamb,	Pursley,	Zember,
Frascella,	Lawson,	Reibman,	Zimmerman,
Fulmer,	Lee, K. B.,	Reidenbach,	Andrews,
Gailey,	Leonard,		Speaker

## NAYS—1

Worley,

## NOT VOTING—18

Buchanan,	George,	Musto,	Shupnik,
Clarke,	Gross,	O'Donnell, J. P.,	Snare,
Curwood,	Kistler,	Perry,	Stank,
Elvey,	Klein,	Rudisill,	Verona,
Fry,	Lee, A. M.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 278, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams,	Galley,	Leonard,	Riley,
Anderson, J. H.,	Gallagher,	Limper,	Rovansek,
Anderson, S. A.,	Gelfand,	Lippincott,	Royer,
Arlene,	George,	Long, Wm. Jos.,	Rubin,
Ashton,	Gibb,	Lutty,	Rudisill,
Auker,	Gibbons,	Magee,	Rutherford,
Bachman,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Markley,	Scarcelli,
Boies,	Goodrich,	Marsh,	Schaaf,
Bonner,	Gramlich,	Maxwell,	Schuster,
Bossert,	Gray,	May,	Seltzer,
Bower,	Greenlee,	McCandless,	Shelton,
Bowman,	Gremminger,	McCann,	Sherman,
Branca,	Guesman,	McCormack,	Shupnik,
Breth,	Hamilton,	McDevitt,	Simmons,
Buchanan,	Hankins,	McDonald,	Slack,
Bush,	Hartley,	McInroy,	Steckel,
Capano,	Haudenschild,	McKeever,	Stimmel,
Capitolo,	Heavey,	McLaughlin,	Stiteler,
Cauley,	Hefner,	McNally,	Stone,
Cianfrani,	Helm,	Meholchick,	Strausser,
Cioffi,	Henzel,	Merry,	Sullivan, J. A.,
Clarke,	Hocker,	Mihm,	Sullivan, T. F.,
Comer,	Holl,	Miller,	Taylor,
Cooley,	Holliday,	Mills,	Thompson,
Crossin,	Holman,	Monroe,	Tomasick,
Davis,	Horst,	Morley,	Tompkins,
Dengler,	Irvis,	Mullen,	Trusio,
Dennison,	Isaacs,	Munley,	Ujobai,
Donaldson,	Jenkins,	Murphy,	Varner,
Dougherty,	Jim,	Murray,	Wall,
Doughten,	Johnson, A. W.,	Needham,	Walsh,
Down,	Johnson, R. P.,	O'Dell,	Wargo,
Edwards,	Jones,	O'Donnell, J. A.,	Weldner,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Welsh,
Elvey,	Keiser,	Odorisio,	Whittaker,
Eshback,	Kelly,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Parlante,	Willaredt,
Ewing,	Kessler,	Pashley,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Williams, E. S.,
Fetterolf,	Knecht,	Piper,	Wilt,
Filo,	Kooker,	Polaski,	Wood,
Fineman,	Kornick,	Polen,	Worley,
Flynn,	Korns,	Prendergast,	Yetter,
Foerster,	Kramer,	Price,	Wynd,
Foor,	Lamb,	Pursley,	Zember,
Fox,	Lawson,	Reibman,	Zimmerman,
Frascella,	Lee, K. B.,	Reidenbach,	Andrews,
Fulmer,			Speaker

## NAYS—0

## NOT VOTING—16

Blair,	Guthrie,	Long, Wm. Jas.,	Snare,
Curwood,	Kistler,	Musto,	Stank,
Fry,	Klein,	Perry,	Verona,
Gross,	Lee, A. M.,	Renwick,	Wescott,

The majority required by the Constitution having voted



in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. McCANN. Mr. Speaker, on Senate bills 280, 282, 284, and 286, if agreeable, we will accept the same roll call for all the bills. They are all in the same field.

Mr. RENWICK. Mr. Speaker, I notice that I was not recorded on the last roll call. If we are going to use the same roll call, I would like to be recorded as voting "aye."

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. McCANN. Mr. Speaker, that is satisfactory. I call up Senate bill 280, printer's No. 717.

The SPEAKER pro tempore. We will have to take another roll call in order to get the gentleman recorded.

Mr. RENWICK. All right. Thank you, Mr. Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 280, entitled:

An Act amending the act of May 5, 1945 (P. L. 426), entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents . . ." changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—194

Adams,	Gallagher,	Lippincott,	Rovansek,
Anderson, J. H.,	Gelfand,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibbons,	Lutty,	Rudisill,
Ashton,	Goldstein, J. H.,	Magee,	Rutherford,
Auker,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Bachman,	Goodrich,	Markley,	Scarcelli,
Backenstoe,	Gramlich,	Marsh,	Schaaf,
Blair,	Gray,	Maxwell,	Schuster,
Bonner,	Greenlee,	May,	Seltzer,
Bossert,	Gremminger,	McCandless,	Shelton,
Bower,	Guesman,	McCann,	Sherman,
Bowman,	Guthrie,	McCormack,	Shupnik,
Breth,	Hamilton,	McDevitt,	Simmons,
Buchanan,	Hankins,	McDonald,	Slack,
Bush,	Hartley,	McInroy,	Steckel,
Capano,	Haudenshield,	McKeever,	Stimmel,
Capitolo,	Heavey,	McLaughlin,	Stiteler,
Cauley,	Heffner,	McNally,	Stone,
Cianfrani,	Helm,	Meholchick,	Strausser,
Cioffi,	Henzel,	Merry,	Sullivan, J. A.,
Clarke,	Hocker,	Mihm,	Sullivan, T. F.,
Comer,	Holl,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,
Crossin,	Holman,	Morley,	Tomasick,
Davis,	Horst,	Mullen,	Tompkins,
Dengler,	Irvis,	Munley,	Trusio,
Dennison,	Isaacs,	Murphy,	Ujbai,
Donaldson,	Jenkins,	Murray,	Varner,
Dougherty,	Jim,	Needham,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kamyk,	Odlisio,	Welsh,
Elvey,	Keiser,	Ogilvie,	Wescott,
Eshback,	Kelly,	Parlante,	Whittaker,

Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Petrosky,	Willaredt,
Farabaugh,	King,	Piper,	Williams, A. D.,
Fetterolf,	Knecht,	Polaski,	Williams, E. S.,
Filo,	Kooker,	Polen,	Wilt,
Fineman,	Kornick,	Prendergast,	Wood,
Flynn,	Korns,	Price,	Worley,
Foerster,	Kramer,	Pursley,	Wynd,
Foor,	Lamb,	Reibman,	Yetter,
Fox,	Lawson,	Reldenbach,	Zember,
Frascella,	Lee, K. B.,	Renwick,	Zimmerman,
Fulmer,	Leonard,	Riley,	Andrews,
Gailey,	Limper,		Speaker

#### NAYS—0

#### NOT VOTING—15

Boies,	George,	Lee, A. M.,	Snare,
Branca,	Gross,	Miller,	Stank,
Curwood,	Kistler,	Musto,	Verona,
Fry,	Klein,	Perry,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 282, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class . . ." changing the name of The Italian-American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—194

Adams,	Gallagher,	Lippincott,	Rovansek,
Anderson, J. H.,	Gelfand,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibbons,	Lutty,	Rudisill,
Ashton,	Goldstein, J. H.,	Magee,	Rutherford,
Auker,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Bachman,	Goodrich,	Markley,	Scarcelli,
Backenstoe,	Gramlich,	Marsh,	Schaaf,
Blair,	Gray,	Maxwell,	Schuster,
Bonner,	Greenlee,	May,	Seltzer,
Bossert,	Gremminger,	McCandless,	Shelton,
Bower,	Guesman,	McCann,	Sherman,
Bowman,	Guthrie,	McCormack,	Shupnik,
Breth,	Hamilton,	McDevitt,	Simmons,
Buchanan,	Hankins,	McDonald,	Slack,
Bush,	Hartley,	McInroy,	Steckel,
Capano,	Haudenshield,	McKeever,	Stimmel,
Capitolo,	Heavey,	McLaughlin,	Stiteler,
Cauley,	Heffner,	McNally,	Stone,
Cianfrani,	Helm,	Meholchick,	Strausser,
Cioffi,	Henzel,	Merry,	Sullivan, J. A.,
Clarke,	Hocker,	Mihm,	Sullivan, T. F.,
Comer,	Holl,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,
Crossin,	Holman,	Morley,	Tomasick,
Davis,	Horst,	Mullen,	Tompkins,
Dengler,	Irvis,	Munley,	Trusio,
Dennison,	Isaacs,	Murphy,	Ujbai,
Donaldson,	Jenkins,	Murray,	Varner,
Dougherty,	Jim,	Needham,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,

Eilberg,	Kamyk,	Odorisio,	Welsh,
Elvey,	Keiser,	Ogilvie,	Wescott,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Petrosky,	Willaredt,
Farabaugh,	King,	Piper,	Williams, A. D.,
Fetterolf,	Knecht,	Polaski,	Williams, E. S.,
Filo,	Kooker,	Polen,	Wilt,
Fineman,	Kornick,	Prendergast,	Wood,
Flynn,	Korns,	Price,	Worley,
Foerster,	Kramer,	Pursley,	Wynd,
Foor,	Lamb,	Reibman,	Yetter,
Fox,	Lawson,	Reidenbach,	Zember,
Frascella,	Lee, K. B.,	Renwick,	Zimmerman,
Fulmer,	Leonard,	Riley,	Andrews,
Galley,	Limper,		Speaker

## NAYS—0

## NOT VOTING—15

Boles,	George,	Lee, A. M.,	Snare,
Branca,	Gross,	Miller,	Stank,
Curwood,	Kistler,	Musto,	Verona,
Fry,	Klein,	Perry,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 284, entitled:

An Act amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps . . ." changing the name of the Italian American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—194

Adams,	Gallagher,	Lippincott,	Rovansek,
Anderson, J. H.,	Gelfand,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibbons,	Lutty,	Rudisill,
Ashton,	Goldstein, J. H.,	Magee,	Rutherford,
Auker,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Bachman,	Goodrich,	Markley,	Scarcelli,
Backenstoe,	Gramlich,	Marsh,	Schaaf,
Blair,	Gray,	Maxwell,	Schuster,
Bonner,	Greenlee,	May,	Seltzer,
Bossert,	Gremminger,	McCandless,	Shelton,
Bower,	Guesman,	McCann,	Sherman,
Bowman,	Guthrie,	McCormack,	Shupnik,
Breth,	Hamilton,	McDevitt,	Simmons,
Buchanan,	Hankins,	McDonald,	Slack,
Bush,	Hartley,	McInroy,	Steckel,
Capano,	Haudenschild,	McKeever,	Stimmel,
Capitolo,	Heavey,	McLaughlin,	Stiteler,
Cauley,	Hefner,	McNally,	Stone,
Cianfrani,	Helm,	Meholchick,	Strausser,
Cioffi,	Henzel,	Merry,	Sullivan, J. A.,
Clarke,	Hocker,	Mihm,	Sullivan, T. F.,
Comer,	Holl,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,
Crossin,	Holman,	Morley,	
Davis,	Horst,	Mullen,	
Dengler,	Irvis,	Munley,	
Dennison,	Isaacs,	Murphy,	

Donaldson,	Jenkins,	Murray,	Varner,
Dougherty,	Jim,	Needham,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kamyk,	Odorisio,	Welsh,
Elvey,	Keiser,	Ogilvie,	Wescott,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Petrosky,	Willaredt,
Farabaugh,	King,	Piper,	Williams, A. D.,
Fetterolf,	Knecht,	Polaski,	Williams, E. S.,
Filo,	Kooker,	Polen,	Wilt,
Fineman,	Kornick,	Prendergast,	Wood,
Flynn,	Korns,	Price,	Worley,
Foerster,	Kramer,	Pursley,	Wynd,
Foor,	Lamb,	Reibman,	Yetter,
Fox,	Lawson,	Reidenbach,	Zember,
Frascella,	Lee, K. B.,	Renwick,	Zimmerman,
Fulmer,	Leonard,	Riley,	Andrews,
Galley,	Limper,		Speaker

## NAYS—0

## NOT VOTING—15

Boles,	George,	Lee, A. M.,	Snare,
Branca,	Gross,	Miller,	Stank,
Curwood,	Kistler,	Musto,	Verona,
Fry,	Klein,	Perry,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 286, entitled:

An Act amending the act of April 8, 1867 (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—194

Adams,	Gallagher,	Lippincott,	Rovansek,
Anderson, J. H.,	Gelfand,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibbons,	Lutty,	Rudisill,
Ashton,	Goldstein, J. H.,	Magee,	Rutherford,
Auker,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Bachman,	Goodrich,	Markley,	Scarcelli,
Backenstoe,	Gramlich,	Marsh,	Schaaf,
Blair,	Gray,	Maxwell,	Schuster,
Bonner,	Greenlee,	May,	Seltzer,
Bossert,	Gremminger,	McCandless,	Shelton,
Bower,	Guesman,	McCann,	Sherman,
Bowman,	Guthrie,	McCormack,	Shupnik,
Breth,	Hamilton,	McDevitt,	Simmons,
Buchanan,	Hankins,	McDonald,	Slack,
Bush,	Hartley,	McInroy,	Steckel,
Capano,	Haudenschild,	McKeever,	Stimmel,
Capitolo,	Heavey,	McLaughlin,	Stiteler,
Cauley,	Hefner,	McNally,	Stone,
Cianfrani,	Helm,	Meholchick,	Strausser,
Cioffi,	Henzel,	Merry,	Sullivan, J. A.,
Clarke,	Hocker,	Mihm,	Sullivan, T. F.,
Comer,	Holl,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,



Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer, Ewing, Farabaugh, Galley,	Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B., Leonard, Limper,	Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Tomascik, Tompkins, Trusio, Ujobai, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Wynd, Zemmer, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—15

Boles, Branca, Curwood, Fry,	George, Gross, Kistler, Klein,	Lee, A. M., Miller, Musto, Perry,	Snare, Stank, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 291, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" further regulating the issuance of hunting licenses for antlerless deer season and providing a penalty.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—178

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani,	Foor, Fox, Frascella, Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Haudenschild, Heavy,	Lawson, Lee, K. B., Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick,	Renwick, Riley, Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, SchAAF, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Steckel, Stimmel, Stiteler, Stone, Strausser,
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Cloffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn,	Heffner, Helm, Henzel, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, Knecht, Kooker, Kornick, Kramer, Lamb,	Merry, Mihm, Mills, Monroe, Morley, Mullen, Munley, Murphy, Needham, O'Donnell, J. A., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reidenbach,	Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Tompkins, Ujobai, Varner, Wall, Walsh, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Wynd, Zemmer, Zimmerman, Andrews, Speaker
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## NAYS—9

Doughten, Hartley, Hocker,	Johnson, A. W., Korns,	Lippincott, McCormack,	Thompson, Worley,
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## NOT VOTING—22

Foerster, Fry, Gross, Hankins, King, Kistler,	Klein, Lee, A. M., Miller, Murray, Musto, O'Dell,	O'Donnell, J. P., Perry, Reibman, Snare, Stank,	Trusio, Verona, Wargo, Wescott, Yetter,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 336, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3.68 acres more or less of land situate in Indiana Borough Indiana County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo,	Frascella, Fulmer, Galley, Gallagher, Gelfand, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild,	Lawson, Lee, K. B., Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin,	Riley, Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, SchAAF, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Steckel, Stimmel, Stiteler, Stone,
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Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox,	Heavey, Heffner, Heim, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick,	Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Trusio, Ujobai, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—16

Fry, George, Gross, Kistler,	Klein, Lee, A. M., Leonard, McInroy,	Murray, Musto, Perry, Reidenbach,	Snare, Stank, Tompkins, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair notes the presence in the House of a former member of this House, the gentleman from Lycoming, Mr. James J. Gleason.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 338, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class . . ." increasing the period of time during which a contributor may be reinstated.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—192

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair,	Frascella, Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H.,	Lawson, Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee,	Renwick, Riley, Rovanske, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli,
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Boies, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox,	Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—17

Dennison, Fry, Goldstein, M. H., Gross, Kistler,	Klein, Lee, A. M., McCormack, Merry,	Musto, Odorisio, Perry, Snare,	Stank, Ujobai, Varner, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 371, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" authorizing the acquisition of land outside the limits of any city for the use of the National Guard.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOCKER. Mr. Speaker, I am asking for information more than anything else. I do not like the idea of this bill because it is destroying something that we in the outlying territories of cities hold very sacred—the right of the city to transgress or come out into our territory, and I would like the majority leader or someone to explain the bill and the purpose for the bill.

The SPEAKER pro tempore. Does the gentleman from Greene, Mr. McCann, desire to answer the interrogation?



Mr. McCANN. Mr. Speaker, Senate bill 371, printer's No. 566, really the basic purpose of it, as I understand it from the Senate, deals with a place called Uniontown, Pennsylvania, Fayette County, in connection with the construction of an armory outside the city limits, in conjunction with the armory program and the city program of the city of Uniontown, a third class city. Therefore, it would almost be, would you say, a special situation in that respect, and that is why this piece of legislation came from the Senate. I am giving you the complete background.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—124

Anderson, S. A.,	Gallagher,	Lutty,	Reibman,
Arlene,	Gelfand,	Marsh,	Renwick,
Auker,	George,	Maxwell,	Riley,
Bachman,	Goldstein, M. H.,	McCann,	Rovansek,
Boies,	Gramlich,	McCormack,	Rubin,
Bonner,	Gray,	McDevitt,	Rudisill,
Bower,	Greenlee,	McDonald,	Rutherford,
Bowman,	Gremminger,	McInroy,	Sakulsky,
Branca,	Guesman,	McKeever,	Scarcelli,
Breth,	Hamilton,	McLaughlin,	Schaaf,
Capano,	Hankins,	McNally,	Schuster,
Cauley,	Hartley,	Meholchick,	Shelton,
Cianfrani,	Haudenshield,	Mihm,	Sherman,
Cioffi,	Heavey,	Miller,	Shupnik,
Clarke,	Heffner,	Mills,	Simmons,
Comer,	Irvls,	Monroe,	Stiteler,
Cooley,	Jenkins,	Morley,	Stone,
Crossin,	Jim,	Mullen,	Strausser,
Curwood,	Jones,	Munley,	Sullivan, J. A.,
Donaldson,	Kamyk,	Murphy,	Sullivan, T. F.,
Dougherty,	Kelly,	Murray,	Taylor,
Doughten,	Knecht,	Needham,	Thompson,
Down,	Kornick,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Korns,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Kramer,	Parlante,	Wall,
Filo,	Lamb,	Pashley,	Walsh,
Fineman,	Lawson,	Petrosky,	Wargo,
Flynn,	Leonard,	Polaski,	Welsh,
Foerster,	Limper,	Polen,	Wescott,
Frascella,	Long, Wm. Jas.,	Prendergast,	Yetter,
Galley,	Long, Wm. Jos.,	Price,	Andrews,
			Speaker

## NAYS—72

Adams,	Fulmer,	Kessler,	Seltzer,
Anderson, J. H.,	Gibb,	King,	Slack,
Ashton,	Gibbons,	Kistler,	Steckel,
Backenstoe,	Goldstein, J. H.,	Kooker,	Stimmel,
Blair,	Goodrich,	Lee, K. B.,	Tompkins,
Bossert,	Guthrie,	Lippincott,	Ujobai,
Buchanan,	Helm,	Magee,	Weidner,
Bush,	Henzel,	Manbeck,	Whittaker,
Davis,	Hocker,	Markley,	Willard,
Dengler,	Holl,	May,	Willaredt,
Edwards,	Holliday,	McCandless,	Williams, A. D.,
Elvey,	Holman,	Merry,	Williams, E. S.,
Eshback,	Horst,	O'Dell,	Wilt,
Eshleman,	Isaacs,	Odorisio,	Wood,
Ewing,	Johnson, A. W.,	Ogilvie,	Worley,
Fetterolf,	Johnson, R. P.,	Piper,	Wynd,
Foor,	Keiser,	Pursley,	Zember,
Fox,	Kernaghan,	Royer,	Zimmerman,

## NOT VOTING—13

Capitolo,	Klein,	Perry,	Stank,
Dennison,	Lee, A. M.,	Reidenbach,	Varner,
Fry,	Musto,	Snare,	Verona,
Gross,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 378, entitled:

An Act amending the act of August 9, 1955 (P. L. 312), entitled "An act fixing the salary of the district attorney of Philadelphia" raising the salary of the district attorney of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—141

Anderson, J. H.,	Gibbons,	Long, Wm. Jos.,	Pursley,
Anderson, S. A.,	Gramlich,	Lutty,	Reibman,
Arlene,	Gray,	Magee,	Reidenbach,
Bachman,	Greenlee,	Markley,	Renwick,
Backenstoe,	Gremminger,	Marsh,	Riley,
Boies,	Guesman,	Maxwell,	Rovansek,
Bonner,	Hamilton,	McCann,	Royer,
Bower,	Hankins,	McCormack,	Rubin,
Bowman,	Hartley,	McDevitt,	Sakulsky,
Branca,	Haudenshield,	McDonald,	Scarcelli,
Breth,	Heavey,	McKeever,	Schaaf,
Capano,	Heffner,	McLaughlin,	Schuster,
Capitolo,	Irvls,	McNally,	Seltzer,
Cianfrani,	Isaacs,	Meholchick,	Shelton,
Cioffi,	Jenkins,	Merry,	Sherman,
Clarke,	Jim,	Mihm,	Shupnik,
Comer,	Johnson, A. W.,	Mills,	Stank,
Cooley,	Jones,	Monroe,	Steckel,
Crossin,	Kamyk,	Morley,	Stimmel,
Curwood,	Kelly,	Mullen,	Stone,
Davis,	Kernaghan,	Munley,	Strausser,
Dengler,	Kessler,	Murphy,	Sullivan, J. A.,
Dennison,	King,	Murray,	Sullivan, T. F.,
Donaldson,	Kistler,	Needham,	Taylor,
Dougherty,	Knecht,	O'Donnell, J. A.,	Thompson,
Doughten,	Kooker,	O'Donnell, J. P.,	Tomascik,
Down,	Kornick,	Odorisio,	Trusio,
Edwards,	Kramer,	Parlante,	Varner,
Eilberg,	Lamb,	Pashley,	Wall,
Filo,	Lawson,	Petrosky,	Wargo,
Fineman,	Lee, K. B.,	Piper,	Welsh,
Flynn,	Leonard,	Polaski,	Willard,
Frascella,	Limper,	Polen,	Yetter,
Galley,	Lippincott,	Prendergast,	Zember,
Gallagher,	Long, Wm. Jas.,	Price,	Andrews,
Gelfand,			Speaker

## NAYS—56

Adams,	Foor,	Horst,	Stiteler,
Ashton,	Fox,	Johnson, R. P.,	Tompkins,
Auker,	Fulmer,	Keiser,	Ujobai,
Blair,	George,	Korns,	Weidner,
Bossert,	Gibb,	Manbeck,	Wescott,
Buchanan,	Goldstein, J. H.,	May,	Whittaker,
Bush,	Goldstein, M. H.,	McCandless,	Willaredt,
Cauley,	Goodrich,	McInroy,	Williams, A. D.,
Elvey,	Helm,	Miller,	Williams, E. S.,
Eshback,	Henzel,	O'Dell,	Wilt,
Eshleman,	Hocker,	Ogilvie,	Wood,
Ewing,	Holl,	Rutherford,	Worley,
Farabaugh,	Holliday,	Simmons,	Wynd,
Fetterolf,	Holman,	Slack,	Zimmerman,

## NOT VOTING—12

Foerster,	Guthrie,	Musto,	Snare,
Fry,	Klein,	Perry,	Verona,
Gross,	Lee, A. M.,	Rudisill,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 385, entitled:

An Act authorizing arraignments in courts of quarter sessions of the peace and courts of oyer and terminer and general jail delivery.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—197

Adams,	Fulmer,	Lawson,	Reidenbach,
Anderson, J. H.,	Galley,	Lee, K. B.,	Renwick,
Anderson, S. A.,	Gallagher,	Leonard,	Riley,
Arlene,	Gelfand,	Limper,	Rovansek,
Ashton,	George,	Lippincott,	Royer,
Auker,	Gibb,	Long, Wm. Jas.,	Rubin,
Bachman,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Lutty,	Rutherford,
Blair,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Boles,	Goodrich,	Markley,	Scarcelli,
Bonner,	Gramlich,	Marsh,	Schaaf,
Bossert,	Gray,	Maxwell,	Schuster,
Bower,	Greenlee,	May,	Seltzer,
Bowman,	Gremminger,	McCandless,	Shelton,
Branca,	Guesman,	McCann,	Sherman,
Breth,	Guthrie,	McCormack,	Shupnik,
Buchanan,	Hamilton,	McDevitt,	Simmons,
Bush,	Hankins,	McDonald,	Slack,
Capano,	Hartley,	McInroy,	Stank,
Capitolo,	Haudenshield,	McKeever,	Steckel,
Cauley,	Heavey,	McLaughlin,	Stimmel,
Cianfrani,	Heffner,	McNally,	Stiteler,
Cioffi,	Helm,	Meholchick,	Stone,
Clarke,	Henzel,	Merry,	Strausser,
Comer,	Hocker,	Mihm,	Sullivan, T. F.,
Cooley,	Holl,	Miller,	Taylor,
Crossin,	Holliday,	Mills,	Thompson,
Curwood,	Holman,	Monroe,	Tompkins,
Davis,	Horst,	Morley,	Trusio,
Dengler,	Irviss,	Mullen,	Ujobal,
Dennison,	Isaacs,	Munley,	Varnier,
Donaldson,	Jenkins,	Murphy,	Wall,
Dougherty,	Jim,	Murray,	Walsh,
Doughten,	Johnson, A. W.,	Needham,	Wargo,
Down,	Johnson, R. P.,	O'Dell,	Weidner,
Edwards,	Jones,	O'Donnell, J. A.,	Welsh,
Elberg,	Kamyk,	O'Donnell, J. P.,	Wescott,
Elvey,	Kelser,	Odorisio,	Whittaker,
Eshback,	Kelly,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Parlante,	Willaredt,
Ewing,	Kessler,	Pashley,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Williams, E. S.,
Fetterolf,	Kistler,	Piper,	Wilt,
Filo,	Knecht,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Wynd,
Flynn,	Kornick,	Prendergast,	Yetter,
Foerster,	Korns,	Price,	Zember,
Foor,	Kramer,	Pursley,	Zimmerman,
Fox,	Lamb,	Reibman,	Andrews,
Frascella,			Speaker

#### NAYS—1

Worley,

#### NOT VOTING—11

Fry,	Lee, A. M.,	Perry,	Tomasclik,
Gross,	Magee,	Snare,	Verona,
Klein,	Musto,	Sullivan, J. A.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 386, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the membership of county boards of school directors in counties where the population exceeds a certain number.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

#### FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair has been informed that we also have present in the House another former member, the gentleman from Schuylkill, Mr. Gus Wauchhaus.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 402, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" further regulating notice of assessments and validating certain assessments previously made.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—199

Adams,	Fulmer,	Leonard,	Riley,
Anderson, J. H.,	Gallagher,	Limper,	Rovansek,
Anderson, S. A.,	Gelfand,	Lippincott,	Royer,
Arlene,	George,	Long, Wm. Jas.,	Rubin,
Ashton,	Gibb,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibbons,	Lutty,	Rutherford,
Blair,	Goldstein, J. H.,	Magee,	Sakulsky,
Boles,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Bonner,	Goodrich,	Markley,	Schaaf,
Bachman,	Gramlich,	Marsh,	Schuster,
Backenstoe,	Gray,	Maxwell,	Seltzer,
Bossert,	Greenlee,	May,	Shelton,
Bower,	Gremminger,	McCandless,	Sherman,
Bowman,	Guesman,	McCann,	Shupnik,
Branca,	Guthrie,	McCormack,	Simmons,
Breth,	Hamilton,	McDevitt,	Slack,
Buchanan,	Hankins,	McDonald,	Stank,
Bush,	Hartley,	McInroy,	Steckel,
Capano,	Haudenshield,	McKeever,	Stimmel,
Capitolo,	Heavey,	McLaughlin,	Stiteler,
Cauley,	Heffner,	McNally,	Stone,
Cianfrani,	Helm,	Meholchick,	Sullivan, J. A.,
Cioffi,	Henzel,	Merry,	Sullivan, T. F.,
Clarke,	Hocker,	Mihm,	Taylor,
Comer,	Holl,	Miller,	Thompson,
Cooley,	Holliday,	Mills,	Tomasclik,
Crossin,	Holman,	Monroe,	Tompkins,
Curwood,	Horst,	Morley,	Trusio,
Davis,	Irviss,	Mullen,	Ujobal,
Dengler,	Isaacs,	Munley,	Varnier,
Dennison,	Jenkins,	Murphy,	Wall,



Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B.,	Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, <b>Speaker</b>
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## NAYS—0

## NOT VOTING—10

Fry, Galley, Gross,	Klein, Lee, A. M., Musto,	Perry, Snare,	Strausser, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 482, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" fixing the number of affirmative votes required in seven and nine member councils under the mayor-council plan A of government to effect certain street improvements and to change zoning ordinances

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—129

Anderson, S. A., Arlene, Auker, Bachman, Boles, Bonner, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Dougherty, Doughten, Down, Ellberg, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Fox,	Frascella, Galley, Gallagher, Gelfand, Gibb, Goldstein, M. H., Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Helm, Henzel, Holl, Holliday, Irvis, Jenkins, Jim, Johnson, R. P., Jones, Kamyk, Kelly, King, Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B., Leonard,	Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Marsh, Maxwell, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Petrosky, Polaski, Polen, Prendergast,	Reibman, Reidenbach, Renwick, Riley, Rovanseck, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomasck, Trusio, Varner, Wall, Walsh, Wargo, Welsh, Wescott, Willaredt, Williams, E. S., Wilt, Worley, Wynd, Yetter,
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## NAYS—68

Adams, Anderson, J. H., Ashton, Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Dengler, Donaldson, Edwards, Elvey, Eshback, Eshleman, Foor,	Fulmer, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Haudenshield, Heffner, Hocker, Holman, Horst, Isaacs, Johnson, A. W., Kelser, Kernaghan, Kessler, Kistler, Knecht,	Kooker, Lippincott, Magee, Manbeck, Markley, May, McCandless, Merry, O'Dell, Odorisio, Ogilvie, Piper, Price, Pursley, Royer, Rutherford, Seltzer,	Simmons, Slack, Stank, Steckel, Stimmel, Strausser, Thompson, Tompkins, Ujobai, Weidner, Whittaker, Willard, Williams, A. D., Wood, Zember, Zimmerman, Andrews, <b>Speaker</b>
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## NOT VOTING—12

Fry, George, Gross,	Guthrie, Heavey, Klein,	Lee, A. M., McCormack, Musto,	Perry, Snare, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 483, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" prescribing membership of board of commissioners of the sinking fund commission in cities which have adopted the mayor-council plan A.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—177

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Boles, Bonner, Bossert, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, O'Dell,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell,	Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobai, Varner, Wall, Walsh, Wargo,
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Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Kelly, Kernaghan, King, Kistler, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B., Leonard,	O'Donnell, J. A., Odorisio, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Renwick,	Weldner, Whittaker, Willard, Willaredt, Williams, E. S., Wilt, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—18

Bower, Bowman, Buchanan, Bush, Fulmer,	Goodrich, Gramlich, Hocker, Kelser, Kessler,	Knecht, May, Ogilvie, Pursley,	Seltzer, Strausser, Williams, A. D., Wood,
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## NOT VOTING—14

Bachman, Dengler, Fry, Gross,	Guthrie, Klein, Lee, A. M., Musto,	O'Donnell, J. P., Perry, Snare, Verona, Welsh, Wescott,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 484, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the preparation and adoption of budgets after adoption of Mayor-Council Plan A.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Boles, Bonner, Bossert, Bowman, Branca, Breth, Buchanan, Bush, Capato, Capitolo, Cauley, Cooley, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down,	Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvia, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P.,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Wall, Walsh, Wargo,
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Edwards, Elberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer, Gallagher,	Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B., Leonard,	O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—5

Bower, May,	O'Donnell, J. P., Pursley,	Seltzer,
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## NOT VOTING—13

Bachman, Cianfrani, Dengler, Fry,	Galley, Gross, Guthrie,	Klein, Lee, A. M., Musto,	Perry, Snare, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 501, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" requiring a system of accounts to be kept by county officers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Bonner, Bossert, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Donaldson, Doughten,	Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvia, Isaacs, Jenkins, Jim, Johnson, A. W.,	Leonard, Limper, Lippincott, Royer, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham,	Riley, Rovanseck, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Wall,
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Down, Edwards, Eilberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Fox, Frascella, Fulmer, Galley, Gallagher,	Johnson, R. P., Jones, Kamyk, Kelsner, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B.,	O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—1

Worley,

## NOT VOTING—15

Bachman, Boies, Dengler, Fineman,	Fry, Gross, Klein, Lee, A. M.,	May, McCormack, Musto, Perry,	Snare, Varner, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 505, entitled:

An Act amending the act of March 2, 1956 (P. L. 1211), entitled "Practical Nurse Law" providing for biennial licenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Adams, Anderson, J. H., Anderson, S. A., Arlene, Bachman, Backenstoe, Blair, Boies, Bonner, Bossert, Bower, Bowman, Branca, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dennison, Donaldson, Dougherty, Down, Edwards, Eilberg,	George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Hefner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irviss, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones,	Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham,	Renwick, Riley, Rovanseck, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelll, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobal, Varner, Wall,
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Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer, Galley, Gallagher, Gelfand,	Kamyk, Kelsner, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B., Leonard, Limper,	O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Walsh, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—5

Ashton, Davis,	Isaacs,	Strausser,	Worley,
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## NOT VOTING—14

Auker, Breth, Dengler, Doughten,	Fry, Gross, Klein, Lee, A. M.,	Musto, Perry, Royer,	Snare, Verona, Wargo,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. BRETH. I want to be recorded as voting "aye."

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 506, entitled:

An Act amending the act of January 14, 1952 (P. L. 1898), entitled as amended "Funeral Director Law" providing for biennial licenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Adams, Anderson, J. H., Anderson, S. A., Arlene, Auker, Bachman, Backenstoe, Blair, Boies, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Haudenschild, Heavey, Hefner, Helm, Henzel, Hocker, Holl, Holliday, Holman,	Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills,	Renwick, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelll, Schaaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stimmel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck,
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Dennison,	Horst,	Monroe,	Tompkins,
Donaldson,	Irviss,	Morley,	Ujobai,
Dougherty,	Jenkins,	Mullen,	Varner,
Doughten,	Jim,	Munley,	Wall,
Down,	Johnson, A. W.,	Murphy,	Walsh,
Edwards,	Johnson, R. P.,	Murray,	Wargo,
Elberg,	Jones,	Needham,	Weidner,
Elvey,	Kamyk,	O'Dell,	Welsh,
Eshback,	Keiser,	O'Donnell, J. A.,	Wescott,
Eshleman,	Kelly,	O'Donnell, J. P.,	Whittaker,
Ewing,	Kernaghan,	Odorisio,	Willard,
Farabaugh,	Kessler,	Ogilvie,	Willaredt,
Fetterolf,	King,	Parlante,	Williams, A. D.,
Filo,	Kistler,	Pashley,	Williams, E. S.,
Fineman,	Knecht,	Petrosky,	Wilt,
Flynn,	Kooker,	Piper,	Wood,
Foerster,	Kornick,	Polaski,	Wynd,
Foor,	Korns,	Polen,	Yetter,
Fox,	Kramer,	Prendergast,	Zember,
Frascella,	Lamb,	Price,	Zimmerman,
Fulmer,	Lawson,	Pursley,	Andrews,
Galley,	Lee, K. B.,	Reidenbach,	Speaker

## NAYS—5

Ashton,	Isaacs,	Strausser,	Worley,
Davis,			

## NOT VOTING—13

Cooley,	Klein,	Perry,	Stiteler,
Dengler,	Lee, A. M.,	Reibman,	Trusio,
Fry,	Musto,	Snare,	Verona,
Hartley,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 507, entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers' License Law" providing for biennial registration and increasing certain fees accordingly.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—191

Adams,	Gallagher,	Leonard,	Renwick,
Anderson, J. H.,	Gelfand,	Limper,	Riley,
Anderson, S. A.,	George,	Lippincott,	Rovansek,
Arlene,	Gibb,	Long, Wm. Jas.,	Royer,
Auker,	Gibbons,	Long, Wm. Jos.,	Rubin,
Bachman,	Goldstein, J. H.,	Lutty,	Rudisill,
Backenstoe,	Goldstein, M. H.,	Magee,	Rutherford,
Blair,	Goodrich,	Manbeck,	Sakulsky,
Boies,	Gramlich,	Markley,	Scarcelli,
Bonner,	Gray,	Marsh,	Schaaf,
Bossert,	Greenlee,	Maxwell,	Schuster,
Bower,	Gremminger,	May,	Seltzer,
Bowman,	Gross,	McCandless,	Shelton,
Branca,	Guesman,	McCann,	Sherman,
Breth,	Guthrie,	McCormack,	Shupnik,
Buchanan,	Hamilton,	McDevitt,	Simmons,
Bush,	Hankins,	McDonald,	Slack,
Capano,	Haudenschild,	McInroy,	Stank,
Capitolo,	Heavey,	McKeever,	Steckel,
Cauley,	Hefner,	McLaughlin,	Stimmel,
Cianfrani,	Helm,	McNally,	Stone,
Cioffi,	Henzel,	Meholchick,	Sullivan, J. A.,
Clarke,	Hocker,	Merry,	Sullivan, T. F.,
Comer,	Holl,	Mihm,	Taylor,

Crossin,	Holliday,	Miller,	Thompson,
Curwood,	Holman,	Mills,	Tomascik,
Dennison,	Horst,	Monroe,	Tompkins,
Donaldson,	Irviss,	Morley,	Ujobai,
Dougherty,	Jenkins,	Mullen,	Varner,
Doughten,	Jim,	Munley,	Wall,
Down,	Johnson, A. W.,	Murphy,	Walsh,
Edwards,	Johnson, R. P.,	Murray,	Wargo,
Elberg,	Jones,	Needham,	Weidner,
Elvey,	Kamyk,	O'Dell,	Welsh,
Eshback,	Keiser,	O'Donnell, J. A.,	Wescott,
Eshleman,	Kelly,	O'Donnell, J. P.,	Whittaker,
Ewing,	Kernaghan,	Odorisio,	Willard,
Farabaugh,	Kessler,	Ogilvie,	Willaredt,
Fetterolf,	King,	Parlante,	Williams, A. D.,
Filo,	Kistler,	Pashley,	Williams, E. S.,
Fineman,	Knecht,	Petrosky,	Wilt,
Flynn,	Kooker,	Piper,	Wood,
Foerster,	Kornick,	Polaski,	Wynd,
Foor,	Korns,	Polen,	Yetter,
Fox,	Kramer,	Prendergast,	Zember,
Frascella,	Lamb,	Price,	Zimmerman,
Fulmer,	Lawson,	Pursley,	Andrews,
Galley,	Lee, K. B.,	Reidenbach,	Speaker

## NAYS—5

Ashton,	Isaacs,	Strausser,	Worley,
Davis,			

## NOT VOTING—13

Cooley,	Klein,	Perry,	Stiteler,
Dengler,	Lee, A. M.,	Reibman,	Trusio,
Fry,	Musto,	Snare,	Verona,
Hartley,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 530, entitled:

An Act amending the act of June 20, 1947 (P. L. 733), entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property . . ." authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Adams,	Galley,	Lawson,	Renwick,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gelfand,	Leonard,	Rovansek,
Arlene,	George,	Limper,	Royer,
Ashton,	Gibb,	Lippincott,	Rubin,
Auker,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Lutty,	Sakulsky,
Blair,	Goodrich,	Magee,	Scarcelli,
Boies,	Gramlich,	Manbeck,	Schaaf,
Bonner,	Gray,	Markley,	Schuster,
Bossert,	Greenlee,	Marsh,	Seltzer,
Bower,	Gremminger,	Maxwell,	Shelton,
Bowman,	Guesman,	May,	Sherman,
Branca,	Guthrie,	McCandless,	Shupnik,
Breth,	Hamilton,	McCann,	Simmons,
Buchanan,	Hankins,	McCormack,	Slack,
Bush,	Hartley,	McDevitt,	Stank,
Capano,	Haudenschild,	McInroy,	Steckel,



Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Fox, Frascella, Fulmer,	Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	McKeever, McLaughlin, McNally, Meholchick, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Odorisio, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobai, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Wynd, Zember, Zimmerman, Andrews, Speaker
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## NAYS—6

Gross, McDonald	Merry, Murray,	Worley,	Yetter,
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## NOT VOTING—10

Dengler, Fineman, Fry,	Klein, Lee, A. M., Musto,	Perry, Snare,	Stimmel, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 542, entitled:

An Act amending the act of June 11, 1947 (P. L. 565), entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation.

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, Senate bill No. 542, printer's No. 602, extends the period in which applications may be filed for veterans' compensation for World War II under the Veteran's Compensation Act since there is a decision of the court pertaining to the new change in applications that were pending under the Women's Army Corps. These applications now, of course, fall in this period and we would have to extend the World War II Compensation Act, and that is exactly what the bill does, provide for the extension of time. I ask your support of this bill.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—200

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B.,	Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Odorisio, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Sammel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobai, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—9

Dengler, Fry, Gray,	Klein, Lee, A. M.,	Musto, Perry,	Snare, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Gray, rise?

Mr. GRAY. Mr. Speaker, I wish to vote "yes" on Senate bill 542.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 565, entitled:

An Act making an appropriation to the Senate of Pennsylvania for the payment of expenses of certain Senators.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—156

Anderson, S. A.,	Gibbons,	Lutty,	Sakulsky,
Arlene,	Goldstein, J. H.,	Magee,	Scarcelli,
Auker,	Goodrich,	Markley,	Schaaf,
Bachman,	Gramlich,	Marsh,	Schuster,
Backenstoe,	Gray,	Maxwell,	Seltzer,
Blair,	Greenlee,	McCann,	Shelton,
Boles,	Gremminger,	McCormack,	Sherman,
Bonner,	Guesman,	McDevitt,	Shupnik,
Bossert,	Guthrie,	McDonald,	Simmons,
Branca,	Hamilton,	McInroy,	Slack,
Breth,	Hankins,	McKeever,	Stank,
Capano,	Hartley,	McLaughlin,	Steckel,
Capitolo,	Haudenschild,	Merry,	Stimmel,
Cianfrani,	Heavey,	Mihm,	Stone,
Cloff,	Heffner,	Miller,	Strausser,
Clarke,	Helm,	Mills,	Sullivan, J. A.,
Comer,	Holliday,	Monroe,	Sullivan, T. F.,
Cooley,	Horst,	Morley,	Taylor,
Davis,	Irvls,	Mullen,	Thompson,
Dennison,	Isaacs,	Munley,	Tomasck,
Donaldson,	Jenkins,	Murphy,	Tompkins,
Dougherty,	Jim,	Murray,	Truslo,
Doughten,	Johnson, A. W.,	Needham,	Ujobal,
Down,	Jones,	O'Dell,	Varnier,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wall,
Eilberg,	Kelly,	O'Donnell, J. P.,	Wargo,
Elvey,	Kernaghan,	Odorisio,	Weidner,
Eshback,	Kessler,	Parlante,	Welsh,
Eshleman,	Kistler,	Pashley,	Wescott,
Ewing,	Knecht,	Petrosky,	Whittaker,
Filo,	Kooker,	Polaski,	Willaredt,
Fineman,	Kornick,	Polen,	Williams, A. D.,
Flynn,	Korns,	Prendergast,	Wilt,
Foerster,	Kramer,	Pursley,	Wood,
Frascella,	Lamb,	Reibman,	Worley,
Gailey,	Lawson,	Reidenbach,	Wynd,
Gallagher,	Limper,	Riley,	Yetter,
Gelfand,	Lippincott,	Royer,	Zemmer,
Gibb,	Long, Wm. Jos.,	Rubin,	Andrews,

Speaker

## NAYS—37

Adams,	Fox,	Kelser,	Piper,
Anderson, J. H.,	Fulmer,	King,	Price,
Ashton,	Goldstein, M. H.,	Lee, K. B.,	Renwick,
Bowman,	Gross,	Manbeck,	Rutherford,
Buchanan,	Henzel,	May,	Stiteler,
Crossin,	Hooker,	McCandless,	Walsh,
Curwood,	Holl,	McNally,	Willard,
Farabaugh,	Holman,	Meholchick,	Williams, E. S.,
Fetterolf,	Johnson, R. P.,	Ogilvie,	Zimmerman,
Foor,			

## NOT VOTING—16

Bower,	Fry,	Leonard,	Rovansek,
Bush,	George,	Long, Wm. Jas.,	Rudisill,
Cauley,	Klein,	Musto,	Snare,
Dengler,	Lee, A. M.,	Perry,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. McCANN. Mr. Speaker, I wish at this time to take the resolution of the gentleman from Bucks, Mr. Gallagher, and then go into concurrences and go straight through on the other bills.

The SPEAKER pro tempore. The Chair will return the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The resolution is about a man who is known to every American who is able to read.

## RESOLUTION

## RECOGNITION OF ACHIEVEMENTS

Mr. GALLAGHER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, June 6, 1961.

The achievements of James A. Michener are well known to all of us. As a resident of Tinicum Township, Bucks County, James Michener has brought honor to our Commonwealth by his well deserved reputation throughout the world as an outstanding author and as an ideal American citizen. James Michener was born in New York City on February 3, 1907 and was raised in Doylestown, Pennsylvania, attending Doylestown High School and Swarthmore College, and on a Traveling Fellowship took postgraduate studies at St. Andrews, Scotland.

Probably best known for his authorship of "Tales of the South Pacific," Mr. Michener's other works include "Hawaii," "The Bridge at Andau," "Sayonara," "Fires of Spring," "Return to Paradise," "Voice of Asia," "Bridges of Toko Ri," "Japanese Prints," "Hokusia Manga" and "Report of the County Chairman." Among his many commendations and awards are the Pulitzer Prize, received in 1947 for "Tales of the South Pacific," a citation by the Overseas Press Club in 1955, and the highest civilian naval award, the Navy Distinguished Public Service Award, which he received in 1957.

Mr. Michener's accomplishments have not, however, been limited to the literary field. In 1942, he enlisted in the Navy as a seaman, and was discharged in 1946 as a Commander. He has taught American Government, economics and politics in a number of schools and universities including the Hill School and the George School in Bucks County, the Colorado State Teachers' College, and Harvard University. He was on the scene at the time of the Hungarian revolution and helped countless refugees to escape. He also participated in Hawaii's fight for statehood and in its subsequent election. In the 1960 Presidential Campaign he served as Chairman of the Citizens for Kennedy Committee in Bucks County.

Throughout his lifetime James A. Michener has demonstrated an ability to express his thoughts and knowledge in an inspirational manner, and beyond this, he has directed and dedicated his own life toward the advancement of democracy in a manner well worthy of our praise and emulation; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations and felicitations to James A. Michener for his outstanding literary achievements and for his dedicated public service and exemplary citizenship; and be it further

Resolved, That the House of Representatives expresses to James A. Michener its pride in recognizing him as one of the most distinguished citizens of our Commonwealth; and be it further

Resolved, That a certified copy of this resolution be presented personally to James A. Michener.

The SPEAKER. The House will now, by unanimous consent, resolve itself into a Committee of the Whole.

Will Mr. Michener please come to the rostrum?

We are particularly fortunate today that we can persuade Mr. Michener to address us. The American people have spent millions buying his books, and, I presume, he can name his own figure on the lecture platform. Now, we are going to get what he has to say for free.

The Chair, with great pleasure, presents Mr. Michener



to the ladies and gentlemen of the House, and we present him with a certified copy of the resolution, properly signed, sealed, and hereby delivered.

### ADDRESS BY JAMES A. MICHENER

Mr. Speaker, I can see why you have been selected for the job you have, because the way you use words and the effect you get with them puts a man like me to shame. I thank you very, very much.

It is a moment of deep meaning for a person like me to come to this House from which my government stems and to meet the members of my distinguished county, a distinguished group of legislators, Mr. Gallagher, my good friend; Mrs. Kooker, my neighbor; Mr. Williams, the partner of one of the oldest friends I have in Bucks County. You will notice that I gave those names alphabetically.

It is also especially moving for me to come here and see two of my former students holding positions of honor, Representative Fetterolf of Montgomery, whom I taught years ago, and Representative Worley of Adams, who was one of my best students of government, and I think it was in my class that he first learned to say "no."

To drive to Harrisburg from Bucks County on a day like today, to see this magnificent State of which we are a part, to know that just beyond the hills on Route 22 to the north are the great mountains and the woodlands we have all loved so well, to know that to the south are the rich farming areas of Lancaster and York Counties that we have known all our lives, to know that beyond is a great industrial complex is an experience very moving and meaningful to a citizen of this State. I can only say to this body, as I say to myself, that in this particular period of crisis through which we are living, we can be very grateful that we have roots as solid as the roots we have here, reaching far, far back into history, encompassing the people of many different national strains, many different inheritances, different religions, different patterns of living, different races of people. This is a heritage that I do not take lightly in these years of trial.

I know from the experiences I have had in Europe that we are in a somewhat better state from the point of view of our inheritance in those fields than the Russians are in their state. We are by no means in a secondary position emotionally, intellectually, patriotically. We are in a very strong position. Posing us against Russia in the full test of these middle years of the 20th century does not frighten me at all. It makes me work harder; it keeps me on my toes; but I can honestly tell you that I see no cause for panic at all. It is out of bodies like this that will come the strength which will keep us going.

Russia does not have a single thing easier in its problems than we have in ours. We are both faced with a known-down drag-out battle with the finish of this century. I do not think it will end until the end of most of our lives, but the fact that it is going to be long and hard does not scare me a bit, because, when I go on trips like the one I took today, I see before me the visible proof of the greatness of our Nation in the resources upon which we all rest.

Thank you very much.

Mr. A. D. WILLIAMS, Jr. submitted the following comments for the record:

### COMMENTS OF REPRESENTATIVE ALAN D. WILLIAMS, JR. (BUCKS)

In Regard to the Visit of JAMES A. MICHENER to the HOUSE

Jim Michener is a famous and respected son of Bucks County.

The people of Doylestown where Mr. Michener was raised have long been proud of him.

Many of us were deeply disappointed at his choice of sides, but we are proud that he took the time to become, at least for a time, "a politician." His example could well be followed by other good citizens who seem to deplore the art of government as a rather dirty business.

I personally voice only one regret in regard to Mr. Michener—I wish he were on my side.

The SPEAKER. The Committee of the Whole will now rise and return to its regular order of business.

### BILLS ON CONCURRENCE IN SENATE AMENDMENTS

Mr. McCANN. Mr. Speaker, on page 29, bills on concurrence in Senate amendments, I call up the first one, House bill 132, printer's No. 1949.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 132.

An Act Relating to the establishment, operation and maintenance of the State Library and public libraries in the Commonwealth amending revising consolidating and changing the laws relating thereto imposing duties upon public officers providing for State and local cooperation and assistance in the establishment and maintenance of libraries prescribing penalties and repealing existing laws.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Article I, page 3, line 8, by striking out after the word "district" the following: "of coordinating the service of all local libraries within the district which by contract become part of the district library center system"; and inserting in lieu thereof of the following: "of coordinating the services of all local libraries within the district which by contract become part of the district library center system."

Article II, page 5, by striking out after line 7, the following:

"(5) To coordinate a state-wide system of local libraries and to counsel local libraries on minimum standards for number and quality of library staff resources of books and other materials location of new local libraries, hours and physical facilities. Nothing contained herein shall restrict or limit public libraries in the selection of resources of books and other material not determined from counselling."

"(5) To coordinate a state-wide system of local libraries and to counsel local libraries on minimum standards for number and quality of library staff resources of books and other materials location of new local libraries hours and physical facilities. Nothing contained herein shall restrict or limit public libraries in the selection of resources of

books and other material not determined from counseling."

page 6, line 3, by striking out at the beginning of the line the numbers "(6) (5)" and inserting in lieu thereof the number "(6)", and by striking out lines 8, 9, and 10, as follows:

"(7) To inspect local libraries, district library centers and regional resource centers and require reports in such manner as may be deemed proper."

and inserting in lieu thereof the following:

"(7) To inspect local libraries, district library centers and regional resource centers and require reports in such manner as may be deemed proper."

line 15, by striking out at the beginning of the line the figures "(8) (6)" and inserting in lieu thereof the figure "(8)"; line 18, by striking out at the beginning of the line the figures "(9) (7)" and inserting in lieu thereof the figure "(9)"; page 7, line 5, by striking out at the beginning of the line the figures "(10) (8)" and inserting in lieu thereof the figures "(10)"; line 7, by striking out at the beginning of the line the figures "(11) (9)" and inserting in lieu thereof the figures "(11)"; line 8, by striking out at the beginning of the line the figures "(12) (10)" and inserting in lieu thereof the figures "(12)"; line 11, by striking out at the beginning of the line the figures "(13) (11)" and inserting in lieu thereof the figures "(13)"; page 8, line 4, by striking out at the beginning of the line the figures "(14) (12)" and inserting in lieu thereof the figures "(14)"; line 6, by striking out at the beginning of the line the figures "(15) (13)" and inserting in lieu thereof the figures "(15)"; line 7, by striking out after the word "to" the following: "libraries the state library and regional library resource centers"; and inserting in lieu thereof the word "libraries"; line 15, by striking out at the beginning of the line the figures "(16) (14)" and inserting in lieu thereof the figures "(16)"; page 10 by inserting after line 12, lines 13 and 14, as follows:

"(5) To promulgate rules and regulations for the approval of plans for the use of state funds."

page 13, line 16, by striking out after the word "Center" the words "system of such district" and inserting in lieu thereof the words "system of such district"; Article III, page 14, line 16, by inserting after the word "sources" the following:

"As may be provided under rules and regulations adopted by the advisory council on library development." page 15, by striking out after line 11 the following: "achieves the applicable standards determined by counseling with the State Librarian pursuant to the advice and recommendations of the Advisory Council on Library Development or submits plans as set forth in section 304 of this act leading to the achievement of such standards and."

and inserting in lieu thereof the following:

"Achieves the applicable standards determined by counseling with the state librarian pursuant to the advice and recommendations of the advisory council on library development or submits plans as set forth in section 304 of this act leading to the achievement of such standards and." page 16, line 2, by inserting after the word "follows" the following:

"Except that no library receiving state-aid prior to and at time of the approval of this act shall receive less state-aid as a result of the provisions hereof notwithstanding that such library has not accepted the provisions of this act"

page 19, line 2, by striking out after the word "commissioners" the words "and the State Librarian" and inserting in lieu thereof the words "and the State Librarian"; line 3, by striking out after the word "required" the following:

"A copy of each report made to the county commissioners by a library receiving state-aid shall be sent to the state library in Harrisburg"

page 25, line 16, by striking out after the word "Plans" the words "for regional library resource centers"; line 17, by striking out after the word "each" the words "library desiring to receive regional library resource center receiving," and inserting in lieu thereof the words "library desiring to receive"; line 20 by striking out after the word

"of" the words "the funds state aid" and inserting in lieu thereof the words "the funds"; page 26, line 2, by inserting after the word "Librarian" the following:

"In accordance with rules and regulations approved by the advisory council on library development" line 5, by striking out after the word "in" the words "a library such" and inserting in lieu thereof the words "a library"; line 6, by inserting after the word "Librarian" the following:

"Libraries qualifying for aid shall have five years to achieve applicable standards further extensions of time may be permitted with the approval of the state librarian acting under regulations made by the advisory council." Article IV, page 36, line 2, by striking out after the word "receiving" the word "municipal" and inserting in lieu thereof the word "municipal"; line 4, by striking out after the word "of" the words "the all" and inserting in lieu thereof the word "the", and by striking out after the word "library" the words "from the municipality" and inserting in lieu thereof the words "from the municipality"; line 15, by striking out after the word "desirable" the words "to the municipal officers"; line 17, by striking out after the word "officers" the words "by a library receiving state aid"; page 38, line 5, by striking out after the word "thereof" the following: "and which meets the minimum standards recommended by the State Librarian as conditions for participation in state aid" and inserting in lieu thereof the following: "and which meets the minimum standards recommended by the state librarian as conditions for participation in state-aid"; line 17, by striking out after the part word "braries" the words "and approved by the State Librarian" and inserting in lieu thereof the words "and approved by the State Librarian."

On the question,

Will the House concur in the amendments made by the Senate?

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, I do not propose to again debate this bill at length as I debated it when it first passed this House. I merely want to call to the attention of the members that the amendments inserted by the Senate in no way reduce the cost, the ultimate cost, of this legislation to the Commonwealth of Pennsylvania.

As you will recall, the executive branch's own figures as to the cost of this legislation by the State, that is, the State's cost, not the local effort, when the act is fully implemented will be in the vicinity of \$6,800,000. Now, in recent weeks we have heard some members who, in my opinion, have begun, thank goodness, to express concern about the mandating of increased cost of the government without providing for them in the legislation before us at the present time. That is exactly what this legislation proposes to do.

We have heard members from the other side as recently as yesterday talking about economy, talking about fiscal responsibility, talking about thrift in government, talking about irresponsibility in passing legislation without the implementing tax legislation. I point out to you again today that is precisely what you are doing in concurring in the Senate amendments in this bill and in passing this bill into final law.

I call upon all of you, again, who speak in the name of fiscal responsibility, who do not pay lip service to these terms, and who are serious about it, to vote against this legislation.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, House bill 132 is the so-called library bill that was debated at length.



In the present year, the fiscal year of our government, there was reported today from the Appropriations Committee the \$500,000 appropriation bill to back House bill 132 when it becomes law. There is no question of the figure it will cost, but there also is no question that we provided the tax measures that included the \$500,000 for the library program, and for that reason and the reasons that were debated at length on the library program in this Commonwealth, I ask that all the members support this concurrence and vote in the affirmative.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Kistler.

Mr. KISTLER. Mr. Speaker, I would like to join with the majority leader in asking for support to House bill No. 132.

It seems to me that this is the time, this is an era, in the life of this State, when fiscal responsibility runs beyond dollars. This is a time when we should be fighting in the interest of democracy with ideas, with books, for these are the repositories of freedom.

I ask, therefore, that every member of this House vote in support of this bill.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Only one other word, Mr. Speaker. It is true that in this appropriation for this year there is a \$500,000 allocation which is the estimated expense for implementing this legislation this year. However, I would call to the attention of the members the information appearing in the papers for the last two days that the Governor's Budget Bureau is estimating, at this very moment, at least a \$10 million deficit in the present biennium. Now, if it is fiscal responsibility to recognize the existence of a \$10 million, or more, deficit, and to pass legislation in which we provide only for the current year, recognizing that it can go as high as over \$6 million, then, in my opinion, that is not fiscal responsibility and I urge you to vote against this bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, may I interrogate the majority leader?

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

The SPEAKER. The Chair wishes that, while members are on the floor debating, conferences between members, that must be held, be held in the conference room and not in the aisles.

The gentleman from Philadelphia will proceed.

Mr. GELFAND. Mr. Speaker, on page 16 of the bill, there appears to be an amendment starting at line 2. Would the majority leader kindly explain that amendment to us?

Mr. McCANN. Mr. Speaker, on page 16, line 2, the amendment inserted in this bill by the Senate, "that no library receiving State aid prior to and at time of the approval of this act shall receive less State aid as a result of the provisions hereof notwithstanding that such library has not accepted the provisions of this act."

As I read the debate in the Journal of the Senate, which I think you will find in your files, it pertained to the libraries that are now receiving State aid and the amendment was agreed to on placing it in here so that there

would be an assurance, even though there was no intention of taking any State aid away from any of the libraries, but specifically writing in there the provisions that clearly indicated that. I think you will find that in the legislative debate in the Journal.

Mr. GELFAND. Mr. Speaker, I thank the gentleman.

I can well understand that nobody likes to lose money, but, by the same token, if we are setting up some type of State library system and the purpose of this legislation is to enhance the efficiency and the quality of our libraries and now we are going to amend this legislation by saying, even if you do not comply you are going to get money anyway, what is the purpose of the legislation?

Mr. Speaker, if I may interrogate the majority leader for just one moment more?

The SPEAKER. The gentleman will proceed.

Mr. GELFAND. Mr. Speaker, I previously voted for this legislation but I am troubled. My question is this: Despite the fact that local libraries make no effort to comply with this legislation, is there going to be any future plan to force them to comply with this system, or is it just going to be a situation where whether you comply or not you get the money and so a continuing reason for adding more and more requests for appropriations to maintain this system, so that we will have two competitive, so to speak, library systems operating in the Commonwealth?

Mr. McCANN. Mr. Speaker, I do not believe it would be correct to say two competitive library systems. For example, we will say in a specific county you will have a library now in the city in that county. In the library program, you recall, there was a provision dealing with measures to support libraries or that part of the program in which they would participate. Now then, in that city or in that county, there would not be another library program that would complete with the other library program in that sense, but in some counties there are library programs now receiving State aid under a certain program. This deals with the library program of the community and the county and it is not a competitive program. The directors of a library board—and I serve on a library board—the directors of such a board can determine if they want to go into a program and try to secure State funds, and also to assist themselves, because some libraries are also endowed and have their own funds to operate.

Therefore, it is not, Mr. Speaker, a competitive library program, but the assurance that has been written here. I am sure that there will be other libraries that, as the program moves, will join in this program, there is no question about it, in years to come. And they should because the libraries should be made available for the children and the adults in every county in this Commonwealth and every city wherever possible.

Mr. GELFAND. I thank the gentleman.

Just as a matter of record, Mr. Speaker, under force of compulsion, I would imagine, inasmuch as I am in favor of the legislation as a whole, I will be forced to vote for concurrence in these amendments. However, it appears to me what we do is unwise when we permit an amendment such as this to go into the bill, because what we want is to establish a better library system in the Commonwealth of Pennsylvania. Lord knows we need it. However, despite the fact that we want to do this and despite the fact that we feel it should be done and despite the fact that we are passing legislation which will almost

make it some sort of compulsion on you to create a better library system for your own community, if you do not want to join or you do not want to do it, it is not necessary. We are going to give you the money anyway.

I think that is a poor philosophy and a poor policy. However, as I say, I am in favor of the legislation as such, and by virtue of the fact that it appears to me that we will not get it unless these amendments are concurred in, I am forced to vote for concurrence in the amendments, but I think they lack wisdom. I thank you.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—164

Adams.	Frascella,	Lamb,	Reidenbach,
Anderson, J. H.,	Fulmer,	Lawson,	Renwick,
Anderson, S. A.,	Galley,	Leonard,	Riley,
Arlene,	Gallagher,	Limper,	Rovansek,
Bachman,	Gelfand,	Long, Wm. Jas.,	Rubin,
Backenstoe,	George,	Long, Wm. Jos.,	Rudisill,
Blair,	Gibb,	Lutty,	Rutherford,
Boles,	Gibbons,	Magee,	Sakulsky,
Bonner,	Goldstein, J. H.,	Manbeck,	Scarcell,
Bossert,	Goldstein, M. H.,	Markley,	Schaaf,
Bower,	Gramlich,	Marsh,	Schuster,
Branca,	Gray,	Maxwell,	Seltzer,
Breth,	Greenlee,	McCann,	Shelton,
Buchanan,	Gremminger,	McCormack,	Sherman,
Capano,	Gross,	McDevitt,	Shupnik,
Capitolo,	Guesman,	McDonald,	Simmons,
Cauley,	Hamilton,	McKeever,	Stank,
Cianfrani,	Hankins,	McLaughlin,	Steckel,
Cioffi,	Hartley,	McNally,	Stimmel,
Clarke,	Haudenschild,	Meholchick,	Stone,
Comer,	Heavey,	Mihm,	Sullivan, J. A.,
Cooley,	Heffner,	Mills,	Sullivan, T. F.,
Crossin,	Helm,	Monroe,	Taylor,
Curwood,	Henzel,	Morley,	Tomascik,
Davis,	Holl,	Mullen,	Tompkins,
Dennison,	Holliday,	Munley,	Trusio,
Donaldson,	Holman,	Murphy,	Ujobal,
Dougherty,	Horst,	Murray,	Varner,
Doughten,	Irvis,	Needham,	Wall,
Down,	Jenkins,	O'Donnell, J. A.,	Walsh,
Ellberg,	Jim,	O'Donnell, J. P.,	Wargo,
Eshback,	Johnson, A. W.,	Parlante,	Weidner,
Eshleman,	Johnson, R. P.,	Pashley,	Welsh,
Ewing,	Jones,	Petrosky,	Willaredt,
Farabaugh,	Kamyk,	Piper,	Williams, A. D.,
Fetterolf,	Kelly,	Polaski,	Wilt,
Filo,	Kistler,	Polen,	Worley,
Fineman,	Knecht,	Prendergast,	Wynd,
Flynn,	Kooker,	Price,	Yetter,
Foerster,	Kornick,	Pursley,	Zembar,
Fox,	Kramer,	Reibman,	Andrews,

Speaker

## NAYS—34

Ashton,	Isaacs,	McCandless,	Stiteler,
Auker,	Kelser,	McInroy,	Strausser,
Bowman,	Kernaghan,	Merry,	Thompson,
Bush,	Kessler,	O'Dell,	Whittaker,
Edwards,	King,	Odorisio,	Willard,
Elvey,	Korns,	Ogilvie,	Williams, E. S.,
Foor,	Lee, K. B.,	Royer,	Wood,
Goodrich,	Lippincott,	Slack,	Zimmerman,
Hocker,	May,		

## NOT VOTING—11

Dengler,	Klein,	Musto,	Verona,
Fry,	Lee, A. M.,	Perry,	Wescott,
Guthrie,	Miller,	Snare,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 308.

An Act amending the act of July 25, 1917 (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" further providing for the paying of premiums imposing powers and duties on the Secretary of Agriculture further determining what associations are to receive money from the Commonwealth and deleting certain war time and obsolete provisions.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 6, page 6, line 6, by striking out the bracket before the word "Auditor," and page 7, line 2, by striking out after the word "held" the words "Secretary of Agriculture."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—192

Adams,	Galley,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gallagher,	Leonard,	Royer,
Anderson, S. A.,	Gelfand,	Limper,	Rubin,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Goldstein, J. H.,	Lutty,	Scarcell,
Backenstoe,	Goldstein, M. H.,	Magee,	Schaaf,
Blair,	Goodrich,	Manbeck,	Schuster,
Bonner,	Gramlich,	Markley,	Seltzer,
Bossert,	Gray,	Marsh,	Shelton,
Bower,	Greenlee,	Maxwell,	Sherman,
Bowman,	Gremminger,	May,	Shupnik,
Branca,	Gross,	McCandless,	Simmons,
Breth,	Guesman,	McCann,	Slack,
Buchanan,	Guthrie,	McDevitt,	Steckel,
Bush,	Hamilton,	McDonald,	Stimmel,
Capano,	Hankins,	McInroy,	Stiteler,
Capitolo,	Hartley,	McKeever,	Stone,
Cauley,	Haudenschild,	McLaughlin,	Strausser,
Cianfrani,	Heavey,	McNally,	Sullivan, J. A.,
Cioffi,	Heffner,	Meholchick,	Sullivan, T. F.,
Clarke,	Helm,	Merry,	Taylor,
Comer,	Henzel,	Mills,	Thompson,
Cooley,	Hocker,	Monroe,	Tomascik,
Crossin,	Holl,	Morley,	Tompkins,
Curwood,	Holliday,	Mullen,	Trusio,
Davis,	Holman,	Munley,	Ujobal,
Donaldson,	Horst,	Murphy,	Varner,
Dougherty,	Irvis,	Needham,	Wall,
Doughten,	Isaacs,	O'Dell,	Walsh,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	O'Donnell, J. P.,	Weidner,
Ellberg,	Johnson, R. P.,	Odorisio,	Welsh,
Elvey,	Jones,	Ogilvie,	Wescott,
Eshback,	Kelser,	Parlante,	Whittaker,
Eshleman,	Kelly,	Pashley,	Willard,
Ewing,	Kernaghan,	Petrosky,	Willaredt,
Farabaugh,	Kessler,	Piper,	Williams, A. D.,
Fetterolf,	King,	Polaski,	Williams, E. S.,
Filo,	Kistler,	Polen,	Wilt,



Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer,	Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

## NAYS—0

## NOT VOTING—17

Boles, Dengler, Dennison, Fry, Jenkins,	Kamyk, Klein, Lee, A. M., McCormack,	Mihm, Miller, Murray, Musto,	Perry, Snare, Stank, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 326.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the annual vacation of police officers.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 3, line 3, by striking out the brackets before and after the word "fourteen" and by striking out immediately thereafter the word "fifteen," and by inserting after the word "days" the following: except in the case of members of the police department who have been so employed for less than one year who shall have an annual vacation of not less than two weeks all such vacations to be.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano,	Gallagher, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald,	Rovansek, Royer, Rubin, Rudistill, Rutherford, Sakulsky, Scarcelll, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel,
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Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer, Gailey,	Haudenshield, Heavey, Hefner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Hullen, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	McInroy, McKeever, McLaughlin, McNally, Merry, Mihm, Mills, Monroe, Morley, Mullen, Munley, Murphy, Needham, O'Dell, O'Donnell, J. A., Odoriso, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Ujobal, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

## NAYS—1

Blair,

## NOT VOTING—20

Boles, Dengler, Dennison, Eshleman, Fry,	Gelfand, Horst, Klein, Lee, A. M., McCormack,	Meholchick, Miller, Murray, Musto, O'Donnell, J. P.,	Perry, Snare, Tomasck, Trusio, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 485.

An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver of competitive bidding requirements therefor.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 6, page 8, line 3, by inserting after the word "leases" the following: the department may also exercise such power wherever it deems the same necessary to prevent damage to pipe lines and other facilities beneath the surface of the earth.

Section 7, page 8, line 9, by inserting after the word "in" the words "the general fund" and by striking out lines 10, 11, 12 and 13, as follows: a Mineral Fund which is hereby created. Said moneys shall be used by the secretary of the department to improve existing State parks and State forests or to create new ones and to administer this act and are hereby appropriated for such purpose.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Adams,	Fulmer,	Limper,	Royer,
Anderson, J. H.,	Galley,	Lippincott,	Rubin,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Rudisill,
Arlene,	Gelfand,	Long, Wm. Jos.,	Rutherford,
Ashton,	George,	Lutty,	Sakulsky,
Auker,	Gibb,	Magee,	Scarcell,
Bachman,	Gibbons,	Manbeck,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Markley,	Schuster,
Blair,	Goodrich,	Marsh,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Shelton,
Bossert,	Gray,	May,	Sherman,
Bower,	Greenlee,	McCandless,	Shupnik,
Bowman,	Gremminger,	McCann,	Simmons,
Branca,	Gross,	McDevitt,	Slack,
Breth,	Guesman,	McDonald,	Stank,
Buchanan,	Guthrie,	McInroy,	Steckel,
Bush,	Hamilton,	McKeever,	Stimmel,
Capano,	Hankins,	McLaughlin,	Stone,
Capitolo,	Hartley,	McNally,	Strausser,
Cauley,	Haudenschild,	Merry,	Sullivan, J. A.,
Cianfrani,	Heavey,	Mihm,	Sullivan, T. F.,
Cioffi,	Heffner,	Mills,	Taylor,
Clarke,	Helm,	Monroe,	Thompson,
Comer,	Henzel,	Morley,	Tomaschk,
Cooley,	Hocker,	Mullen,	Tompkins,
Crossin,	Holl,	Munley,	Trusio,
Curwood,	Holliday,	Murphy,	Ujobal,
Davis,	Irvis,	Murray,	Varner,
Dennison,	Jenkins,	Needham,	Wall,
Donaldson,	Jim,	O'Dell,	Walsh,
Dougherty,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Doughten,	Johnson, R. P.,	O'Donnell, J. P.,	Weidner,
Down,	Jones,	Odoriso,	Welsh,
Edwards,	Kamyk,	Parlante,	Wescott,
Ellberg,	Keiser,	Pashley,	Whittaker,
Elvey,	Kelly,	Petrosky,	Willard,
Eshback,	Kernaghan,	Piper,	Willaredt,
Eshleman,	Kessler,	Polaski,	Williams, A. D.,
Ewing,	King,	Polen,	Williams, E. S.,
Farabaugh,	Knecht,	Prendergast,	Wilt,
Fetterolf,	Kooker,	Price,	Wood,
Filo,	Kornick,	Pursley,	Worley,
Fineman,	Korns,	Reibman,	Wynd,
Flynn,	Kramer,	Reidenbach,	Yetter,
Foerster,	Lamb,	Renwick,	Zember,
Foor,	Lawson,	Riley,	Zimmerman,
Fox,	Leonard,	Rovansek,	Andrews,
Frascella,	Lee, K. B.,		Speaker

## NAYS—4

Holman,	Isaacs,	Kistler,	Stiteler,
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## NOT VOTING—15

Boles,	Horst,	Meholchick,	Perry,
Dengler,	Klein,	Miller,	Snare,
Fry,	Lee, A. M.,	Musto,	Verona,
Goldstein, M. H.,	McCormack,	Ogilvie,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 490.

An Act amending the act of March 17, 1921 (P. L. 32), entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in its charter.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 2, line 1, by inserting after the word "American" the word "World."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams,	Galley,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gallagher,	Leonard,	Royer,
Anderson, S. A.,	Gelfand,	Limper,	Rubin,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jos.,	Scarcell,
Bachman,	Goldstein, J. H.,	Lutty,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Magee,	Schuster,
Blair,	Goodrich,	Manbeck,	Seltzer,
Boies,	Gramlich,	Markley,	Shelton,
Bonner,	Gray,	Marsh,	Sherman,
Bossert,	Greenlee,	Maxwell,	Shupnik,
Bower,	Gremminger,	May,	Simmons,
Bowman,	Gross,	McCandless,	Slack,
Branca,	Guesman,	McCann,	Stank,
Breth,	Guthrie,	McDevitt,	Steckel,
Buchanan,	Hamilton,	McDonald,	Stimmel,
Bush,	Hankins,	McInroy,	Stiteler,
Capano,	Hartley,	McKeever,	Stone,
Capitolo,	Haudenschild,	McLaughlin,	Strausser,
Cauley,	Heavey,	McNally,	Sullivan, J. A.,
Cianfrani,	Heffner,	Meholchick,	Sullivan, T. F.,
Cioffi,	Helm,	Merry,	Taylor,
Clarke,	Henzel,	Mihm,	Thompson,
Comer,	Hocker,	Mills,	Tomaschk,
Cooley,	Holl,	Monroe,	Tompkins,
Crossin,	Holliday,	Morley,	Trusio,
Curwood,	Holman,	Mullen,	Ujobal,
Davis,	Davis,	Munley,	Varner,
Donaldson,	Horst,	Murphy,	Wall,
Dougherty,	Isaacs,	Needham,	Walsh,
Doughten,	Jenkins,	O'Dell,	Wargo,
Down,	Jim,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, A. W.,	O'Donnell, J. P.,	Welsh,
Ellberg,	Johnson, R. P.,	Odoriso,	Wescott,
Elvey,	Jones,	Ogilvie,	Whittaker,
Eshback,	Kamyk,	Parlante,	Willard,
Eshleman,	Keiser,	Pashley,	Williams, A. D.,
Ewing,	Kelly,	Petrosky,	Williams, E. S.,
Farabaugh,	Kernaghan,	Piper,	Wilt,
Fetterolf,	Kessler,	Polaski,	Wood,
Filo,	King,	Polen,	Worley,
Fineman,	Kistler,	Prendergast,	Wynd,
Flynn,	Knecht,	Price,	Yetter,
Foerster,	Kooker,	Pursley,	Zember,
Foor,	Kornick,	Reibman,	Zimmerman,
Fox,	Korns,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker
Fulmer,	Lawson,	Riley,	

## NAYS—0



## NOT VOTING—14

Dengler, Dennison, <b>Fry,</b> Klein,	<b>Kramer,</b> Lee, A. M., <b>McCormack,</b> Miller,	Murray, Musto, Perry,	Snare, Verona, Willaredt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 495.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class amending, revising, consolidating and changing the laws relating thereto" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in its charter.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 1, line 4, by inserting after the word "American" the word "World;" Section 1, page 2, line 9, by inserting after "World War II" the word "(AMVETS);" page 3, line 19, by inserting after "World War II" the word "(AMVETS)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Clom, Clarke, Comer, Cooley, Crossin, Curwood, Davis,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavy, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Mills, Monroe, Morley, Mullen, Munley,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascak, Tompkins, Trusio, Ujbal,
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Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer,	Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Lamb, Lawson,	Murphy, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorlalo, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—14

Dengler, Dennison, <b>Fry,</b> Klein,	<b>Kramer,</b> Lee, A. M., <b>McCormack,</b> Miller,	Murray, Musto, Perry,	Snare, Verona, Willaredt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 501.

An Act Amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class amending, revising, consolidating and changing the laws relating thereto" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in charter.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 1, line 4, by inserting after the word "American" the word "World."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Seltzer,
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Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Greenlee,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCann,	Slack,
Breth,	Guthrie,	McDevitt,	Stank,
Buchanan,	Hamilton,	McDonald,	Steckel,
Bush,	Hankins,	McInroy,	Stimmel,
Capano,	Hartley,	McKeever,	Stiteler,
Capitolo,	Haudenschild,	McLaughlin,	Stone,
Cauley,	Heavey,	McNally,	Strausser,
Cianfrani,	Heffner,	Meholchick,	Sullivan, J. A.,
Cioffi,	Helm,	Merry,	Sullivan, T. F.,
Clarke,	Henzel,	Mihm,	Taylor,
Comer,	Hocker,	Mills,	Thompson,
Cooley,	Holl,	Monroe,	Tomasick,
Crossin,	Holliday,	Morley,	Tompkins,
Curwood,	Holman,	Mullen,	Trusio,
Davis,	Horst,	Munley,	Ujobai,
Donaldson,	Irviss,	Murphy,	Varner,
Dougherty,	Isaacs,	Needham,	Wall,
Doughten,	Jenkins,	O'Dell,	Walsh,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	O'Donnell, J. P.,	Weidner,
Ellberg,	Johnson, R. P.,	Odoristo,	Welsh,
Elvey,	Jones,	Ogilvie,	Wescott,
Eshback,	Kamyk,	Parlante,	Whittaker,
Eshleman,	Keiser,	Pashley,	Willard,
Ewing,	Kelly,	Petrosky,	Williams, A. D.,
Farabaugh,	Kernaghan,	Piper,	Williams, E. S.,
Fetterolf,	Kessler,	Polaski,	Wilt,
Filo,	King,	Polen,	Wood,
Fineman,	Kistler,	Prendergast,	Worley,
Flynn,	Knecht,	Price,	Wynd,
Foerster,	Kooker,	Pursley,	Yetter,
Foor,	Kornick,	Reibman,	Zember,
Fox,	Korns,	Reidenbach,	Zimmerman,
Frascella,	Lamb,	Renwick,	Andrews,
Fulmer,	Lawson,	Riley,	Speaker

## NAYS—0

## NOT VOTING—14

Dengler,	Kramer,	Murray,	Snare,
Dennison,	Lee, A. M.,	Musto,	Verona,
Fry,	McCormack,	Perry,	Willaredt,
Klein,	Miller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 502.

An Act Amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes, amending, revising, consolidating and changing the laws relating thereto" by correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in charter.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments. The clerk read the amendments as follows:

Amend Title, page 1, line 5, by inserting after the word "American" the word "World."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams,	Galley,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gallagher,	Leonard,	Royer,
Anderson, S. A.,	Gelfand,	Limper,	Rubin,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Goldstein, J. H.,	Lutty,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Magee,	Schaaf,
Blair,	Goodrich,	Manbeck,	Schuster,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Greenlee,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCann,	Slack,
Breth,	Guthrie,	McDevitt,	Stank,
Buchanan,	Hamilton,	McDonald,	Steckel,
Bush,	Hankins,	McInroy,	Stimmel,
Capano,	Hartley,	McKeever,	Stiteler,
Capitolo,	Haudenschild,	McLaughlin,	Stone,
Cauley,	Heavey,	McNally,	Strausser,
Cianfrani,	Heffner,	Meholchick,	Sullivan, J. A.,
Cioffi,	Helm,	Merry,	Sullivan, T. F.,
Clarke,	Henzel,	Mihm,	Taylor,
Comer,	Hocker,	Mills,	Thompson,
Cooley,	Holl,	Monroe,	Tomasick,
Crossin,	Holliday,	Morley,	Tompkins,
Curwood,	Holman,	Mullen,	Trusio,
Davis,	Horst,	Munley,	Ujobai,
Donaldson,	Irviss,	Murphy,	Varner,
Dougherty,	Isaacs,	Needham,	Wall,
Doughten,	Jenkins,	O'Dell,	Walsh,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	O'Donnell, J. P.,	Weidner,
Ellberg,	Johnson, R. P.,	Odoristo,	Welsh,
Elvey,	Jones,	Ogilvie,	Wescott,
Eshback,	Kamyk,	Parlante,	Whittaker,
Eshleman,	Keiser,	Pashley,	Willard,
Ewing,	Kelly,	Petrosky,	Williams, A. D.,
Farabaugh,	Kernaghan,	Piper,	Williams, E. S.,
Fetterolf,	Kessler,	Polaski,	Wilt,
Filo,	King,	Polen,	Wood,
Fineman,	Kistler,	Prendergast,	Worley,
Flynn,	Knecht,	Price,	Wynd,
Foerster,	Kooker,	Pursley,	Yetter,
Foor,	Kornick,	Reibman,	Zember,
Fox,	Korns,	Reidenbach,	Zimmerman,
Frascella,	Lamb,	Renwick,	Andrews,
Fulmer,	Lawson,	Riley,	Speaker

## NAYS—0

## NOT VOTING—14

Dengler,	Kramer,	Murray,	Snare,
Dennison,	Lee, A. M.,	Musto,	Verona,
Fry,	McCormack,	Perry,	Willaredt,
Klein,	Miller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 503.

An Act Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" changing the name of



Italian American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 1, line 3, by striking out after the word "of" the words "The Italian American" and inserting in lieu thereof the words "Italian American"; line 4, by inserting at the beginning of the line the words "Department of Pennsylvania"; Section 1, page 2, line 11, by inserting after the words "World War II" the word "(AM-VETS)"; line 12, by striking out the bracket before the word "World" and by inserting after the word "World" the words "Italian American"; page 3, line 13, by inserting at the beginning of the line the word "(AMVETS)"; line 14, by striking out the bracket before the word "World" and inserting after the word "World" the words "Italian American"; Section 2, page 4, line 10, by inserting after the words "World War II" the word "(AMVETS)"; line 11 by striking out the bracket before the word "World" and by inserting after the word "World" the words "Italian American."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—195

Adams,	Galley,	Lee, K. B.,	Rovansek,
Anderson, J. H.	Gallagher,	Leonard,	Royer,
Anderson, S. A.,	Gelfand,	Limper,	Rubin,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Bachman	Goldstein, J. H.,	Lutty,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Magee,	Schaaf,
Blair,	Goodrich,	Manbeck,	Schuster,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Greenlee,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCann,	Slack,
Breth,	Guthrie,	McDevitt,	Stank,
Buchanan,	Hamilton,	McDonald,	Steckel,
Bush,	Hankins,	McInroy,	Stimmel,
Capano,	Hartley,	McKeever,	Stiteler,
Capitolo,	Haudenschild,	McLaughlin,	Stone,
Cauley,	Heavey,	McNally,	Strausser,
Cianfrani,	Heffner,	Meholchick,	Sullivan, J. A.,
Cioffi,	Helm,	Merry,	Sullivan, T. F.,
Clarke,	Henzel,	Mihm,	Taylor,
Comer,	Hocker,	Mills,	Thompson,
Cooley,	Holl,	Monroe,	Tomaselk,
Crossin,	Hollday,	Morley,	Tompkins,
Curwood,	Holman,	Mullen,	Trusio,
Davis,	Horst,	Munley,	Ujobal,
Donaldson,	Irviss,	Murphy,	Varnar,
Dougherty,	Isaacs,	Needham,	Wall,
Doughten,	Jenkins,	O'Dell,	Walsh,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	O'Donnell, J. P.,	Weldner,
Eshback,	Johnson, R. P.,	Odorisio,	Welsh,
Elberg,	Jones,	Ogilvie,	Wescott,
Elvey,	Kamyk,	Parlante,	Whittaker,
Eshleman,	Keiser,	Pashley,	Willard,
Ewing,	Kelly,	Petrofsky,	Williams, A. D.,
Farabaugh,	Kernaghan,	Piper,	Williams, E. S.,
Fetterolf,	Kessler,	Polaski,	Wilt,
Filo,	King,	Polen,	Wood,
Fineman,	Kistler,	Prendergast,	Worley,
Flynn,	Knecht,	Price,	Wynd,
Foerster,	Koeker,	Pursley,	Yetter,
Foor,	Kornick,	Reibman,	Zember,

Fox,  
Frascella,  
Fulmer,

Korns,  
Lamb,  
Lawson,

Reidenbach,  
Renwick,  
Riley,

Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—14

Dengler,  
Dennison,  
Fry,  
Klein,

Kramer,  
Lee, A. M.,  
McCormack,  
Miller,

Murray,  
Musto,  
Perry,

Snare,  
Verona,  
Willaredt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 517.

An Act Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors" prohibiting certain acts relating to registration plates and counterfeit registration plates, numbers or markers.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 12, by inserting after the bracketed word "of" the words "not to exceed"; by striking out the brackets before and after the words and figures "fifty dollars (\$50.00)" and by striking out immediately thereafter the words and figures "ten dollars (\$10.00) five dollars (\$5.00)"; line 15, by striking out after the bracketed word and figures "ten (10)" the words and figure "five (5)" and inserting in lieu thereof the word and figure "three (3)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 734.

An Act Amending the act of May 22, 1933 (P. L. 853), entitled "An act relating to taxation designating the subjects, property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and

subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending, revising and consolidating the law relating thereto and repealing existing laws" requiring properly certified duplicates of valuations of property and occupations taxable for county purposes to be furnished except in counties of the second class to borough councils and to supervisors of townships of the second class and permitting taxes to be levied on duplicates issued for the previous year if such duplicates are not issued by the first day of April.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments. The clerk read the amendments as follows:

Amend Title, page 2, line 2, by inserting after the word "furnished" the words "except in counties of the second class"; Section 1, page 2, line 6, by inserting after the word "shall" the words "except in counties of the second class."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Adams,	Gallagher,	Lippincott,	Rovansek,
Anderson, J. H.	Gelfand,	Long, Wm. Jas.,	Rubin,
Anderson, S. A.,	George,	Long, Wm. Jos.,	Rudisill,
Arlene,	Gibb,	Lutty,	Rutherford,
Ashton,	Gibbons,	Magee,	Sakulsky,
Auker,	Goldstein, J. H.,	Manbeck,	Scarcelll,
Backenstoe,	Goldstein, M. H.,	Markley,	Schaaf,
Blair,	Goodrich,	Marsh,	Schuster,
Bonner,	Gramlich,	Maxwell,	Seltzer,
Bossert,	Gray,	May,	Shelton,
Bowman,	Greenlee,	McCandless,	Sherman,
Branca,	Gremminger,	McCann,	Shupnik,
Breth,	Guesman,	McCormack,	Simmons,
Buchanan,	Guthrie,	McDevitt,	Slack,
Bush,	Hamilton,	McDonald,	Stank,
Capano,	Hankins,	McInroy,	Steckel,
Capitolo,	Hartley,	McKeever,	Stimmel,
Cauley,	Haudenshield,	McLaughlin,	Stiteler,
Cianfrani,	Heavey,	McNally,	Stone,
Cioffi,	Heffner,	Meholchick,	Strausser,
Clarke,	Helm,	Merry,	Sullivan, J. A.,
Comer,	Henzel,	Mihm,	Sullivan, T. F.,
Cooley,	Hocker,	Mills,	Taylor,
Crossin,	Holl,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomasck,
Davis,	Irvie,	Mullen,	Tompkins,
Dennison,	Isaacs,	Munley,	Trusio,
Donaldson,	Jenkins,	Murphy,	Ujober,
Dougherty,	Jim,	Murray,	Varnar,
Doughten,	Johnson, A. W.,	Needham,	Wall,
Down,	Johnson, R. P.,	O'Dell,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Kelly,	Odoriso,	Welsh,
Eshback,	Kernaghan,	Ogilvie,	Wescott,
Eshleman,	Kessler,	Parlante,	Whittaker,
Ewing,	King,	Pashley,	Willard,
Farabaugh,	Kistler,	Petrosky,	Willardt,
Fetterolf,	Knecht,	Piper,	Williams, A. D.,
Filo,	Kooker,	Polaski,	Williams, E. S.,
Fineman,	Kornick,	Polen,	Wilt,
Flynn,	Korns,	Prendergast,	Wood,
Foerster,	Kramer,	Price,	Wynd,
Foor,	Lamb,	Pursley,	Yetter,
Fox,	Lawson,	Reibman,	Zember,
Frascella,	Lee, K. B.,	Reidenbach,	Zimmerman,
Fulmer,	Leonard,	Renwick,	Andrews,
Galley,	Limper,	Riley,	Speaker

## NAYS—2

Holman,

Worley,

## NOT VOTING—16

Bachman  
Boles,  
Bower,  
Dengler,

Fry,  
Gross,  
Horst,  
Kelser,

Klein,  
Lee, A. M.,  
Miller,  
Musto,

Perry,  
Royer,  
Snare,  
Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 936.

An Act Amending the act of December 27, 1951 (P. L. 1742), entitled as amended "An act to provide revenue by imposing a State tax relating to certain documents and transactions prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons, partnerships, associations and corporations, sheriffs records of deeds and the Department of Revenue, saving certain State and local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" exempting from the imposition of this tax conveyances in lieu of condemnations and acquisitions by municipalities of tax delinquent properties at sheriff sale.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 4, line 5, by inserting after the word "sale" the words "or tax claim bureau."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Adams,	Galley,	Limper,	Rubin,
Anderson, J. H.,	Gallagher,	Lippincott,	Rudisill,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Arlene,	George,	Long, Wm. Jos.,	Sakulsky,
Ashton,	Gibb,	Lutty,	Scarcelll,
Auker,	Gibbons,	Magee,	Schaaf,
Bachman,	Goldstein, J. H.,	Manbeck,	Schuster,
Backenstoe,	Goldstein, M. H.,	Markley,	Seltzer,
Blair,	Goodrich,	Marsh,	Shelton,
Bonner,	Gramlich,	Maxwell,	Sherman,
Bossert,	Gray,	McCann,	Shupnik,
Bowman,	Greenlee,	McCormack,	Slack,
Branca,	Gremminger,	McDonald,	Stank,
Breth,	Guesman,	McInroy,	Steckel,
Buchanan,	Guthrie,	McKeever,	Stimmel,
Bush,	Hamilton,	McLaughlin,	Stiteler,
Capano,	Hankins,	McNally,	Stone,
Capitolo,	Hartley,	Meholchick,	Strausser,
Cauley,	Haudenshield,	Merry,	Sullivan, J. A.,
Cioffi,	Heavey,		



Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer,	Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelsner, Kelly, Kessler, King, Kistler, Knecht, Korker, Kornick, Kramer, Lamb, Lawson, Lee, K. B.,	Mihm, Mills, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reidman, Reidenbach, Renwick, Riley, Rovanseck,	Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willardt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—21

Boles, Bower, Cianfrani, Dengler, Fry, Gross,	Horst, Kernaghan, Klein, Kornick, Lee, A. M.,	Leonard, McCandless, McDevitt, Miller, Monroe,	Musto, Perry, Royer, Snare, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1184.

An Act Amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" further defining "receipts" to exclude fresh or frozen seafood shell-fish and fish and making such definitions retroactive.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.  
The clerk read the amendments as follows:

Amend bill, section 1, page 6, line 17, by inserting after the word "frozen" the word "uncooked."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—196

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guessman, Guthrie, Hamilton, Hankins, Hartley, Haudensfield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Hull, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kernaghan, Kelsner, Kessler, King, Kistler, Knecht, Korker, Kornick, Kors, Kramer, Lamb, Lawson,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Mills, Monroe, Morley, Mullen, Munley, Murphy, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reidman, Reidenbach, Renwick,	Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willardt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Dengler, Fry, Gross, Kelly,	Klein, Lee, A. M., Miller,	Murray, Musto, Perry,	Schaaf, Snare, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I know about the plan. I was going to ask for a quick 30-minute caucus and upon the return from the caucus to interrogate and proceed.

The SPEAKER. Maybe that would be a better idea. You will have more to quarrel about after caucus.

Mr. McCANN. Mr. Speaker, there are reports of committees, and I am going to ask for exactly a 30-minute recess and ask that every Democratic member proceed to the caucus room and bring with him and her a calendar. I ask that every member please attend.

## REPUBLICAN CAUCUS

The SPEAKER. I presume there will be a Republican caucus?

There will be a Republican caucus at the time of the recess.

## REPORTS FROM COMMITTEE

Mr. MURRAY from the Committee on Elections, reported as amended, House bill No. 1345, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships, approved April 29, 1937 (P. L. 487), providing for notification of cancellation of registration in certain cases.

Mr. GRAY from the Committee on Public Health and Sanitation, reported as amended, House bill No. 1541, entitled:

An Act relating to the manufacture, sale and possession of drugs, devices and cosmetics, conferring powers on the courts and the Secretary and Department of Health, providing penalties, and for the revocation or suspension of certain licenses, making an appropriation to the Department of Health and repealing certain acts.

Mr. WILT from the Committee on Appropriations, reported as committed, House bill No. 445, entitled:

An Act amending the act of June 4, 1943 (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect \* \* \* a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways \* \* \*" making the bridge a free bridge \* \* \* and making an appropriation.

Mr. MURRAY from the Committee on Elections, reported as committed, House bill No. 1344, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), regulating the furnishing of public property for use as polling places.

Mr. MURRAY from the Committee on Elections, reported as committed, House bill No. 1353, entitled:

An Act amending "The Permanent Registration Act for Boroughs, Towns and Townships," regulating the furnishing of space in school buildings for use as a place of registration.

Mr. MURRAY from the Committee on Education, reported as committed, House bill No. 1630, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

Mr. MURRAY from the Committee on Elections, reported as committed, House bill No. 1568, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), increasing compensation of constables and their deputies.

Mrs. MONROE from the Committee on Public Health and Sanitation, reported as committed, House bill No. 1598, entitled:

An Act relating to the regulation of the practice of pharmacy, including the sale, use and distribution of drugs and amending, revising, consolidating and changes relating thereto.

Mr. WOOD from the Committee on Appropriations, reported as committed, Senate bill No. 306, entitled:

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

Mr. MURRAY from the Committee on Education, reported as amended, House bill No. 944, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further defining "professional employee."

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1344, entitled:

An Act amending the "Pennsylvania Election Code," approved March 10, 1949 (P. L. 30), further defining "property of public property for use as polling places.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1353, entitled:

An Act amending "The Permanent Registration Act for Boroughs, Towns and Townships," regulating the furnishing of space in school buildings for use as a place of registration.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1630, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1568, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), increasing compensation of constables and their deputies.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1598, entitled:

An Act relating to the regulation of the practice of pharmacy, including the sale, use and distribution of drugs and amending, revising, consolidating and changes relating thereto.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.



## RECESS

The SPEAKER. Without objection, the Chair will declare a recess of one-half hour.

The Chair hears no objection, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

## SENATE MESSAGE

## SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

## SENATE BILL No. 572.

An Act making a continuing appropriation out of the Motor License Fund to the Department of Public Instruction to promote driver-education and to provide financial assistance to school districts or joint organizations.

Referred to the Committee on Appropriations.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 74.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" prohibiting persons under fourteen years of age from operating tractors and other equipment except under limited circumstances.

## SENATE BILL No. 85.

An Act amending the act of June 15, 1951 (P. L. 586), entitled "An act regulating the suspension, removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" excepting certain probationary appointees from suspension and removal provisions.

## SENATE BILL No. 90.

An Act amending the act of May 17, 1949 (P. L. 1403), entitled "Municipal Unclaimed Moneys Act," further regulating the deposit of moneys by municipal officers and imposing penalties.

## SENATE BILL No. 161.

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949" changing provisions relating to the order of payment of claims against estates.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 208.

An Act regulating the sale of electron receiving and

picture tubes used in home type radio and television receivers or other home type electronic devices and fixing penalties.

## HOUSE BILL No. 451.

An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township Juniata County for State forest administrative purposes.

## HOUSE BILL No. 639.

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trade vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" removing the Statute of Limitations in certain cases.

## HOUSE BILL No. 740.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), excluding music from supplies of the second class.

## HOUSE BILL No. 758.

An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority.

## HOUSE BILL No. 759.

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

## HOUSE BILL No. 760.

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

## HOUSE BILL No. 762.

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

## HOUSE BILL No. 770.

An Act making appropriations to the Department of Property and Supplies for the payment of grants to various municipalities or municipal authorities for the Commonwealth's share of expenses and charges in connection with sewage systems expansions.

## HOUSE BILL No. 803.

An Act making an appropriation to the Department of State for the administration of the Municipal Employees Retirement System.

## HOUSE BILL No. 832.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing payments for liquor and malt or brewed beverages with checks and drafts on banks banking institutions trust companies and similar depositories penalizing the issuance of worthless checks by certain licensees and requiring reports of such checks to the board.

## HOUSE BILL No. 857.

An Act amending "The Administrative Code of 1929", approved April 9, 1929 (P. L. 177), authorizing the Depart-

ment of Public Welfare to promote local social welfare programs and to disburse Federal and State funds in connection therewith.

#### HOUSE BILL No. 871.

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants \* \* \*" further defining terms \* \* \* imposing powers and duties on the Department of Public Welfare and making repeals.

#### HOUSE BILL No. 1049.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), exempting airport restaurants on State owned or operated airports from quota law.

#### HOUSE BILL No. 1115.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the retention of seniority upon a merger jointure or union of districts.

#### HOUSE BILL No. 1116.

An Act amending the "Public School Code of 1949" approved March, 1949 (P. L. 30), authorizing indebtedness of school districts and insured deposits to be used in lieu of bonds or securities which are required to be deposited by school depositories.

#### HOUSE BILL No. 1192.

An Act amending the "General Appropriation Act of 1959" approved November 12, 1959 (Appropriation Act 38-A), restoring certain amounts appropriated to the Department of Public Instruction and the Department of State which the Legislature deleted and declared its intention to restore.

#### HOUSE BILL No. 1204.

An Act providing for the abatement of nuisances arising out of unsafe buildings or premises in cities of the first class and providing for the service or posting of notices relating to the work necessary to abate such nuisances.

With the information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 146.

An Act amending the "Pennsylvania Loyalty Act" approved December 22, 1951 (P. L. 1726), providing for the filing of loyalty oaths by persons nominated or elected as write-in candidates.

#### HOUSE BILL No. 242.

An Act amending the act of April 22, 1953 (P. L. 184), entitled "An act to continue the imposition of the tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies \* \* \*" further providing for the distribution of amounts received from tax on foreign fire insurance companies.

#### HOUSE BILL No. 246.

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a non-

resident of the Commonwealth at the time of his death or presumed death imposing additional taxes to equal Federal Estate Tax Credits \* \* \*.

#### HOUSE BILL No. 323.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), specifically exempting from taxation all property used for limited access highways.

#### HOUSE BILL No. 351.

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further regulating leaves of absence for presidents and faculty members of State Colleges.

#### HOUSE BILL No. 369.

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment and providing a penalty.

#### HOUSE BILL No. 408.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), permitting expenditures for fire protection from the general township fund.

#### HOUSE BILL No. 452.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to exchange State park land.

#### HOUSE BILL No. 574.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), adding and increasing certain penalties and conforming a section to show a previous repeal.

#### HOUSE BILL No. 576.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), making it unlawful to assist in the taking killing or wounding of any game and providing penalties.

#### HOUSE BILL No. 578.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing provision relating to revocation of licenses.

#### HOUSE BILL No. 580.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating the use of automatic and magazine shotguns and providing a penalty.

#### HOUSE BILL No. 581.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), prohibiting the use of twenty-two or twenty-five calibre rimfire cartridges for killing big game destroying property.

#### HOUSE BILL No. 585.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), clarifying changing and increasing certain fees.

#### HOUSE BILL No. 587.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), permitting a nonresident who is not a resident of the United States to purchase a three-day license for hunting on regulated shooting grounds.



## HOUSE BILL No. 588.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), extending provision relating to when license tags are required to be displayed.

## HOUSE BILL No. 589.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing certain penalties.

## HOUSE BILL No. 638.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for annual estimates of expenses.

## HOUSE BILL No. 731.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the daily expense allowance for delegates to meetings of the State associations of township officers.

## HOUSE BILL No. 856.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class \* \* \*" providing for payments to dependent parents.

## HOUSE BILL No. 870.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), removing from the jurisdiction of the Department of Public Welfare jails prisons and penal institutions and inmates thereof.

## HOUSE BILL No. 874.

An Act amending "The Administrative Code" approved April 9, 1929 (P. L. 177), creating and redesignating boards of trustees of certain institutions in the Department of Public Welfare.

## HOUSE BILL No. 875.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), changing the name of Laurelton State Village and the Pennhurst and Polk State Schools.

## HOUSE BILL No. 876.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), limiting the Department of Public Welfare's power in purchasing services.

## HOUSE BILL No. 970.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), providing for certain payments to dependent parents when there is no widow or no surviving children.

## HOUSE BILL No. 1086.

An Act amending the "Public Assistance Act" approved June 24, 1937 (P. L. 2051), making editorial changes removing certain functions vested in the State Board of Public Assistance providing for work relief projects and the establishment of county boards and their powers and duties and further providing for the disposition of federal contributions.

## HOUSE BILL No. 1131.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 98,918 acres more or less of land situate in Kilbuck Township, Allegheny County.

## HOUSE BILL No. 1146.

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third class" increasing license fees.

## HOUSE BILL No. 1371.

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" regulating credit for pension for previous employment by the city in the bureau of fire or bureau of police.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 607, 680, 868, 932 and 1042.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, I offer the following motion. The motion was read by the clerk as follows:

## MOTION

## REQUESTING CERTIFIED COPY OF LOST HOUSE BILL

In the House of Representatives, June 6, 1961.

Moved by the gentleman from Washington, Mr. Polen, that the Chief Clerk be directed to furnish for the Committee on Appropriations a certified duplicate copy of House bill No. 735, printer's No. 1384, entitled:

"An Act regulating the manufacture of stuff toys intended for sale, gift or use in Pennsylvania; providing for registration of such manufacturers, the paying of a fee for such registration, the issuance of a seal of approval to such manufacturers; . . . and providing penalties.

to be substituted for the lost original copy thereof, which was recommitted to the Committee on Appropriations of the House on April 12, 1961.

(Signed) J. DEAN POLEN

Chairman, House Committee on Appropriations

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, when we returned and were ready to proceed, Mr. Johnson was supposed to speak. Then we would like to start our roll calls on bills.

## INTERROGATION

Mr. A. W. JOHNSON asked and obtained unanimous consent to interrogate Mr. Polen.

Mr. A. W. JOHNSON. Mr. Speaker, is our information correct that the Governor signed the general appropriations bill?

Mr. POLEN. That is correct, on May 25, Mr. Speaker.

Mr. A. W. JOHNSON. Also, is our information correct that he did not veto out of the bill the so-called freeze clause on school subsidies?

Mr. POLEN. Mr. Speaker, that is correct. The Governor

cannot veto language out of the general appropriations bill.

Mr. A. W. JOHNSON. That remains in the bill?

Mr. POLEN. That is correct.

Mr. A. W. JOHNSON. Can the school districts of Pennsylvania then, in adopting their budgets, they being in the process of doing so, write into their budgets the provisions of the freeze clause so that a school district, which might lose \$30,000 without the freeze clause, can count on the \$30,000?

Mr. POLEN. Mr. Speaker, it is my understanding that the matter has been referred to the Attorney General for an opinion. I would say that in my opinion it would be unwise to use that in the budgets. I think, however, that the budgets for the school districts have already been adopted. I believe I would hesitate to change any of them until definite information is received as to the Attorney General's opinion.

Mr. A. W. JOHNSON. Mr. Speaker, a further question: When will we have some word as to a ruling by the Attorney General?

Mr. POLEN. Mr. Speaker, I, of course, have no information on that subject, but I would be glad to try to ascertain what the situation is and advise the gentleman next week.

Mr. A. W. JOHNSON. Another question, Mr. Speaker: If the Attorney General by opinion rules that the insertion is unconstitutional, does the gentleman know what the remedy for a school district would be in the event of such a ruling?

Mr. POLEN. Mr. Speaker, I am not a constitutional lawyer or an attorney. I would presume they could take some legal action. I might state on this subject, however, that I think the proper procedure would be to pass an appropriation bill for the \$8 million-plus and the taxes to cover it. Then there would be no question about the school districts being able to include it and receive the money.

Mr. A. W. JOHNSON. Mr. Speaker, will the gentleman ascertain for us the date of the opinion of the Attorney General and, also, for the benefit of the school districts of Pennsylvania will you outline for us a procedure that the school districts can follow in order to pursue their remedy under the appropriation bill?

Mr. POLEN. Yes, Mr. Speaker, I will be glad to do that.

Mr. A. W. JOHNSON. When do you suppose you can get this information, because we are getting many calls from school districts as to the legal effect of this freeze clause?

Mr. POLEN. I could not make a definite promise as to when I will get it, but I will say I will attempt to get it at the earliest possible date and so advise the gentleman.

Mr. A. W. JOHNSON. I thank the gentleman.

Another question on a different subject matter.

Inasmuch as the non-preferred appropriations have been reported out of committee, can the gentleman get us a statement from the administration as to when these appropriations, if they were passed immediately, would normally be paid to the agencies that would receive them? When would Penn State get its money? When would the hospitals get their money? Would it be this fall, for instance, when we borrow money on tax anticipation notes? Could the gentleman get that information for us on each one of the appropriations so that we would know?

Mr. POLEN. Mr. Speaker, I think I can answer the gentleman now. If the appropriations are passed, they will be paid in the normal course of business when they are due. The quarterly payments to hospitals would be made and to all the other institutions as they submit the proper reports. There would be no question about that.

Mr. A. W. JOHNSON. Could the gentleman ascertain that information for us, not for each member, but deliver it so I can have it for the House Republican caucus?

Mr. POLEN. Mr. Speaker, would the gentleman repeat again just what he wants to know in connection with the non-preferred appropriations?

Mr. A. W. JOHNSON. Mr. Speaker, I will ask a question of this nature: Let us take the State-aided hospital appropriation. What does that total?

Mr. POLEN. The State-aided hospital appropriation is \$17,367,500.

Mr. A. W. JOHNSON. If we take that appropriation which may be the most critical on the list, when would the first payment be normally made to any hospital in Pennsylvania under that bill? Could the gentleman get us that information?

Mr. POLEN. Yes, They render quarterly reports and in this particular fiscal year, due to the 13 months, I believe the first one is to cover a four-months' period, which would be June, July, August and September. The payments would then be due, after audits, probably in the month of October.

Mr. A. W. JOHNSON. I believe the gentleman understands the type of information we would like on each one of these appropriations, and if he could get that for me we would appreciate it a great deal.

Mr. POLEN. I will do that, Mr. Speaker, but again I would say that the majority of these are paid on warrants when the bills are presented and audited. There is no specific, particular date when they are due, but I could state that they will be paid when they are presented and audited.

I will attempt to get the specific information for the gentleman.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. McCANN. Mr. Speaker, page 13, bills on third reading, I call up House bill 644, printer's No. 700.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 644, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), exempting municipal authorities incorporated under the Municipality Authorities Act of 1945 from certificate of title and registration fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—179

Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Royer,
Arlene,	George,	Lutty,	Rubin,
Ashton,	Gibb,	Magee,	Rudisill,
Auker,	Goldstein, J. H.,	Manbeck,	Rutherford,
Bachman,	Gramlich,	Markley,	Sakulsky,



Backenstoe, Blair, Boles, Bonner, Bossert, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Frascella, Galley,	Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Holl, Holliday, Holman, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Leonard, Limper, Lippincott, Long, Wm. Jas.,	Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mihm, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Renwick, Riley, Rovanseck,	Scarcelli, SchAAF, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobal, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Whittaker, Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—11

Adams, Anderson, J. H., Fox,	Fulmer, Gelfand, Gibbons,	Goldstein, M. H., Goodrich, Hocker,	Isaacs, Williams, A. D.,
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## NOT VOTING—19

Bower, Cauley, Dengler, Fry, Gross,	Kessler, Klein, Lee, A. M., Lee, K. B., Miller,	Musto, Perry, Reibman, Reidenbach, Snare,	Stimmel, Verona, Wescott, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 844, entitled:

An Act amending the act of July 10, 1957 (P. L. 685), entitled "An act regulating the use of explosives in certain blasting operations requiring examination and licensing of certain explosives detonators and prescribing the fee thereof and conferring powers and imposing duties on the Department of Labor and Industry" increasing certain fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—177

Anderson, J. H., Anderson, S. A., Arlene,	Gelfand, Gibb, Goldstein, J. H.,	Limper, Long, Wm. Jas., Long, Wm. Jos.,	Royer, Rubin, Rudisill,
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Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Frascella, Galley, Gallagher,	Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kessler, King, Kistler, Knecht, Kooker, Kornick, Kramer, Lamb, Lawson, Leonard,	Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Mihm, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reidenbach, Renwick, Riley, Rovanseck,	Rutherford, Sakulsky, Scarcelli, SchAAF, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobal, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—18

Adams, Ashton, Down, Edwards, Elvey,	Fox, Fulmer, George, Gibbons, Isaacs,	Kernaghan, Korns, Lippincott, Magee,	Merry, Odoriso, Stiteler, Strausser,
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## NOT VOTING—14

Dengler, Fry, Klein, Lee, A. M.,	Lee, K. B., Miller, Musto, Perry,	Price, Reibman, Snare,	Stimmel, Verona, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 886, entitled:

An Act amending the act of May 2, 1929 (P. L. 1513), entitled "An act regulating the construction equipment maintenance operation and inspection of boilers and unfired pressure vessels \* \* \* and repealing all acts or parts of acts inconsistent with this act" providing for submission of plans and specifications of the mechanical system in buildings and providing for a fee therefore.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 945, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), clarifying the method of tax collections on liquor sales and imposing duties on persons making liquor sales by the bottle.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—185

Anderson, J. H.,	Galley,	Leonard,	Riley,
Anderson, S. A.,	Gallagher,	Limper,	Rovanseck,
Arlene,	Gelfand,	Lippincott,	Royer,
Ashton,	George,	Long, Wm. Jas.,	Rubin,
Auker,	Gibb,	Long, Wm. Jos.,	Rudisill,
Bachman,	Gibbons,	Luty,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Magee,	Sakulsky,
Blair,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Boles,	Goodrich,	Markley,	Schaaf,
Bonner,	Gramlich,	Marsh,	Schuster,
Bossert,	Gray,	Maxwell,	Seltzer,
Bowman,	Greenlee,	May,	Shelton,
Branca,	Gremminger,	McCandless,	Sherman,
Breth,	Gross,	McCann,	Shupnik,
Buchanan,	Guesman,	McCormack,	Simmons,
Capano,	Guthrie,	McDevitt,	Slack,
Capitolo,	Hamilton,	McDonald,	Stank,
Caulley,	Hankins,	McInroy,	Steckel,
Cianfrani,	Hartley,	McKeever,	Stimmel,
Cioffi,	Haudenshield,	McLaughlin,	Stiteler,
Clarke,	Heavey,	McNally,	Stone,
Comer,	Heffner,	Meholchick,	Sullivan, J. A.,
Cooley,	Helm,	Merry,	Sullivan, T. F.,
Crossin,	Henzel,	Mihm,	Taylor,
Curwood,	Hocker,	Mills,	Thompson,
Davis,	Holl,	Monroe,	Tomasick,
Dennison,	Holliday,	Morley,	Tompkins,
Dougherty,	Holman,	Mullen,	Trusio,
Doughten,	Horst,	Munley,	Ujobal,
Down,	Irvis,	Murphy,	Varner,
Edwards,	Jenkins,	Murray,	Wall,
Ellberg,	Jim,	Needham,	Walsh,
Elvey,	Johnson, A. W.,	O'Dell,	Wargo,
Eshback,	Johnson, R. P.,	O'Donnell, J. A.,	Weldner,
Eshleman,	Jones,	O'Donnell, J. P.,	Welsh,
Ewing,	Kamyk,	Parlante,	Wescott,
Farabaugh,	Kelser,	Pashley,	Whittaker,
Fetterolf,	Kelly,	Petrosky,	Willard,
Filo,	Kernaghan,	Piper,	Willaredt,
Fineman,	Kessler,	Polaski,	Williams, A. D.,
Flynn,	Kistler,	Polen,	Wilt,
Foerster,	Knecht,	Prendergast,	Wood,
Foor,	Kornick,	Pursley,	Wynd,
Fox,	Korns,	Reidenbach,	Zember,
Frascella,	Kramer,	Renwick,	Zimmerman,
Fulmer,	Lawson,		Andrews,

Speaker

## NAYS—8

Adams,	Isaacs,	Kooker,	Strausser,
Donaldson,	King,	Ogilvie,	Worley,

## NOT VOTING—16

Bower,	Lamb,	Musto,	Snare,
Dengler,	Lee, A. M.,	Perry,	Verona,
Fry,	Lee, K. B.,	Price,	Williams, E. S.,
Klein,	Miller,	Reibman,	Yetter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 966, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), changing registration fees for motor buses and motor omnibuses operated by mass transportation systems.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—154

Anderson, S. A.,	Galley,	Long, Wm. Jos.,	Rutherford,
Arlene,	Gallagher,	Lutty,	Sakulsky,
Ashton,	Gelfand,	Markley,	Scarcelli,
Auker,	George,	Maxwell,	Schaaf,
Bachman,	Gibbons,	May,	Schuster,
Backenstoe,	Gray,	McCann,	Seltzer,
Blair,	Greenlee,	McCormack,	Shelton,
Boles,	Gremminger,	McDevitt,	Sherman,
Bonner,	Guesman,	McDonald,	Shupnik,
Bower,	Guthrie,	McKeever,	Simmons,
Branca,	Hamilton,	McLaughlin,	Slack,
Breth,	Hankins,	McNally,	Stank,
Bush,	Hartley,	Meholchick,	Steckel,
Capano,	Haudenshield,	Mihm,	Stimmel,
Caulley,	Heavey,	Mills,	Stone,
Cianfrani,	Heffner,	Monroe,	Strausser,
Cioffi,	Helm,	Morley,	Sullivan, J. A.,
Clarke,	Henzel,	Mullen,	Sullivan, T. F.,
Comer,	Hocker,	Murphy,	Taylor,
Cooley,	Irvis,	Needham,	Thompson,
Crossin,	Isaacs,	O'Dell,	Tomasick,
Curwood,	Jenkins,	O'Donnell, J. A.,	Trusio,
Davis,	Jim,	O'Donnell, J. P.,	Ujobal,
Donaldson,	Johnson, R. P.,	Odoriso,	Varner,
Jones,	Doughten,	Parlante,	Walsh,
Edwards,	Kamyk,	Pashley,	Wargo,
Ellberg,	Kelly,	Petrosky,	Weldner,
Elvey,	Kernaghan,	Polaski,	Welsh,
Eshback,	Kistler,	Polen,	Whittaker,
Eshleman,	Knecht,	Prendergast,	Willard,
Ewing,	Kornick,	Reibman,	Willaredt,
Farabaugh,	Kornick,	Reidenbach,	Wilt,
Fetterolf,	Korns,	Renwick,	Wood,
Filo,	Lamb,	Riley,	Worley,
Fineman,	Lawson,	Rovanseck,	Wynd,
Flynn,	Leonard,	Royer,	Yetter,
Foerster,	Limper,	Rubin,	Zimmerman,
Foor,	Lippincott,	Rudisill,	Andrews,
Frascella,	Long, Wm. Jas.,		Speaker

## NAYS—38

Adams,	Goldstein, M. H.,	King,	Murray,
Anderson, J. H.,	Goldstein, J. H.,	Kooker,	Ogilvie,
Bossert,	Goodrich,	Magee,	Piper,
Bowman,	Gramlich,	Manbeck,	Pursley,
Buchanan,	Gross,	Marsh,	Stiteler,
Dennison,	Holl,	McCandless,	Tompkins,
Down,	Holliday,	McInroy,	Wall,
Fox,	Holman,	Merry,	Williams, A. D.,
Fulmer,	Johnson, A. W.,	Munley,	Zember,
Gibb,	Kessler,		

## NOT VOTING—17

Capitolo,	Kelser,	Miller,	Snare,
Dengler,	Klein,	Musto,	Verona,
Dougherty,	Lee, A. M.,	Perry,	Wescott,
Fry,	Lee, K. B.,	Price,	Williams, E. S.,
Horst,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1031, entitled:



An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), requiring meetings of the Pennsylvania Game Commission to be open to the public.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—166

Adams,	Gallagher,	Leonard,	Prendergast,
Anderson, S. A.,	Gelfand,	Limper,	Pursley,
Arlene,	George,	Lippincott,	Reibman,
Bachman,	Gibb,	Long, Wm. Jas.,	Reidenbach,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Renwick,
Blair,	Goldstein, J. H.,	Lutty,	Riley,
Boies,	Goldstein, M. H.,	Manbeck,	Rovansek,
Bonner,	Gramlich,	Markley,	Royer,
Bossert,	Gray,	Marsh,	Rubin,
Bower,	Greenlee,	Maxwell,	Rudisill,
Branca,	Gremminger,	May,	Rutherford,
Breth,	Gross,	McCandless,	Sakulsky,
Buchanan,	Guesman,	McCann,	Scarcelli,
Capano,	Guthrie,	McCormack,	Schaaf,
Capitolo,	Hamilton,	McDevitt,	Seltzer,
Cauley,	Hankins,	McDonald,	Shelton,
Cioffi,	Hartley,	McInroy,	Sherman,
Clarke,	Heavey,	McKeever,	Simmons,
Comer,	Heffner,	McLaughlin,	Slack,
Crossin,	Helm,	McNally,	Stank,
Curwood,	Hocker,	Meholchick,	Steckel,
Davis,	Holl,	Mihm,	Stone,
Dennison,	Holliday,	Mills,	Strausser,
Donaldson,	Horst,	Monroe,	Sullivan, J. A.,
Dougherty,	Irvis,	Morley,	Sullivan, T. F.,
Doughten,	Jenkins,	Mullen,	Taylor,
Down,	Jim,	Munley,	Tomasick,
Eilberg,	Johnson, A. W.,	Murphy,	Tompkins,
Elvey,	Johnson, R. P.,	Murray,	Ujobai,
Eshback,	Jones,	Needham,	Varner,
Eshleman,	Kamyk,	O'Dell,	Walsh,
Farabaugh,	Kelser,	O'Donnell, J. A.,	Wargo,
Fetterolf,	Kelly,	O'Donnell, J. P.,	Weidner,
Filo,	Kernaghan,	Odorisio,	Welsh,
Fineman,	Kessler,	Ogilvie,	Willaredt,
Flynn,	King,	Parlante,	Williams, A. D.,
Foerster,	Knecht,	Pashley,	Wood,
Foor,	Kooker,	Petrosky,	Worley,
Fox,	Kornick,	Piper,	Yetter,
Frascella,	Kramer,	Polaski,	Zember,
Fulmer,	Lamb,	Polen,	Andrews,
Galley,	Lawson,		Speaker

#### NAYS—25

Anderson, J. H.,	Ewing,	Kistler,	Wall,
Ashton,	Goodrich,	Korns,	Wescott,
Auker,	Haudenschild,	Magee,	Whittaker,
Bush,	Henzel,	Merry,	Willard,
Cianfrani,	Holman,	Stiteler,	Wynd,
Cooley,	Isaacs,	Thompson,	Zimmerman,
Edwards,			

#### NOT VOTING—18

Bowman,	Lee, K. B.,	Schuster,	Trusio,
Dengler,	Miller,	Shupnik,	Verona,
Fry,	Musto,	Snare,	Williams, E. S.,
Klein,	Perry,	Stimmel,	Wilt,
Lee, A. M.,	Price,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I request permission to call up on page 8, bills on final passage, House bill No. 1335.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration on final passage of House bill No. 1335, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—155

Anderson, J. H.,	Gelfand,	Leonard,	Prendergast,
Anderson, S. A.,	George,	Limper,	Reibman,
Arlene,	Gibbons,	Lippincott,	Reidenbach,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Renwick,
Blair,	Goldstein, M. H.,	Long, Wm. Jos.,	Riley,
Boles,	Gray,	Lutty,	Rovansek,
Bonner,	Greenlee,	Magee,	Royer,
Branca,	Gremminger,	Markley,	Rubin,
Breth,	Guesman,	Marsh,	Rudisill,
Buchanan,	Guthrie,	Maxwell,	Sakulsky,
Capano,	Hamilton,	McCandless,	Scarcelli,
Capitolo,	Hankins,	McCann,	Schaaf,
Cauley,	Hartley,	McCormack,	Schuster,
Cianfrani,	Haudenschild,	McDevitt,	Shelton,
Cioffi,	Heavey,	McDonald,	Sherman,
Clarke,	Heffner,	McKeever,	Shupnik,
Comer,	Helm,	McLaughlin,	Simmons,
Cooley,	Henzel,	McNally,	Stank,
Crossin,	Holman,	Meholchick,	Steckel,
Curwood,	Irvis,	Merry,	Stiteler,
Davis,	Isaacs,	Mihm,	Stone,
Dennison,	Jenkins,	Mills,	Sullivan, J. A.,
Dougherty,	Jim,	Monroe,	Sullivan, T. F.,
Doughten,	Johnson, A. W.,	Morley,	Taylor,
Down,	Johnson, R. P.,	Mullen,	Thompson,
Edwards,	Jones,	Munley,	Tomasick,
Eilberg,	Kamyk,	Murphy,	Trusio,
Ewing,	Kelly,	Murray,	Varner,
Farabaugh,	Kernaghan,	Needham,	Wall,
Fetterolf,	Kessler,	O'Dell,	Wargo,
Filo,	King,	O'Donnell, J. A.,	Welsh,
Flynn,	Kistler,	O'Donnell, J. P.,	Willard,
Foerster,	Knecht,	Odorisio,	Williams, A. D.,
Foor,	Kooker,	Parlante,	Wynd,
Fox,	Kornick,	Pashley,	Yetter,
Frascella,	Korns,	Petrosky,	Zember,
Fulmer,	Kramer,	Piper,	Zimmerman,
Galley,	Lamb,	Polaski,	Andrews,
Gallagher,	Lawson,	Polen,	Speaker

#### NAYS—39

Adams,	Eshback,	Kelser,	Strausser,
Ashton,	Eshleman,	Manbeck,	Tompkins,
Auker,	Fineman,	May,	Ujobai,
Backenstoe,	Gibb,	McInroy,	Walsh,
Bossert,	Goodrich,	Ogilvie,	Weidner,
Bower,	Gramlich,	Pursley,	Whittaker,
Bowman,	Gross,	Rutherford,	Wilt,
Bush,	Hocker,	Seltzer,	Wood,
Donaldson,	Holliday,	Slack,	Worley,
Elvey,	Horst,	Stimmel,	

#### NOT VOTING—15

Dengler,	Lee, A. M.,	Perry,	Wescott,
Fry,	Lee, K. B.,	Price,	Willaredt,
Holl,	Miller,	Snare,	Williams, E. S.,
Klein,	Musto,	Verona,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. FINEMAN. Mr. Speaker, I just realized I inadvertently voted "no" on this bill and I intended to vote "aye," and I would like the record to so indicate.

The SPEAKER. The gentleman's remarks will be spread upon the record.

## PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. TOMPKINS. Mr. Speaker, we have just voted on House bill 1335, which was an increase in the General State Authority authorization.

Back in 1958 when I was a member of the Constitutional Revision Commission, I was a member of the subcommittee on finance and as we studied the financial structure of Pennsylvania objectively instead of politically, we came up with some recommendations in connection with the control of State finances. They were pretty well approved by the Economy League, which at that time was being represented before the finance committee by David Baldwin and David Kurtzman who are presently, of course, with the administration's budget office. In pursuance of the recommendations of the Constitutional Revision Commission, the section regarding control of authorities and State finances was introduced in a bill last session but got nowhere. It has been introduced in a bill this session, and Mr. Speaker, because of what was said on the floor of this House yesterday about fiscal responsibility, because of what was said on the floor of this House yesterday in connection with runaway spending, because of what was said on the floor of this House yesterday regarding the necessity for such constitutional control and limitations on our spending, I offer the following discharge resolution on House bill 993.

## RESOLUTION

## DISCHARGING COMMITTEE FROM FURTHER CONSIDERATION OF HOUSE BILL No. 993

The resolution was read by the clerk as follows:

In the House of Representatives, June 6, 1961.

Resolved, That House Bill No. 993, Printer's No. 1095, entitled "A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, providing for and regulating Commonwealth debt for capital improvements and certain other purposes and prohibiting debts and obligations inconsistent therewith," having been referred to the Committee on Judiciary on March 20, 1961, and the committee not having reported the same to the House for a period of over fifteen days, the committee is discharged from further consideration thereof.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, House bill No. 993, a joint resolution, has been referred by the Speaker to the Committee on Judiciary. I have inquired as to whether the judiciary committee has in any way discussed this bill and I was informed by the chairman of the judiciary committee that they have not discussed this bill in any judiciary meeting that has been held each week of the session of this House.

I am informed by the chairman of the judiciary committee that such legislation is on the list for discussion in the Committee on Judiciary of the House of Representatives, and I think the decision of that committee will determine the action on House bill 993, and for that reason, Mr. Speaker, I ask that all the membership oppose this discharge resolution.

The SPEAKER. The Chair recognizes the gentleman from Cameron.

Mr. TOMPKINS. Mr. Speaker, having been chairman of the judiciary committee during several sessions of this House, I can appreciate some of the work schedules and loads of that committee. But this bill having been in that committee since March 20 and this bill carrying the extreme importance that it does in connection with a tremendous amount of our overall legislation and governmental operations, it would appear to me that it should get itself listed as high priority for a discussion to see what is going to happen to it. That is my purpose in offering this discharge resolution, in order to budge that bill out of committee.

I ask for a roll call, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I would very briefly like to state my reasons why I am going to oppose this discharge resolution.

Discharge resolutions in the past have come up to haunt us from time to time, and I want to say for myself that I believe at the proper time and in the proper place that there is some merit to discharge resolutions. When I was in the minority, many times I voted for discharge of committees. But with respect to this particular joint resolution, I want to say that I believe in the underlying philosophy behind this. I believe it is desirable. But at the same time I want to call to the attention of the House the tremendous job that the judiciary committee does in this House. I believe no one can get on the floor and assert that it is not one of the hardest working and most diligent committees in the House of Representatives. I do not believe that I have ever had the pleasure of serving under a chairman who was more fair and reasonable than the present chairman of the judiciary committee, representative Rudisill from York County.

When you are considering the discharge resolution there is an unfair inference or implication that would impute the motives of the chairman. Now that might be true or false, but I believe it is not a correct inference. Nevertheless, the inference is there for laymen to draw that there is some improper motive on the part of the chairman of the committee. Now as vice-chairman of this committee and as one who believes in this resolution, I want to say that nowhere, at any time, did any member of the minority party ever come to me—and they have come to me on an average of once or twice a week and asked my help in getting a bill out of committee—they have never come to me and asked me if I would do anything to bring this to the attention of the chairman. I believe I am correct in saying that no one on the minority side ever came to the chairman of the judiciary committee and asked him to bring this bill up for consideration.

Since this is a drastic motion and since it is a motion that is, I believe, being put to use for the first time this session, I would ask the sponsor's consideration in holding it back, and giving us a fair opportunity to bring this bill out for discussion. What we are doing now is disrupting the orderly processes of this House, and I believe that it is extremely unfair both to the chairman of that committee and to myself as vice-chairman and one who is interested, as I have said, in the philosophy behind this resolution. I therefore, without hesitation, am going



to vote against this resolution. I ask the sponsor of it again to consider holding it back.

Mr. TOMPKINS. How the gentleman from Philadelphia can impute the motives in this motion that he has stated, I do not know. I have been a member of the judiciary committee at every session of this General Assembly, the House judiciary committee, since 1947 and on two occasions, two sessions, I was chairman of it, so nobody can tell me that I am not familiar with the work of the judiciary committee.

I served under the present chairman during the last session. I have a very high regard for the gentleman's ability and his integrity. At no time, under any circumstances, in anything contained in this motion am I imputing anything improper on the part of the chairman or on the part of the judiciary committee, and I want that very distinctly understood.

In connection with this discharge resolution, this is not the first one of this session; it is about the third or fourth, as I recall, and so far as this discharge resolution is concerned, I might say that in previous sessions, particularly one, I sat on the floor of this House one afternoon and I saw 35 to 40 resolutions, discharge resolutions, put in at one time by the then minority party. We did not feel at that time that we were imputing anything improper to any of the committees that those 40 discharge resolutions involved.

I resent the idea that this motion has any implication of anything improper in it.

Mr. McCORMACK. Mr. Speaker, I want it very clearly understood that I said that was not a correct inference and I said it was an inference drawn by laymen, not by members of this House, and I want the sponsor of this resolution also to know that I voted to discharge committees, so I clearly do not want to create the impression that anybody in this House, whether on the minority or majority side, believes there is anything improper. I am saying strictly that is an inference that is drawn by laymen not familiar with the legislative process.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. TOMPKINS and McCANN and were as follows:

## YEAS—80

Adams,	Fox,	Kistler,	Simmons,
Anderson, J. H.,	Fulmer,	Knecht,	Slack,
Ashton,	George,	Kooker,	Stimmel,
Auker,	Gibb,	Korns,	Stiteler,
Backenstoe,	Goldstein, J. H.,	Lippincott,	Strausser,
Blair,	Goldstein, M. H.,	Magee,	Thompson,
Bossert,	Goodrich,	Manbeck,	Tompkins,
Bower,	Gramlich,	Markley,	Ujobal,
Bowman,	Gross,	Marsh,	Varner,
Buchanan,	Haudenshield,	May,	Wall,
Bush,	Heffner,	McCandless,	Weidner,
Davis,	Helm,	McInroy,	Whittaker,
Donaldson,	Henzel,	Merry,	Willard,
Edwards,	Hocker,	O'Dell,	Williams, A. D.,
Elvey,	Holliday,	Ogilvie,	Wilt,
Eshback,	Holman,	Piper,	Wood,
Eshleman,	Horst,	Pursley,	Worley,
Ewing,	Johnson, A. W.,	Royer,	Wynd,
Fetterolf,	Keiser,	Rutherford,	Zember,
Foor,	Kessler,	Seltzer,	Zimmerman,

## NAYS—106

Anderson, S. A.,	Gelfand,	Lutty,	Prendergast,
Arlene,	Gibbons,	Maxwell,	Reibman,
Bachman,	Gray,	McCann,	Reidenbach,
Boles,	Greenlee,	McCormack,	Renwick,

Bonner,	Gremminger,	McDevitt,	Riley,
Branca,	Guesman,	McDonald,	Rovansek,
Breth,	Hamilton,	McKeever,	Rubin,
Capano,	Hankins,	McLaughlin,	Sakulsky,
Capitolo,	Hartley,	McNally,	Scarcelli,
Cauley,	Heavey,	Meholchick,	Schaaf,
Cianfrani,	Irviss,	Mihm,	Schuster,
Cioffi,	Jenkins,	Mills,	Shelton,
Clarke,	Jim,	Monroe,	Sherman,
Comer,	Johnson, R. P.,	Morley,	Shupnik,
Crossin,	Jones,	Mullen,	Stank,
Curwood,	Kamyk,	Munley,	Steckel,
Dougherty,	Kelly,	Murphy,	Stone,
Doughten,	Kernaghan,	Needham,	Sullivan, J. A.,
Elberg,	King,	O'Donnell, J. A.,	Sullivan, T. F.,
Farabaugh,	Kornick,	O'Donnell, J. P.,	Taylor,
Filo,	Kramer,	Odoristo,	Tomasick,
Fineman,	Lamb,	Parlante,	Walsh,
Flynn,	Lawson,	Pashley,	Wargo,
Foerster,	Leonard,	Petrosky,	Welsh,
Frascella,	Limper,	Polaski,	Yetter,
Galley,	Long, Wm. Jas.,	Polen,	Andrews,
Gallagher,	Long, Wm. Jos.,		Speaker

## NOT VOTING—23

Cooley,	Holl,	Murray,	Trusio,
Dengler,	Isaacs,	Musto,	Verona,
Dennison,	Klein,	Perry,	Wescott,
Down,	Lee, A. M.,	Price,	Willaredt,
Fry,	Lee, K. B.,	Rudisill,	Williams, E. S.,
Guthrie,	Miller,	Snare,	

So the question was determined in the negative and the resolution was not adopted.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1190, entitled:

An Act reenacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act" approved June 11, 1947 (P. L. 551), including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act and providing for a uniform classification of accounts and records.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—130

Anderson, S. A.,	Gallagher,	Limper,	Prendergast,
Arlene,	Gelfand,	Lippincott,	Reibman,
Auker,	George,	Long, Wm. Jas.,	Reidenbach,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Riley,
Boles,	Gibbons,	Lutty,	Rovansek,
Bonner,	Goldstein, J. H.,	Markley,	Rubin,
Bossert,	Goldstein, M. H.,	Maxwell,	Rudisill,
Bower,	Gray,	McCann,	Sakulsky,
Branca,	Greenlee,	McCormack,	Scarcelli,
Breth,	Gremminger,	McDevitt,	Schaaf,
Capano,	Guesman,	McDonald,	Schuster,
Capitolo,	Hamilton,	McInroy,	Shelton,
Cauley,	Hankins,	McKeever,	Sherman,
Cioffi,	Hartley,	McNally,	Shupnik,
Clarke,	Haudenshield,	Merry,	Simmons,
Comer,	Heavey,	Mihm,	Stank,
Crossin,	Henzel,	Mills,	Steckel,
Curwood,	Holliday,	Monroe,	Stimmel,
Dennison,	Irviss,	Morley,	Stone,
Donaldson,	Jenkins,	Mullen,	Sullivan, J. A.,
Dougherty,	Jim,	Munley,	Sullivan, T. F.,
Doughten,	Johnson, A. W.,	Murphy,	Taylor,
Edwards,	Johnson, R. P.,	Needham,	Thompson,
Elberg,	Kamyk,	O'Donnell, J. A.,	Tompkins,
Ewing,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Farabaugh,	Kistler,	Odoristo,	Welsh,
Fetterolf,	Knecht,	Parlante,	Whittaker,
Filo,	Kooker,	Pashley,	Williams, A. D.,
Fineman,	Kornick,	Petrosky,	Wilt,
Flynn,	Kramer,	Piper,	Wynd,
Foerster,	Lamb,	Polaski,	Yetter,
Frascella,	Lawson,	Polen,	Andrews,
Galley,	Leonard,		Speaker

## NAYS—51

Adams,	Fox,	King,	Seltzer,
Anderson, J. H.	Fulmer,	Korns,	Slack,
Ashton,	Goodrich,	Magee,	Stiteler,
Blair,	Gramlich,	Manbeck,	Strausser,
Bowman,	Gross,	Marsh,	Varner,
Buchanan,	Guthrie,	May,	Wall,
Bush,	Heffner,	McCandless,	Weidner,
Cianfrani,	Helm,	O'Dell,	Wescott,
Davis,	Hocker,	Ogilvie,	Willard,
Down,	Holman,	Pursley,	Worley,
Elvey,	Horst,	Renwick,	Zember,
Eshleman,	Keiser,	Royer,	Zimmerman,
Foor,	Kessler,	Rutherford,	

## NOT VOTING—28

Bachman	Jones,	Miller,	Trusio,
Cooley,	Kelly,	Murray,	Ujobal,
Dengler,	Klein,	Musto,	Verona,
Eshback,	Lee, A. M.,	Perry,	Walsh,
Fry,	Lee, K. B.,	Price,	Willaredt,
Holl,	McLaughlin,	Snare,	Williams, E. S.,
Isaacs,	Meholchick,	Tomasick,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1281, entitled:

An Act amending the "Motor Vehicle Sales Finance Act" approved June 28, 1947 (P. L. 1110), further regulating the contents of installment sales contracts and the effect of certain tax sales of real estate.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, this bill is part of the mobilehome package wherein an attempt was made to try to make uniform the taxation of house trailers all over Pennsylvania. Four or five other bills are over in the Senate.

We noticed in examining this particular bill that it is providing for a sale for taxes of a house trailer like real estate; there was no provision in it to preserve a lien against a trailer. The law is with respect to real estate, if real estate is sold at tax sale, a mortgage that has been put on before a tax lien is attached would be preserved, and the mortgage would not be divested.

That has been a great boon to financing in Pennsylvania of homes and factories and has really facilitated making Pennsylvania the great industrial employment State it is.

It seems only meet and proper that if a trailer is sold for taxes, like a home, that a bona fide mortgage on a trailer should be preserved and not divested the same as real estate. Therefore, the amendment that is written into the bill does that very thing, preserves a lien against a trailer.

Now I understand that certain groups have listed on their sheets to be against this bill because it could list the sale of an automobile for taxes. I think that is the explanation. Well now, that is an erroneous interpretation. Why? Because if a house trailer, as I understand it, is to be considered real estate for purpose of local taxation and if it is going to be sold at tax sales like real estate, a lien against the trailer evidenced by an encumbrance on the title or security device under the Uniform Com-

mercial Code should be preserved. That goes without saying.

Therefore, I am making this explanation so that the people will understand just what, in my opinion, the bill does.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—117

Adams,	Gibbons,	Kramer,	Renwick,
Anderson, J. H.	Goldstein, J. H.,	Lamb,	Riley,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jas.,	Royer,
Blair,	Goodrich,	Long, Wm. Jos.,	Rubin,
Boles,	Gray,	Magee,	Rudisill,
Bossert,	Greenlee,	Manbeck,	Rutherford,
Bowman,	Gross,	Markley,	Schaaf,
Branca,	Guesman,	Marsh,	Schuster,
Buchanan,	Hankins,	McCandless,	Seltzer,
Bush,	Haudenschild,	McCann,	Shelton,
Cioffi,	Heavey,	McCormack,	Simmons,
Clarke,	Heffner,	McDevitt,	Stank,
Cooley,	Helm,	McDonald,	Steckel,
Dennison,	Henzel,	McInroy,	Stimmel,
Donaldson,	Hocker,	McNally,	Stiteler,
Dougherty,	Holman,	Merry,	Thompson,
Down,	Horst,	Mihm,	Tompkins,
Elvey,	Irvis,	Morley,	Trusio,
Eshback,	Johnson, A. W.,	Murray,	Varner,
Eshleman,	Johnson, R. P.,	O'Dell,	Weidner,
Ewing,	Jones,	O'Donnell, J. A.,	Welsh,
Fetterolf,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Fineman,	Keiser,	Ogilvie,	Willard,
Foerster,	King,	Petrosky,	Williams, A. D.,
Foor,	Kistler,	Piper,	Wilt,
Fox,	Knecht,	Polaski,	Wynd,
Fulmer,	Kooker,	Polen,	Zember,
Galley,	Kornick,	Prendergast,	Zimmerman,
George,	Korns,	Reibman,	Andrews,
Gibb,			Speaker

## NAYS—66

Arlene,	Farabaugh,	Leonard,	Reidenbach,
Ashton,	Filo,	Limper,	Rovansek,
Auker,	Flynn,	Lippincott,	Sakulsky,
Bonner,	Frascella,	Lutty,	Scarcelli,
Bower,	Gallagher,	Maxwell,	Sherman,
Breth,	Gelfand,	May,	Shupnik,
Capano,	Gramlich,	McKeever,	Slack,
Capitolo,	Gremminger,	McLaughlin,	Stone,
Caulley,	Hamilton,	Mills,	Sullivan, J. A.,
Cianfrani,	Hartley,	Munley,	Sullivan, T. F.,
Comer,	Holliday,	Murphy,	Taylor,
Crossin,	Jenkins,	Needham,	Wall,
Curwood,	Jim,	Odorisio,	Walsh,
Davis,	Kelly,	Parlante,	Wargo,
Doughten,	Kernaghan,	Pashley,	Worley,
Edwards,	Kessler,	Pursley,	Yetter,
Eilberg,	Lawson,		

## NOT VOTING—26

Anderson, S. A.,	Klein,	Musto,	Ujobal,
Bachman,	Lee, A. M.,	Perry,	Verona,
Dengler,	Lee, K. B.,	Price,	Wescott,
Fry,	Meholchick,	Snare,	Willaredt,
Guthrie,	Miller,	Strausser,	Williams, E. S.,
Holl,	Monroe,	Tomasick,	Wood,
Isaacs,	Mullen,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1372, entitled:

An Act authorizing cities of the second class to acquire



sufficient real property when originally laying out or opening roads to construct roads of a certain width.

On the question,  
Shall the bill pass finally?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Counties Second Class and Second Class A.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1439, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the use of return receipts from registered or certified mail as an operator's license or learner's permit in certain cases after a period of suspension has elapsed and until a surrendered license or permit is returned.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—182

Adams,	Fox,	Korns,	Reibman,
Anderson, J. H.,	Frascella,	Kramer,	Reidenbach,
Anderson, S. A.,	Fulmer,	Lamb,	Renwick,
Arlene,	Galley,	Lawson,	Riley,
Ashton,	Gallagher,	Leonard,	Rovansek,
Auker,	Gelfand,	Limper,	Royer,
Backenstoe,	George,	Lippincott,	Rubin,
Blair,	Gibb,	Long, Wm. Jas.,	Rudisill,
Boles,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bonner,	Goldstein, J. H.,	Lutty,	Sakulsky,
Bossert,	Goldstein, M. H.,	Magee,	Scarcelli,
Bower,	Goodrich,	Manbeck,	Schaaf,
Bowman,	Gramlich,	Markley,	Schuster,
Branca,	Gray,	Marsh,	Seltzer,
Breth,	Greenlee,	Maxwell,	Shelton,
Buchanan,	Gremminger,	May,	Sherman,
Bush,	Gross,	McCandless,	Shupnik,
Capano,	Guesman,	McCann,	Simmons,
Capitolo,	Guthrie,	McDonald,	Slack,
Cauley,	Hamilton,	McInroy,	Stank,
Cianfrani,	Hankins,	McKeever,	Steckel,
Cioffi,	Hartley,	McLaughlin,	Stimmel,
Clarke,	Haudenschild,	McNally,	Stiteler,
Comer,	Heavey,	Merry,	Stone,
Cooley,	Heffner,	Mihm,	Strausser,
Crossin,	Helm,	Mills,	Sullivan, J. A.,
Curwood,	Henzel,	Monroe,	Taylor,
Davis,	Hocker,	Mullen,	Thompson,
Dennison,	Holliday,	Munley,	Tompkins,
Donaldson,	Horst,	Murphy,	Trusio,
Dougherty,	Irviss,	Murray,	Varner,
Doughten,	Jenkins,	Needham,	Wall,
Down,	Jim,	O'Dell,	Walsh,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Ellberg,	Johnson, R. P.,	Odorliso,	Weidner,
Elvey,	Jones,	Ogilvie,	Welsh,
Eshback,	Kamyk,	Parlante,	Whittaker,
Eshleman,	Kelser,	Pashley,	Willard,
Ewing,	Kelly,	Petrosky,	Williams, A. D.,
Farabaugh,	Kernaghan,	Piper,	Wilt,
Fetterolf,	Kessler,	King,	Worley,
Filo,	King,	Polaski,	Wynd,
Fineman,	Kistler,	Polen,	Yetter,
Flynn,	Knecht,	Prendergast,	Zember,
Foerster,	Kooker,	Pursley,	
Foor,	Kornick,		

#### NAYS—1

#### NOT VOTING—26

Holman,	Lee, K. B.,	Perry,	Wescott,
Bachman,	McCormack,	Price,	Willaredt,
Dengler,	McDevitt,	Snare,	Williams, E. S.,
Fry,	Meholchick,	Tomascik,	Wood,
Holl,			

Isaacs,	Miller,	Ujobal,	Zimmerman,
Klein,	Musto,	Verona,	Andrews,
Lee, A. M.,	O'Donnell, J. P.,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 179, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" requiring publication of ordinances not more than sixty days nor less than seven days prior to passage in one newspaper circulating generally in the township.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—180

Anderson, J. H.,	Fulmer,	Lawson,	Renwick,
Anderson, S. A.,	Galley,	Leonard,	Riley,
Arlene,	Gallagher,	Limper,	Rovansek,
Ashton,	Gelfand,	Lippincott,	Royer,
Auker,	George,	Long, Wm. Jas.,	Rubin,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Rudisill,
Blair,	Gibbons,	Lutty,	Rutherford,
Bonner,	Goldstein, J. H.,	Magee,	Sakulsky,
Bossert,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Bower,	Goodrich,	Markley,	Schaaf,
Bowman,	Gramlich,	Marsh,	Schuster,
Branca,	Gray,	Maxwell,	Seltzer,
Breth,	Greenlee,	May,	Shelton,
Buchanan,	Gremminger,	McCandless,	Sherman,
Bush,	Gross,	McCann,	Shupnik,
Capano,	Guthrie,	McCormack,	Simmons,
Capitolo,	Hamilton,	McDevitt,	Slack,
Cauley,	Hankins,	McDonald,	Stank,
Cianfrani,	Hartley,	McInroy,	Steckel,
Cioffi,	Haudenschild,	McKeever,	Stimmel,
Clarke,	Heavey,	McLaughlin,	Stiteler,
Comer,	Heffner,	McNally,	Stone,
Cooley,	Helm,	Merry,	Strausser,
Crossin,	Henzel,	Mihm,	Sullivan, J. A.,
Curwood,	Hocker,	Mills,	Taylor,
Davis,	Holliday,	Monroe,	Thompson,
Dennison,	Holman,	Morley,	Tompkins,
Donaldson,	Horst,	Mullen,	Trusio,
Dougherty,	Irviss,	Munley,	Varner,
Doughten,	Jenkins,	Needham,	Wall,
Down,	Johnson, A. W.,	O'Dell,	Walsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Ellberg,	Jones,	O'Donnell, J. P.,	Weidner,
Elvey,	Kamyk,	Odorliso,	Welsh,
Eshback,	Kelser,	Ogilvie,	Wescott,
Eshleman,	Kelly,	Parlante,	Whittaker,
Ewing,	Kernaghan,	Pashley,	Willard,
Farabaugh,	Kessler,	Petrosky,	Williams, A. D.,
Fetterolf,	King,	Piper,	Wilt,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Wynd,
Flynn,	Kooker,	Prendergast,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Frascella,	Lamb,	Reidenbach,	Andrews,
			Speaker

#### NAYS—6

Cianfrani,	Kramer,	Murray,	Sullivan, T. F.,
Guesman,	Murphy,		

#### NOT VOTING—23

Adams,	Isaacs,	Miller,	Ujobal,
Bachman,	Jim,	Musto,	Verona,
Boles,	Klein,	Perry,	Willaredt,
Dengler,	Lee, A. M.,	Price,	Williams, E. S.,
Fry,	Lee, K. B.,	Snare,	Wood,
Holl,	Meholchick,	Tomascik,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The SPEAKER. For what purpose does the gentleman from Berks rise?

Mr. ADAMS. Mr. Speaker, I would like to be recorded as voting "aye" on the last bill.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 481, entitled:

An Act providing for and fixing the fees and mileage for witnesses attending a coroner's inquest imposing duties on coroners and repeal inconsistent legislation.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I would like to speak on the bill, sir.

The SPEAKER. The gentleman is in order.

Mr. FILO. Mr. Speaker, while I am not opposed to this bill and I will vote for it, I just want to put the membership of this House on notice that there is a possibility here that within the next session various coroners' offices will come in this legislature asking for an increase in fee bill legislation.

I am fully aware of the cost to the coroner's office in Pittsburgh with this increased witness fee. In my office it happens to be a dollar for witness fees and three cents a mile for mileage. I can say that this legislation, this bill, would cost the coroner's office in Pittsburgh \$10,000, approximately \$10,000 a year. So during the four-year term of a coroner's term in office, this would cost approximately \$40,000. So if I am up here for an increase in fee legislation for that office in the next session, I want you to know this is the reason why. I am favoring the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—141

Adams,	Galley,	Lawson,	Prendergast,
Anderson, S. A.,	Gallagher,	Leonard,	Reibman,
Arlene,	Gelfand,	Limper,	Reidenbach,
Auker,	George,	Long, Wm. Jas.,	Rovansek,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Royer,
Boles,	Goldstein, J. H.,	Lutty,	Rubin,
Bonner,	Gray,	Markley,	Rudisill,
Bossert,	Greenlee,	Marsh,	Sakulsky,
Bower,	Gremminger,	Maxwell,	Schaaf,
Bowman,	Guthrie,	McCandless,	Schuster,
Branca,	Hamilton,	McCann,	Shelton,
Breth,	Hankins,	McCormack,	Sherman,
Bush,	Hartley,	McDevitt,	Shupnik,
Capano,	Haudenschild,	McDonald,	Simmons,
Capitolo,	Heavey,	McInroy,	Stank,
Cioffi,	Heffner,	McKeever,	Steckel,
Clarke,	Henzel,	McLaughlin,	Stimmel,
Comer,	Holliday,	McNally,	Stiteler,
Cooley,	Holman,	Mihm,	Stone,
Crossin,	Irvis,	Mills,	Strausser,

Dennison,  
Donaldson,  
Dougherty,  
Doughten,  
Down,  
Eilberg,  
Eshback,  
Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Flynn,  
Foerster,  
Frascella,  
Fulmer,

Jim,  
Johnson, R. P.,  
Jones,  
Kamyk,  
Keiser,  
Kelly,  
Kessler,  
King,  
Kistler,  
Knecht,  
Kooker,  
Kornick,  
Korns,  
Kramer,  
Lamb,

Monroe,  
Morley,  
Mullen,  
Munley,  
Murphy,  
Needham,  
O'Dell,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Ogilvie,  
Parlante,  
Pashley,  
Petrosky,  
Polaski,  
Polen,

Sullivan, J. A.,  
Sullivan, T. F.,  
Taylor,  
Thompson,  
Trusio,  
Varner,  
Wargo,  
Welsh,  
Whittaker,  
Willard,  
Williams, A. D.,  
Worley,  
Wynd,  
Yetter,  
Andrews,  
Speaker

## NAYS—46

Anderson, J. H.,  
Ashton,  
Blair,  
Buchanan,  
Cauley,  
Cianfrani,  
Curwood,  
Davis,  
Edwards,  
Elvey,  
Eshleman,  
Foor,

Fox,  
Gibb,  
Goldstein, M. H.,  
Goodrich,  
Gramlich,  
Gross,  
Guesman,  
Helm,  
Hocker,  
Horst,  
Jenkins,  
Johnson, A. W.,

Kernaghan,  
Lippincott,  
Magee,  
Manbeck,  
May,  
Merry,  
Murray,  
Odorasio,  
Piper,  
Pursley,  
Renwick,

Riley,  
Rutherford,  
Seltzer,  
Slack,  
Tompkins,  
Wall,  
Weidner,  
Wescott,  
Wilt,  
Zember,  
Zimmerman,

## NOT VOTING—22

Bachman,  
Dengler,  
Fry,  
Holl,  
Isaacs,  
Klein,

Lee, A. M.,  
Lee, K. B.,  
Meholchick,  
Miller,  
Musto,  
Perry,

Price,  
Scarcelli,  
Snare,  
Tomascik,  
Ujbai,

Verona,  
Walsh,  
Willard,  
Williams, E. S.,  
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. HELM IN THE CHAIR

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 345, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), counties to acquire land in fee simple when taking land by eminent domain for the purpose of laying out or opening any road and authorizing sufficient property to be acquired to enable construction of roads of a certain width.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Adams,  
Anderson, J. H.,  
Anderson, S. A.,  
Arlene,  
Ashton,  
Auker,  
Backenstoe,  
Blair,  
Boles,  
Bonner,  
Bossert,  
Bower,  
Bowman,

Fulmer,  
Galley,  
Gallagher,  
Gelfand,  
George,  
Gibb,  
Gibbons,  
Goldstein, J. H.,  
Goldstein, M. H.,  
Goodrich,  
Gramlich,  
Gray,  
Greenlee,

Lamb,  
Lawson,  
Leonard,  
Limper,  
Lippincott,  
Long, Wm. Jas.,  
Long, Wm. Jos.,  
Lutty,  
Magee,  
Manbeck,  
Markley,  
Marsh,  
Maxwell,

Reidenbach,  
Renwick,  
Riley,  
Rovansek,  
Royer,  
Rubin,  
Rudisill,  
Rutherford,  
Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Seltzer,



Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, <b>Eshback,</b> Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer,	May, McCandless, McCann, McCormack, McDevitt, McInroy, McKeever, McLaughlin, McNally, Merry, Mihm, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman,	Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Trusio, Varner, Wall, Walsh, Wargo, Weldner, Wescott, Welsh, Whittaker, Willard, Williams, A. D., Wilt, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—20

Bachman, Dengler, Fry, Holl, Isaacs,	Klein, Lee, A. M., Lee, K. B., Meholchick, Miller,	Musto, Perry, Price, Snare, Tomascik,	Ujobal, Verona, Willaredt, Williams, E. S., Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 530, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards fire preventive equipment reports of fires and explosions authorizing permits to be required and fixing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—182

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan,	Fox, Frascella, Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Gray, Greenlee, Gremminger, Gross,	Lawson, Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack,	Reidenbach, Renwick, Riley, Rovasek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, SchAAF, Schuster, Seltzer, Shelton, Sherman, Shupnik,
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Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor,	Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Holliday, Holman, Horst, Irvis, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Krammer, Kramer, Lamb,	McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Merry, Mihm, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman,	Simmons, Slack, Stank, Steckel, Stimmel, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Varner, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Willard, Williams, A. D., Wilt, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—5

Goodrich, Hocker,	Korns,	Ogilvie,	Stiteler,
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## NOT VOTING—22

Bachman, Dengler, Fry, Holl, Isaacs, Jenkins,	Klein, Lee, A. M., Lee, K. B., Meholchick, Miller, Musto,	Perry, Price, Snare, Tomascik, Trusio,	Ujobal, Verona, Willaredt, Williams, E. S., Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 577, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating the use of resident hunter's license fees.

On the question,

Shall the bill pass finally?

Mr. RENWICK. Mr. Speaker, I would like to alert the members of this House as to just exactly what this bill does.

As most of you people know, at the present time there is an ear-marking of \$1.25 for every resident hunting license. That \$1.25 is ear-marked at the present time for restoration of land, rehabilitation, improvement of land, et cetera.

What they are doing in this bill is adding the word "acquisition," they are also allowed to acquire more land.

I think most of you people know and have an understanding regarding the working of the Game Commission, what they are confronted with and what they tell us is the reason why we do not have a great number of deer. They say it is because of the food and cover.

I say this to you, if they are going to take part of that \$1.25 and buy land, they are certainly not going to use it for food and cover so we would get more deer.

Let me say this: They have also amended this bill so that where a county has 20 percent of its land already owned by the State they would not be able to acquire land from this ear-marked \$1.25. Of course, they have other moneys that they can buy land with so, naturally, they can go into your county or my county, which has a great number of acres of land owned by the Game Commission, and use other funds to buy them.

I do not know whether you know or not the problem you have when the State owns a great deal of land in your county, what it means in lieu of taxes. We up in my little county have exactly 63,000 acres of Game Commission land, and you can go to any district forester up there and he will tell you that these lands are not being taken care of properly, they are not being manned properly. They have one forester in charge of better than 80,000 acres of land. You can imagine how much work he can do. The simple reason is, they tell you, they do not have the funds. Here they are taking away some of the funds in order to buy more land.

So I am asking every member in this House to vote against this bill. Thank you.

Mr. TOMPKINS. Mr. Speaker, I want to confirm what the gentleman from Elk has said and say that I am in accord with his view.

I want to further say that back in about 1953 the sportsmen rose up in their wrath in the State of Pennsylvania against further acquisition of land and earmarking of money for that purpose. So when we increased the hunting license fees at that time, we struck out any earmarking for any further acquisition of land and earmarked \$1.25 of each license fee for food and cover because, as the gentleman from Elk says, we do not need more land on which to house our game; we need more game in the house we already have.

The hunter certainly cannot gain any benefit from food and cover which will produce additional game if, by the same token, we are going to spend a lot of that money to acquire further land. For that reason I would ask the members of this House to vote against this bill.

I might further point out that in the so-called big-game country, as it exists, the forestry department or the game commission already own 20 percent, or more, of the land in those particular counties, so they could not buy land except some place else in the State of Pennsylvania, if this bill would prevail.

Under the farm game program they have in the east among the farmlands, I do not see why they want to go out and buy any little farms, because they have a program to take care of it in those areas.

For those reasons I am very much against this bill.

Mr. BRETH. Mr. Speaker, I am in agreement with both the previous speakers to this extent, that a great amount of the money earmarked in this particular provision of the game code does not go for game food and cover.

George Goodling and I some years ago wrote this particular clause and we fully intended to have \$1.25 out of every hunting license go exclusively to the cutting and removal of overshadowing tree growth to promote brush growth, to pay farmers for leaving wild life food in the fields in the winter to help the game which came along, and other essentials.

However, at that time we were talked into adding several clauses, particularly 3, 4 and 5. It comes to the

particular point in the game management program of Pennsylvania where it is true that some counties do have, we might say, sufficient lands which are now owned by the Pennsylvania Game Commission and the Department of Forests and Waters, too. However, there are other areas in our State, particularly farming areas near the larger towns and in the cities, where there is a move to block out hunting areas, to put up trespass notices, to form private clubs, and within the next 10 years you are going to see a surge of that type of program to remove land from public hunting.

The Game Commission, I will admit, has an awful lot of money. They are spending now about \$6 million a year. However, I do not think this bill poses any threat to the game food and cover program or provides a vast extra sum to the Game Commission for land purchases because the bill specifies, if you have read it, that only 20 percent of that \$1.25 may be used for the acquisition of land—that means 25 cents. It is not too much. When you figure on a million licenses, it is \$250,000 a year.

I have studied this bill and I thought it over a long time before I decided to vote for it myself, but I do think, in the interest of the long-range hunting land program open to the public, that you should support this particular bill. It does not harm those small counties like Cameron and Elk. Elk is not very small, but, nevertheless, it does not harm them in the least, this extra money, because there is an amendment added to this bill which prevents the Game Commission from spending any of this 25 cents for land in those particular counties which now have 20 percent of their land area owned by the Game Commission or the Department of Forests and Waters.

This is, I would say, a good bill for long-range future game management in behalf of public hunting.

Mr. HARTLEY. Mr. Speaker, the growth of the population in this State is continually increasing. Hunters are being pushed out from the cities, and townships are being made into areas of city property, and hunting is beginning to be closed in on perhaps a million voters. There are a million people in this State who like to go hunting. It is one of the greatest states for this sport. This Commonwealth is the greatest State in the Union.

I do not see why we should allow private hunting clubs to buy five, six or eight thousand acres of our mountain ground when we can keep it in the public domain. I do not see any reason why we should allow this to happen, and that is what we are going to do, that is what they are saying to do, let the private people go out and buy all this acreage up at a low price, and some day they will reap the profits. It belongs to the people today, let us keep it that way. Let us buy this land. We give property rights to people, mining rights, mineral rights, and all kinds of other rights to the people to use this land besides the hunter who uses it. I see nothing wrong with the bill and I think we really need this bill. We should look ahead and do it now.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I want to point out two things that have occurred as a result of remarks of the gentleman from Philadelphia and the gentleman from Clearfield, Mr. Breth.

Number one, the gentleman from Philadelphia seems to forget that the acquisition of land alone does not pro-



duce game and the money which is earmarked for food and coverage is designed to produce game for the land that we already have.

Number two, when the gentleman from Clearfield talks about the blocking off around some of these areas, the metropolitan areas, he seems to forget that the Game Commission, when they do acquire land, block you off from that land, up in the areas of the big game country, at least. I do not know what they do down east, but I cannot get the course of his conversation or his argument when he says that we are denying those people the right to hunt on the land we already have and that we will not let the hunters hunt on it.

(During roll call)

Mr. McCANN. Mr. Speaker, while they are tabulating this, this is the last roll call for today, but I ask that the membership stay for the committee announcements that will be immediately announced, and please present the amendments that were agreed to, with the bills, so they can be printed tonight.

Mr. Speaker, we have got to break the monotony. This is the fiftieth bill and none have fallen, but this one may fall.

Mr. A. W. JOHNSON. Mr. Speaker, I was just going to comment, I believe Mr. McCann is about 6 or 7 members light today, and if it would not be for the Republican count there would not have been a single bill passed here. So I think the record ought to show that.

Mr. McCANN. No question about it.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—109

Anderson, S. A.,	Gelfand,	Lutty,	Rubin,
Arlene,	Gibb,	Markley,	Rutherford,
Auker,	Goldstein, M. H.,	Maxwell,	Sakulsky,
Backenstoe,	Gray,	McCann,	Scarelli,
Boles,	Greenlee,	McCormack,	Schuster,
Bonner,	Gremminger,	McDevitt,	Shelton,
Bower,	Hamilton,	McKeever,	Sherman,
Branca,	Hankins,	McLaughlin,	Shupnik,
Breth,	Hartley,	Mihm,	Simmons,
Capitolo,	Haudensfield,	Mills,	Stank,
Cauley,	Heavey,	Monroe,	Steckel,
Clarke,	Henzel,	Morley,	Stimmel,
Cumer,	Irvs,	Mullen,	Stiteler,
Crossin,	Jenkins,	Munley,	Stone,
Curwood,	Jim,	Murray,	Sullivan, J. A.,
Donaldson,	Jones,	Needham,	Sullivan, T. F.,
Dougherty,	Kamyk,	O'Donnell, J. A.,	Taylor,
Doughten,	Kelly,	O'Donnell, J. P.,	Thompson,
Edwards,	Kessler,	Odorisio,	Varner,
Eilberg,	Kornick,	Parlante,	Wall,
Eshleman,	Korns,	Pashley,	Wargo,
Ewing,	Kramer,	Petrosky,	Welsh,
Filo,	Lamb,	Polen,	Willard,
Fineman,	Lawson,	Prendergast,	Williams, A. D.,
Foerster,	Leonard,	Reidenbach,	Wilt,
Frascella,	Limper,	Riley,	Yetter,
Galley,	Long, Wm. Jos.,	Royer,	Andrews,
Gallagher,			Speaker

#### NAYS—75

Adams,	Fox	Kistler,	Pursley,
Anderson, J. H.,	Fulmer,	Knecht,	Reibman,
Ashton,	Gibbons,	Kooker,	Renwick,
Bossert,	Goldstein, J. H.,	Lippincott,	Rovansek,
Bowman,	Goodrich,	Long, Wm. Jas.,	Rudisill,
Buchanan,	Gramlich,	Magee,	Schaaf,
Bush,	Gross,	Manbeck,	Seltzer,
Capano,	Guesman,	Marsh,	Slack,
Cianfrani,	Hefner,	May,	Strausser,
Cooley,	Helm,	McCandless,	Tompkins,

Davis,	Hocker,	McDonald,	Trusio,
Dennison,	Holliday,	McInroy,	Walsh,
Down,	Holman,	McNally,	Weidner,
Elvey,	Horst,	Merry,	Whittaker,
Eshback,	Johnson, A. W.,	Murphy,	Worley,
Farabaugh,	Johnson, R. P.,	O'Dell,	Wynd,
Fetterolf,	Keiser,	Ogilvie,	Zember,
Flynn,	Kernaghan,	Piper,	Zimmerman,
Foor,	King,	Polaski,	

#### NOT VOTING—25

Bachman,	Holl,	Miller,	Ujobai,
Blair,	Isaacs,	Musto,	Verona,
Cioffi,	Klein,	Perry,	Wescott,
Dengler,	Lee, A. M.,	Price,	Willaredt,
Fry,	Lee, K. B.,	Snare,	Williams, E. S.,
George,	Meholchick,	Tomasick,	Wood,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

#### COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Wednesday, June 7, at 11 a.m.

BOROUGHs, Mr. Filo, chairman, Room 324, Wednesday, June 7, at 11:45 a.m.

CITIES-COUNTIES SECOND CLASS AND SECOND CLASS A, Mr. Luty, chairman, Room 131-B, Wednesday, June 7, 10:30 a.m.

CITIES THIRD CLASS, Mr. WALSH, chairman, Room 131-C, Wednesday, June 7, 11 a.m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Wednesday, June 7, 10:30 a.m.

EDUCATION, Mrs. Reibman, chairman, Room 324, Wednesday, June 7, 11:30 a.m.

HIGHWAYS, Mr. Comer, chairman, Room 521, Wednesday, June 7, 10 a.m.

LAW AND ORDER, Mr. Welsh, chairman, Room 522, Wednesday, June 7, 11 a.m.

LIQUOR CONTROL, Mr. Reidenbach, chairman, Room 131-F, Wednesday, June 7, 10:30 a.m.

MILITARY AFFAIRS, Mr. Needham, chairman, Room 324, Wednesday, June 7, 11 a.m.

MINES AND MINERAL INDUSTRIES, Mr. Rovansek, chairman, Room 131-E, Wednesday, June 7, 11 a.m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521, Wednesday, June 7, 10:45 a.m.

MUNICIPAL CORPORATIONS, Mr. Polaski, chairman, Room 331, Wednesday, June 7, 11:30 a.m.

PROFESSIONAL LICENSURE, Mr. Boies, chairman, Room 131, Wednesday, June 7, 10 a.m.

PUBLIC UTILITIES AND CORPORATIONS, Mr. Mills, chairman, Room 131-F, Wednesday, June 7, 11:15 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Wednesday, June 7, 11:30 a.m.

The SPEAKER pro tempore. For the information of the majority leader, the gentleman from Fulton, Mr. Elvey, has a resolution to present and we would like to take it at this time if that is satisfactory.

Mr. McCANN. It is going into the Rules Committee, Mr. Speaker, it is dealing with the centennial. It will come out on Monday.

#### ANNOUNCEMENT

Mr. COMER. I would like to make an announcement

that there will be a meeting of the Highways Committee tomorrow morning in Room 521 at 10 o'clock.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 816, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) further regulating the issuance of artificial propagation licenses for fish bait fish and fish bait and the fees for such licenses providing for the issuance of such licenses for propagation of frogs tadpoles and turtles making special provisions for live bait dealers licenses and transportation permits and requiring live bait being brought into the state to be inspected.

On the question,

Shall the bill pass finally?

### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GRAMLICH. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GRAMLICH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by striking out "brought into" and inserting: "distributed in."

Amend Sec. 2 (Sec. 170.1), page 4, line 2, by striking out "bring" and inserting: "distribute."

Amend Sec. 2 (Sec. 170.1), page 4, line 2, by striking out "into" and inserting: "in."

Amend Sec. 2 (Sec. 170.1), page 4, line 3, by striking out "first."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1397, entitled:

An Act making an appropriation to the Department of Public Instruction for payment into The State School Fund of Pennsylvania for assisting public school districts and state teachers' colleges to comply with required safety standards in certain cases.

On the question,

Shall the bill pass finally?

### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I ordered amendments yesterday on this bill and they have not arrived at my

desk yet. So I am not prepared to offer my amendments.

Mr. McCANN. That is right, Mr. Speaker.

Mr. TOMPKINS. I am perfectly willing to proceed with these amendments, yes.

I second the motion.

Mr. McCANN. These are the correctional amendments on the one word.

Mr. TOMPKINS. They are your amendments. I have a different set ordered.

Mr. McCANN. All right.

The SPEAKER pro tempore. Does the gentleman want to reprint the bill twice?

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Section 1, page 2, line 9, by striking out "subsequent" and inserting "prior."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 81, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring commercial motor vehicles and truck tractors to be marked with the names and addresses of the owners or operators.

On the question,

Will the House agree to the bill on third reading?

Mr. HEAVEY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 830.1), page 2, line 14, by inserting after "Commission" "nor shall the provisions of this section apply to commercial vehicles or truck tractors used in agriculture."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,



The House proceeded to the third reading and consideration of House bill No. 940, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing that operators' license cards be mailed directly to applicants.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 949, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the issuance of registration plates by requiring that all registration plates be mailed to the applicant.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1368, entitled:

An Act regulating the manufacture processing sale use transportation storage or possessing of explosives in Pennsylvania \* \* \*.

On the question,

Will the House agree to the bill on third reading?

Mr. ADAMS asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 3, by inserting between lines 8 and 9 "(6) To farming."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. J. H. GOLDSTEIN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 3, by inserting between lines 8 and 9 "(6) To oil and gas operations and development."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1402, entitled:

An Act to provide for the creation and administration of an Anthracite Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers thereto \* \* \*.

On the question,

Will the House agree to the bill on third reading?

Mr. MURPHY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, first line of Title, by inserting after "Anthracite" "and Bituminous."

Amend Sec. 1, page 2, line 1 by striking out "coal area has" and inserting "and bituminous coal areas have."

Amend Sec. 1, page 2, line 10 by inserting after "anthracite" "and bituminous."

Amend Sec. 1, page 2, line 11 by striking out "region" and inserting "regions."

Amend Sec. 1, page 2, line 13 by inserting after "Anthracite" and Bituminous."

Amend Sec. 1, page 2, line 14 by inserting after "Anthracite" "and Bituminous."

Amend Sec. 2, page 2, line 16 by inserting after "Anthracite" "and bituminous."

Amend Sec. 2, page 2, line 17 by inserting after "Anthracite" "and Bituminous."

Amend Sec. 3, page 3, line 1 by inserting after "Anthracite" "and Bituminous."

Amend Sec. 3, page 3, line 2 by inserting after "cite" "and Bituminous."

Amend Sec. 4, page 3, line 5 by inserting after "Anthracite" "and Bituminous."

Amend Sec. 4, page 3, line 7 by inserting after "Anthracite" "and Bituminous."

Amend Sec. 12, page 9, line 14 by inserting after "anthracite" "or bituminous coal."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1473, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Water and Power Resources Board to sell lease or otherwise dispose of minerals in or beneath certain streams or bodies of water.

On the question,  
Will the House agree to the bill on third reading?

Mr. BOWMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title by inserting after "of" where it appears the first time: "certain"

Amend Sec. 1 (Sec. 1808), page 3, line 2 by striking out "sand gravel"

Amend Sec. 1 (Sec. 1808), page 3, line 2 by inserting after "minerals": "except sand and gravel"

Amend Bill, page 3, by inserting after line 13:

"Section 2. This act shall take effect immediately."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 95, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class . . ." requiring retirement credit to be given for certain per diem employment.

On the question,

Will the House agree to the bill on third reading?

Mr. SNARE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, line 1, by inserting after "1" where it appears the second time: "and section 8"

Amend Sec. 1, page 2, line 7, by striking out "is" and inserting: "are"

Amend Sec. 1, page 3, by inserting between lines 5 and 6:

"Section 8. Compulsory Membership—Each county officer, including county officers whose compensation is fixed by law on a per diem basis, may, and each county employe, except any county officer whose compensation is fixed by law on a per diem basis, shall be required to become a member of the retirement system established under the provisions of this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe. Those becoming members on the date of establishment of the retirement system shall be known as original members, and those becoming members after said date, as new members. [Provided, however, That if] If any person becomes a county employe or officer subsequent to the first Monday of January of the year the retirement fund was established who shall have been at any time theretofore an employe or officer of the county, he shall receive credit for the service prior to the first Monday of January of the year the system was established and shall be known as an original member if said employe or officer shall contribute to the fund the amount which he would have contributed if the retirement system had been in effect during such previous employment."

Amend Sec. 2 (Sec. 10), page 3, line 15, by inserting after "fees": "and shall include the service of an officer of the county paid on a salary basis prior to the date of establishment of the retirement system in a county and paid on a per diem basis on January 1, 1960."

Amend Sec. 2 (Sec. 10), page 3, lines 15 and 19, by striking out the bracket before "Full" in line 15, and after "years" in line 19.

Amend Sec. 2 (Sec. 10), page 3, lines 19 and 20, page 4, lines 1 and 2, by striking out "The retirement board shall also give credit to any person who" in line 19, all of line 20, page 3, and all of line 1, and "computation of his retirement credit" in line 2, page 4.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### RECONSIDERATION OF VOTE ON HOUSE BILL NO. 107

Mr. GALLAGHER. Mr. Speaker, I move that the vote by which House bill No. 107, printer's No. 1825, entitled:

"An Act amending the act of May 22, 1933 (P. L. 851), entitled 'An act fixing the pay and mileage of jurors and witnesses' requiring employers to make certain payments to employes when on jury duty in certain cases."

was defeated on final passage Tuesday, May 23, 1961, be reconsidered.

Mr. COOLEY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Bucks, Mr. Gallagher, vote on the final passage of this bill?

Mr. GALLAGHER. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Fayette, Mr. Cooley, vote on the final passage of this bill?

Mr. COOLEY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

### RECONSIDERATION OF VOTE ON HOUSE BILL NO. 371

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 371, printer's No. 1743, entitled:

"An Act amending 'The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships,' approved April 29, 1937 (P. L. 487), providing for additional places of registration."



was defeated on final passage Tuesday, May 23, 1961, be reconsidered.

Mr. GREMMINGER. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCANN, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Delaware, Mr. Gremminger, vote on the final passage of this bill?

Mr. GREMMINGER. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

#### RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1109

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 1109, printer's No. 1239, entitled:

"An Act providing that the Pennsylvania Game Commission shall have exclusive power to regulate hunting in this Commonwealth, prohibiting ordinances and resolutions of political subdivisions which regulate hunting therein and invalidating such ordinances and resolutions."

was defeated on final passage Wednesday, May 24, 1961, be reconsidered.

Mr. HARTLEY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCANN, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Hartley, vote on the final passage of this bill?

Mr. HARTLEY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1038 FROM GOVERNOR.

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

May 25, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1038, Printer's No. 1147, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. MURPHY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Washington, Mr. Murphy, vote on the final passage of this bill?

Mr. MURPHY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend the title, page 1, line 2 of the title, by striking out "of its" and inserting: "the"

Amend the title, page 1, line 2 of the title, by striking out "it" and inserting: "the Commonwealth of Pennsylvania"

Amend Section 1, page 2, line 4, by inserting after "Methodist": "Episcopal"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 231, printer's No. 239, on page 10 of today's calendar, bills on final passage postponed.

## BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

## ADJOURNMENT

Mrs. F. R. JONES. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 7, 1961, at 11 a.m., e.s.t.

The motion was agreed to, and (at 5:22 p.m., e.s.t.,) the House adjourned.



# Legislative Journal.

Session 1961.

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HARRISBURG, PA., WEDNESDAY, JUNE 7, 1961.

No. 58.

## SENATE

WEDNESDAY, JUNE 7, 1961.

The Senate met at 10:00 a.m., Eastern Standard Time.

The PRESIDING OFFICER (John H. Devlin) in the Chair.

## PRAYER

The Chaplain, Rev. WILLIAM McCLELLAND, JR., Rector of Prince of Peace Episcopal Church, Dallas, offered the following prayer:

Let us pray.

Almighty and everlasting God, Who dost from Thy throne behold all the dwellers upon earth, we implore Thy direction for this assembly of the Senate of this Commonwealth. Let Thy gracious protection be upon all its Members and upon their absent families and interests.

We thank Thee for the rich blessings which Thou hast bestowed upon this Commonwealth. May we show forth our gratitude by a sincere obedience to Thy laws. May the power which makes for righteousness prevail over this assembly, to overrule any prejudice that may exist and any errors that may arise, so that the business of this Session may be brought to a safe and happy termination. May we work for those ends only for which we feel we have a right to pray. May all who compose this Body, their labors in due time being finished, depart to their homes with the approval of a conscience which has been concerned only for the true and abiding welfare of the State, through Jesus Christ, our Lord. Amen.

## STUDENTS WELCOMED TO THE SENATE

Mr. BELL. Mr. President, the Senate of Pennsylvania is honored today by a visit from a delegation of students from the Lincoln School, in Chester, Pennsylvania. They are here under the guidance of their teacher, Mrs. Ferrara.

These fine youngsters drove up to Harrisburg this morning. They are seated in the gallery.

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, is very happy that you have exhibited your interest in government to the extent of coming up here. We welcome you and we hope you will enjoy your visit.

Would you please rise and be recognized by the Senate?

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. RIPP, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 179, 278, 280, 282, 284, 286 and 481**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bills, as amended, will be placed on the Calendar.

### HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 207, 223, 291, 336, 338, 371, 378, 385, 402, 482, 483, 484, 501, 505, 506, 507, 530 and 542**, with the information that the House has passed the same without amendments.

### HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 517**.

The PRESIDING OFFICER. The bill will be placed on the Calendar.

### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 132, 308, 326, 485, 490, 495, 501, 502, 503, 734, 936, and 1184**.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 345 and 530**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 577 and 1031**, which were referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 644, 966, 1281 and 1439**, which were referred to the Committee on Highways.

He also presented for concurrence **HB 844**, which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 945**, which was referred to the Committee on Finance.

He also presented for concurrence **HB 1190**, which was referred to the Committee on Insurance.

He also presented for concurrence **HB 1335**, which was referred to the Committee on State Government.

## REPORTS FROM COMMITTEE

Mr. KESSLER, from the Committee on Agriculture, reported, as committed, **SB 668** and **HB 179**.

## RESOLUTION REPORTED FROM COMMITTEE

Mr. KESSLER, from the Committee on Agriculture, reported without amendment, Senate Concurrent Resolution, Serial No. 122, entitled:

Directing the Joint State Government Commission to Investigate the Revision, Modernization and Codification of the Agriculture Laws.

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

## REPORTS FROM COMMITTEES

Mr. SEYLER, on behalf of Mr. DEVLIN, from the Committee on State Government, reported, as committed, **SB 232, 326, 587, 588, 686, 687, HB 245, 895, 1136, 1178 and 1408**; as amended, **SB 721** and **HB 1007**.

Mr. RIPP, from the Committee on Education, rereported, as amended, **SB 219**.

Mr. HAYS, from the Committee on Education, reported, as committed, **SB 604, 659, 684, 685, 696, 697, 698** and **HB 148**.

## BILLS INTRODUCED AND REFERRED

Messrs. STEVENSON and HALUSKA presented to the Chair **SB 748**, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," making annual post audits optional.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 749**, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," making certain non-debt revenue bonds issued by municipalities authorized investments.

Which was committed to the Committee on Local Government.

## STUDENTS WELCOMED TO THE SENATE

Mr. BELL. Mr. President, today the Senate is honored by a visit from a group of ninth grade students from Darby Township Junior High School. Accompanying them are their teachers, Mrs. Reid, Mrs. Silber and Mr. Smith.

I think it is very nice that they are able to come up here on this beautiful June day in order to see the Senate in Session.

I now present them to the Senate.

The PRESIDING OFFICER. The Senate of Pennsylvania is happy to welcome the students who have come to visit with us this morning. We hope you will enjoy your visit and that you will be enlightened and educated by your experience here.

Will you please stand and be recognized by the Senate?

## REPORTS FROM COMMITTEES

Mr. HALUSKA, by unanimous consent, from the Committee on Local Government, reported, as amended **SB 380**.

Mr. SILVERT, by unanimous consent, from the Com-

mittee on Corporations, reported, as committed, **SB 704, 705, 706** and **707**.

## CALENDAR

## BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

**SB 75 (Pr. No. 767)**—Mr. LANE. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 75.

Mr. DiSILVESTRO. Mr. President, I second the motion.

On the question, Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafi,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Devlin,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SB 565 (Pr. No. 795)**—Mr. LANE. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 565.

Mr. DiSILVESTRO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafi,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Devlin,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## FINAL PASSAGE CALENDAR

## BILL OVER IN ORDER

**SB 579**—Without objection, the bill was passed over in its order at the request of Mr. LANE.



## THIRD READING CALENDAR

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 29 (Pr. No. 883)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camie1,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Ware, III,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Devlin,
Hays,	Mullin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 67 and SB 76**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 95 and SB 295**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

**SB 350**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 428**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 430 (Pr. No. 2146)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—35

Bell,	Keller,	Murray,	Silvert,
Camie1,	Kromer,	Pechan,	Stalsey,
DiSilvestro,	Lane,	Ripp,	Stevenson,
Donolow,	Mahady,	Rooney,	Stiefel,
Ehrgood,	Mallery,	Sarraf,	Ware, III,
Flack,	McCreesh,	Scott,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Devlin,
Kalman,	Mullin,	Shafer,	Presiding Officer

## NAYS—6

Berger,	Madigan,	Taylor,	Wade,
Kessler,	Propert,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which concurrence of the House is requested.

## PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I want to take this moment to congratulate the Members of the Senate and the General Assembly for passing this legislation. I think all of us realize that it should be unnecessary for us to enact this type of legislation. However, unfortunately, all persons do not always think or move in the same direction, and so it becomes necessary for us to write into law what should be and what is the public policy in this or any other area.

I think in the time in which we live, a time of confusion and a time of conflict, it is necessary to reiterate the principles which have already been enunciated on a piece of parchment; that all men are created equal and all men are entitled to certain rights, liberties and the pursuits that they seek.

This merely reiterates those pursuits, and states very clearly, I think, that we are anxious for all of the people of our Commonwealth to have the benefits and opportunities that will be offered by this type of legislation.

## THIRD READING CALENDAR

## BILL OVER IN ORDER

**HB 442 (Pr. No. 2183)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I believe that this legislation is a backward step in that we have done away with child labor laws in this Country. I think because of some of the people who are unemployed, who might be of a greater age and who might be entitled to a little bit more remuneration, this might open the door for another group to step in.

I would like to be recorded as voting "no" on this legislation.

Mr. BERGER. Mr. President, there is an expression called "gilding the lily," and I think that was a little bit of it.

Mr. President, I cannot see any harm whatsoever in this type of bill, which permits boys to go out and caddie on the golf course. It is not awfully hard work and they love to do it. The way they get started is to begin at a fairly early age. I think there might even be Members of this Senate who carried a golf bag when they were twelve years old, or maybe even a little younger than that. I did.

Mr. SEYLER. Mr. President, I, too, am going to vote "no" on this bill. I do it because I do not think this is the appropriate time—given the employment conditions, the state of our economy and so on—to break, even in a small way, the child labor laws which we and so many people worked so hard for so many years to establish.

It is true that this only applies to one sector of that age group. However, to reduce the age to twelve years, it seems to me, is making an unfortunate breach in the line that we laid down for child labor.

Mr. STAISEY. Mr. President, may we have a roll call?

Mr. SILVERT. Mr. President, I am glad this bill was

amended yesterday so as to reduce the allowance for a boy, twelve to fourteen, to carry a single bag for only eighteen holes.

I have had a little experience in being on a golf course. I have not caddied. The Senator from Philadelphia who says, from the side lines, that I have had very little experience may be right, but I am sure he has had less. He has never been on one.

I will say this. I have had it happen just recently where families of limited means, who are raising children in these days of the high cost of living, are glad for an opportunity for a youngster to earn a couple of dollars over the week end doing some caddying. I know the kids enjoy it from personal experience. I know they go out and carry a single bag for eight, nine or even eighteen holes, and they receive a healthful experience and also a few dollars for spending money.

I certainly would not want to be recorded as voting in favor of child labor. However, I do feel that during the summer, this may be a boon to some youngsters in that it will keep them off the streets. They will do something healthful for themselves and, at the same time, help the family budget in a limited way.

For these reasons, Mr. President, I intend to vote for this bill.

Mr. LANE. Mr. President, I do not wish to create a monstrosity that does not exist. However, I am a little bit afraid that we are going off the deep end with this type of legislation.

Senator Silvert says that it is limited now to eighteen holes. There is always a possibility that we could create a sweatshop, because with some of the amateur golfers like myself, eighteen holes would be equivalent to about seventy-two holes.

It seems to me, Mr. President, that we are taking a step backward. I do believe that the younger element should be employed—gainfully employed—and kept off the streets. However, I am very much afraid that this legislation could bring about abuses. For that reason, I cannot bring myself to vote for this bill.

Mr. PECHAN. Mr. President, I am going to vote for this bill because of the fact that it is going to take these boys off the street in the summertime. These young fellows have nothing to do and, certainly, it does not hurt them to carry one golf bag for eighteen holes.

If we do not allow these boys to go out, more and more automation will come into being on the golf courses. The golfers are all going to buy carts, because a great many men who are my age and beyond still like to play golf—and I do not want to forget Senator Ehrgood, who has aged so much in the last couple of years since he has been in the Senate—but due to a heart condition, they are not allowed to carry their golf bags. These boys should be allowed to go on the golf course and earn a few bucks in this way.

Another very good reason is that some of our greatest golfers—the professionals—would never have achieved that distinction had they not been able to be out on the golf course and caddie. If they only caddied for eighteen holes, they spent much more time out there practicing to become proficient and to become good golfers.

I do not see anything wrong with this bill or that it has anything to do with child labor. In fact, I think it is recreation.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Silvert.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Silvert, permit himself to be interrogated?

Mr. SILVERT. I will, Mr. President.

Mr. HALUSKA. Mr. President, I would like to ask the Senator from Philadelphia whether or not a caddie, twelve years of age, in case of injury would come under the provisions of the Workmen's Compensation Law?

Mr. SILVERT. Your question is whether he could recover?

Mr. HALUSKA. The question is, if there is a case of injury, whether or not he would come under the provisions of the Workmen's Compensation Law.

Mr. SILVERT. Mr. President, this is casual employment. I am not prepared to answer this question in the positive. However, if he is injured—you are assuming that he is hit by a golf ball or injured in some other way—and if negligence can be established, the boy can recover.

Mr. HALUSKA. Mr. President, the answer is not positive. Will he come under the provisions of the Workmen's Compensation Law at twelve years of age? That is my question.

Mr. SILVERT. Mr. President, my answer is—and I hear it from the sides here—probably “no.”

Mr. HALUSKA. Mr. President, then who is to be responsible for the injury of that lad?

Mr. SILVERT. Mr. President, I have already answered that if the boy is hurt because of negligence, he can recover under our common law. Furthermore, when it comes to injuries, a boy can be injured anywhere and he is just as likely to be injured running around the streets as he would be on a golf course.

Mr. HALUSKA. Mr. President, may I further interrogate the gentleman?

Mr. SILVERT. Senator, you may proceed, but we would like to quit early today.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. HALUSKA. Mr. President, I am quite satisfied that the injured lad could not come under the provisions of the Workmen's Compensation Law. Will the club then be responsible for his injury?

Mr. SILVERT. Mr. President, I would say that under the law, the club is not responsible. However, the person hiring him, if the boy is injured through his negligence, would be responsible.

Mr. HALUSKA. Mr. President, I do not know how we can stand here and enact into legislation a law under which a person may become injured and not be able to find out who may be responsible for his injury. It could be a very serious injury. Yet, no one is responsible.

I think this is a backward step. Definitely, I am compelled to vote against this legislation.

Mr. EHRGOOD. Mr. President, being a golfer myself and being very modest normally, I would not refer to the fact that being a former caddie helped my golfing career. However, I would like to point out to the gentlemen of this Senate that when our President comes to Pennsylvania to play golf, he should have caddies available. This is going to help that situation. I am sure that the gentleman from Cambria would not want our President not to have caddies available.



Mr. HALUSKA. Mr. President, I am not much concerned about the President playing golf.

We have thousands and thousands of young men out of college, looking for work, who are eligible for employment. If our President or the ex-President cannot find in that field sufficient caddies, it is too bad for the golfers of Pennsylvania.

Mr. BERGER. Mr. President, may I require as to the status of this bill at the present time?

The PRESIDING OFFICER. The question is whether the bill shall pass finally, and we will have the roll call as soon as the debate is concluded.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I would request that House Bill No. 442, Printer's No. 2183, go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order on Final Passage.

#### BILL ON THIRD READING AND FINAL PASSAGE

**SB 514 (Pr. No. 569)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Devlin,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

**SB 538**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**HB 584, SB 593 and 616**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 639**—Without objection, the bill was passed over in its order at the request of Mr. LANE.

**HB 715 and 716**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 739 (Pr. No. 2160)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Devlin,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 828 (Pr. No. 2185)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Devlin,
Hays,	Mullin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### BILLS OVER IN ORDER

**HB 1082 and 1139**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 1144 (Pr. No. 1276)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,

Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,  
Hays,  
Kalman,

Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,  
Mullin,

Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Stalsey,

Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Devlin,  
Presiding Officer

### NAYS—1

Bell,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL ON THIRD READING AMENDED

**HB 1169 (Pr. No. 1693)**—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Section 1, "Section 4," Page 4, Line 16, by striking out "the operating expense" where it appears on Line 16.

Amend Section 1, "Section 4," page 4, line 16, by inserting after "boy" the following words: "PROVIDED HOWEVER THAT FOR PURPOSES OF THIS SECTION FOR DETERMINING REIMBURSEMENT TO THE COMMONWEALTH OPERATING EXPENSES"

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

### SECOND READING CALENDAR

#### BILL ON SECOND READING

**HB 10 (Pr. No. 10)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 23**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**SB 111 (Pr. No. 860)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 195** and **HB 197**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 218 (Pr. No. 734)** and **HB 227 (Pr. No. 235)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 247** and **HB 319**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 322**—Mr. BERGER. Mr. President, I request that Senate Bill No. 322 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. MULLIN. Mr. President, I object to Senate Bill No. 322 going over in its order. Yesterday, I suggested that this bill, because of it turning back the pages of history, should be rereferred to the Committee on Historical Preservation or the Committee on Agriculture, because they have the animal slaughter bills in that committee. I think, therefore, it should be rereferred to the Committee on Public Health and Welfare where Doctor Sarraf can give it his attention.

The PRESIDING OFFICER. Is the gentleman making a motion to the effect that the bill be rereferred?

Mr. MULLIN. Yes, if that is permissible.

The PRESIDING OFFICER. Is there a second to the gentleman's motion?

Mr. BERGER. Mr. President, the gentleman certainly has a right to make his motion. However, I wish to point out that in a session such as this one, if we have them in the future, he may be establishing a dangerous precedent.

Mr. RIPP. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. MULLIN. Mr. President, at this Session, I will withdraw my motion to rerefer this bill, but I will renew it on Monday.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

**SB 333, 342 and 343**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

### BILLS ON SECOND READING

**SB 344 (Pr. No. 862)** and **SB 345 (Pr. No. 863)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 353**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILLS ON SECOND READING

**HB 398 (Pr. No. 1888)** and **SB 405 (Pr. No. 437)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 410, SB 413** and **HB 417**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

### BILLS ON SECOND READING

**SB 420 (Pr. No. 452)** and **SB 438 (Pr. No. 473)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

**SB 441 (Pr. No. 675)**—Read at length the second time, On the question,

Will the Senate agree to the bill on second reading?

Mr. DONOLOW. Mr. President, I would request that Senate Bill No. 441 be moved up to the Third Reading Calendar, with the understanding that I will have an opportunity to amend it on Monday.

The PRESIDING OFFICER. Senator Donolow, you have that understanding.



And the question recurring,  
Will the Senate agree to the bill on second reading?  
It was agreed to.

Ordered, To be transcribed for a third reading.

**SB 456 (Pr. No. 864)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**SB 473**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 483 (Pr. No. 1862), SB 512 (Pr. No. 567), HB 522 (Pr. No. 2184), SB 525 (Pr. No. 867), HB 555 (Pr. No. 600), SB 590 (Pr. No. 667), SB 596 (Pr. No. 682), SB 597 (Pr. No. 683) and SB 601 (Pr. No. 865)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**SB 605, 611 and 613**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**SB 632 (Pr. No. 730), SB 646 (Pr. No. 746), SB 656 (Pr. No. 758), SB 661 (Pr. No. 763), SB 663 (Pr. No. 765), SB 667 (Pr. No. 777), SB 670 (Pr. No. 780), SB 674 (Pr. No. 784), SB 678 (Pr. No. 788), SB 688 (Pr. No. 801), SB 690 (Pr. No. 803), SB 701 (Pr. No. 815), and SB 713 (Pr. No. 827)**—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

**HB 718 (Pr. No. 2159)**—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendment:

Amend Sec. 2 (Sec. 8), page 7, lines 1 to 20 and page 8, lines 1 and 2 by underscoring beneath all of said lines.

It was agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

#### BILL OVER IN ORDER

**SB 725**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON SECOND READING

**HB 980 (Pr. No. 2186), HB 985 (Pr. No. 1827) and HB 1017 (Pr. No. 1119)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

**HB 1025**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**HB 1076 (Pr. No. 1919)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 1085, 1102 and 1174**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**HB 1186 (Pr. No. 1350)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 1220 and 1259**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL ON SECOND READING

**HB 1396 (Pr. No. 1662)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS INTRODUCED AND REFERRED

Messrs. SILVERT and WEINER, by unanimous consent, presented to the Chair **SB 750**, entitled:

An Act amending the act of July 27, 1955 (P. L. 288), entitled as amended "An act making it unlawful for owners of certain property in cities of the first class and in cities of the second class to sell or agree to sell such property without first delivering to the purchaser a certification of the District classification; . . ." requiring certification and disclosure of outstanding notices of fire and housing ordinance violations.

Which was committed to the Committee on Local Government.

Mr. CONFAIR, by unanimous consent, presented to the Chair **SB 751**, entitled:

An Act amending the act of April 18, 1929 (P. L. 612), entitled "An act for the election of the president, members of town council, and auditors, in incorporated towns of the Commonwealth; . . ." redesignating the president of the town council as the mayor.

Which was committed to the Committee on Local Government.

#### SENATE RESOLUTION

##### AUTHORIZING PAYMENT OF EXPENSES OF THE SENATE VOTE FRAUD INVESTIGATING COMMITTEE

Mr. STIEFEL, by unanimous consent, offered the following resolution (**Serial No. 68**), which was read, considered and adopted:

In the Senate, June 7, 1961.

RESOLVED, That the Chief Clerk of the Senate shall pay out of the fund for incidental expenses under his jurisdiction, available for such purpose, the expenses incurred by the Senate Vote Fraud Investigating Committee, appointed pursuant to Senate Resolution, Serial No. 20, adopted by the Senate on June 27, 1960, upon certification of the Chairman of said Committee and authorization by the President pro tempore of the Senate.

#### RECONSIDERATION OF SB 351

Mr. WEINER. Mr. President, I move that the Senate do

now reconsider the vote by which Senate Bill No. 351, Printer's No. 370, failed of final passage on June 6, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I request that Senate Bill No. 351 be placed on the Third Reading Calendar.

The PRESIDING OFFICER. The bill will be placed on the Third Reading Calendar.

## REPORT FROM COMMITTEE

Mr. STASEY, by unanimous consent, from the Committee on Public Health and Welfare, reported, as amended, **SB 551**.

## SENATE RESOLUTION

### AMENDING SENATE RULES—SENATOR'S EXPENSES

Mr. LANE, by unanimous consent, offered the following resolution (**Serial No. 69**), which was read as follows:

In the Senate, June 7, 1961.

RESOLVED, The Rules of the Senate be amended by adding a new rule to read as follows:

#### RULE 50

#### SENATORS' EXPENSES

A Senator summoned to the State Capitol or elsewhere by the President pro tempore of the Senate, or the Majority Leader or the Minority Leader of the Senate, to perform legislative services when the Senate is not in session, shall be reimbursed at the rate of twenty (\$20.00) dollars per day for each day of service, plus mileage or transportation expense from and to his residence: Provided that the President pro tempore of the Senate shall certify in writing in advance as to the necessity or usefulness of such trip.

These expenses shall be paid by the Chief Clerk out of the fund for incidental expenses under his jurisdiction and available for this purpose, upon written authorization of the President pro tempore at written request signed by the President pro tempore of the Senate or the Majority Leader or Minority Leader of the Senate.

Mr. LANE asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate agree to the resolution?

The PRESIDING OFFICER. The Clerk will call the roll.

(During the calling of the roll, the following occurred:)

Mr. BELL. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. WADE. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. PROPERT. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. TAYLOR. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded. The Clerk will call the roll slowly.

Mr. WADE. Mr. President, if we are now back to the point where it is proper to make a motion that the resolution be referred to the proper committee for study, it is a rather important and revolutionary resolution and, therefore, I think it should be considered by the Rules Committee.

Mr. WEINER. Mr. President, I have no objection to the resolution being referred to the Rules Committee. However, I would suggest to the gentleman that he check on the origin of this resolution, where it came from and how it came about. By so doing, I think he might be better informed on it. I would have no objection to the resolution being sent to the Rules Committee or any other committee which the Chair deems advisable.

Mr. WADE. Mr. President, in answer to the gentleman's statement, we have not had the opportunity to develop its origin or, as a matter of fact, to read or make any study of the resolution.

Therefore, Mr. President, I think we should accede to the request of the Majority Leader and send the resolution to committee.

Mr. LANE. Mr. President, I will withdraw my request for immediate consideration and request that it be referred to the Committee on Rules.

Mr. DiSILVESTRO. Mr. President, is Senator Fleming present?

The PRESIDING OFFICER. Is Senator Fleming in the Chamber?

Mr. PECHAN. I do not believe he is, Mr. President.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

## BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DONOLOW. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

**SB 232, 326, 380, 551, 587, 588, 604, 659, 668, 684, 685, 686, 687, 696, 697, 698, 704, 705, 706, 707, 721, HB 148, 179, 245, 895, 1007, 1136, 1178 and 1408.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.



## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

### JUSTICE OF THE PEACE

June 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George S. Iyob, Jr., 747 Jefferson Avenue, Jermyn, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Jermyn, Lackawanna County, to serve until the first Monday of January 1962, vice John J. Langan, resigned.

DAVID L. LAWRENCE

### MEMBER OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

June 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Michael J. Wanzie, 715 Pine Street, Kulpmont, Northumberland County, for reappointment as a member of the Board of Trustees of Shamokin State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

### BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:

**SB 207, 223, 291, 336, 338, 371, 378, 385, 402, 482, 483, 484, 501, 505, 506, 507, 530, 542 and 565.**

The PRESIDING OFFICER (John H. Devlin) in the Chair.

### RECESS

Mr. WEINER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of awaiting communications from the House.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

### PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I wish to inform the Members of the Senate that the resolution which I sponsored a little while ago, with reference to Senators' expenses,

was killed. Therefore, I would like to make an explanation of what actually took place.

The President pro tempore of the Senate has \$37,500 which is used for unusual expenses and investigative expenses by the Members of the Senate. It was my understanding that they were trying to have a rule set up whereby this is specifically clarified. This resolution was sponsored in error. There was no intention on the part of either the Majority or Minority Party to seek additional expenses, in any manner whatsoever. The only reason this resolution was adopted, I repeat, was to specifically clarify the procedure where the President pro tempore has a contingent fund which is used for investigative expenses by the Members of the Senate.

### PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, Senator Lane used the term that the resolution was adopted. I do not think that the resolution was adopted. Senator Lane had asked for immediate consideration of the resolution and the vote was being taken. When I saw a copy of it, I did not know, but I thought the regular business of the Senate had been taken care of. Senator Berger had to catch a plane and before he left, he said that he thought the problems were cleared for today and that nothing further would be coming up.

As I came in, Senator Lane's resolution was being considered. I do not know whether the vote was recorded or not, but I think I was the first person, when I saw it, who recorded myself as voting "no" against the resolution. When the rest of the Members saw what was in the resolution, on both sides of the aisle, I think they felt that it was the wrong thing to do. I am sure it was an honest mistake on Senator Lane's part. I am sure Senator Lane did not feel that we wanted to increase the expenses of the Members of the Senate for additional duties.

Mr. President, may I ask the Chair whether there was any adoption of that resolution?

The PRESIDING OFFICER. The resolution was not adopted.

Mr. PECHAN. I merely want the record to show that clearly, Mr. President. Senator Lane used the term that it was adopted.

Mr. LANE. Mr. President, if I used the term that the resolution was adopted, I was in error. If I recall correctly, I withdrew my request for immediate consideration and requested that it be referred to the Committee on Rules.

Mr. PECHAN. That is correct.

Mr. LANE. Incidentally, I want the Members of the Senate to know that the resolution was killed just a little while ago in the Committee on Rules. I think that clarifies the situation.

### HOUSE MESSAGE

#### RESOLUTION RECALLING FROM THE GOVERNOR HB 264

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read, considered and concurred in:

In the House of Representatives, June 7, 1961.  
Resolved (if the Senate concur), That House Bill No. 264, Printer's No. 1301, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

### BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:

**HB 132, 208, 308, 326, 451, 485, 490, 495, 501, 502, 503, 639, 734, 740, 758, 759, 760, 762, 770, 803, 832, 857, 871, 936, 1049, 1115, 1116, 1184, 1192 and 1204.**

The PRESIDING OFFICER (John H. Devlin) in the Chair.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

MONDAY, JUNE 12, 1961

DEMOCRATIC CAUCUS ..... 1:00 P.M., D.S.T.  
REPUBLICAN CAUCUS ..... 12:00 Noon, D.S.T.

MONDAY, JUNE 12, 1961

Joint House and Senate Select Committee on Education will hold a meeting Monday Evening, June 12th at 7:00 p.m., D.S.T. Members will be notified as to place of meeting.

### ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, June 12, 1961, at 2:00 p.m., Eastern Standard Time.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:25 p.m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, June 7, 1961

The House met at 11 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, Thou omniscient One, we are aware that Thou art conscious of the birds of the air, the very hairs of man's head, and the many, many minute things of life. Grant, we humbly pray, that we, too, may not forget the little things in life; open our eyes to the many infinitesimal opportunities of service which present themselves to us; instill within each one of us the awareness of the problems of life, but especially of the common man; and give us the patience and understanding to deal with them adequately in the promotion of the fatherhood of God and the brotherhood of man. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, June 6, 1961, will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. OGILVIE, BOWMAN, HOCKER  
and KEISER. HOUSE BILL No. 1710.

An Act establishing a State university for the study of medicine to be located in Harrisburg, Pennsylvania, and to be known as the Pennsylvania State Medical School; providing for its management by a board of trustees; authorizing the Department of Property and Supplies to acquire land and erect necessary buildings thereon; and making an appropriation.

Referred to the Committee on Education.

By Messrs. YETTER, A. D. WILLIAMS, Jr., FOX  
and PRENDERGAST. HOUSE BILL No. 1711.

An Act making an appropriation to the Trustees of the University of Pennsylvania for use by the School of Veterinary Medicine in the conduct of research into certain matters relating to bovine mastitis.

Referred to the Committee on Appropriations.

By Messrs. YETTER, A. D. WILLIAMS, Jr., FOX  
and PRENDERGAST. HOUSE BILL No. 1712.

An Act making an appropriation to the Trustees of the Pennsylvania State University for use by the School of Agriculture in the conduct of research into bovine mastitis.

Referred to the Committee on Appropriations.

## RESOLUTION INTRODUCED AND REFERRED

By Mr. ELVEY. RESOLUTION (Not Printed).

In the House of Representatives, June 6, 1961.

Fulton County has long been renowned as the only county in Pennsylvania without a railroad or county home.

The history of the county and its county seat, McConnellsburg, is a proud record of whole hearted participation by the citizenry in the great events of this Nation.

Settlement of the wilderness during colonial times, suffering from savage attacks by marauding bands of Indian raiders, participation in the Revolutionary War, War of 1812, Spanish-American War, Civil War, and the two great World Wars by the men of McConnellsburg and the remainder of Fulton County is a long record of sacrifice and heroism by true Americans.

Although Fulton County is without a railroad, its wide and well maintained roads and highways have brought it more and more into the pulsating and vital economic life of this Nation. The Lincoln Highway, which is the "Main Street of the Nation" passes through McConnellsburg, and the fruits of good transportation will make this municipality with the splendid historic past, a flowering and fruitful seat of economic productivity in the future.

As McConnellsburg celebrates the one hundred seventy-fifth anniversary of its founding during the week of June 24, 1961, the residents of this community are to be commended for carrying on the noble traditions of progress, enlightenment, frugality, and all other attributes of true Americanism handed down to them by previous residents of this municipality; therefore, be it

Resolved, That this House of Representatives congratulates McConnellsburg and its residents on the one hundred seventy-fifth anniversary of the founding of this fine municipality and wishes it continued growth and the attainment of the status of a truly great metropolis; and, be it further

Resolved, That a copy of this resolution be forwarded to the Mayor of McConnellsburg.

Referred to the Committee on Rules.

APPROPRIATION BILLS ON FIRST READING  
(NON-PREFERRED)

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 761, entitled:

An Act making an appropriation to the Department of Commerce for payments of grants to local agencies for tourist promotional assistance.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 763, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 764, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 765, entitled:

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 769, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 771, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 772, entitled:

An Act making an appropriation to the Department of Public Instruction for the improvement of library services.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 773, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 774, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the Library School.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 775, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 776, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general

maintenance and operation of the University and for the School of Medicine.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 777, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 778, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 779, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 780, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 781, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 782, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 783, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.



Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 784, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 785, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 786, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 787, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 788, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 789, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 790, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 791, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 792, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 793, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 794, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 795, entitled:

An Act making an appropriation to the Dickinson School of Law Carlisle Pennsylvania.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 796, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 797, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 798, entitled:

An Act making an appropriation to the Trustees of the

University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 799, entitled:

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for services for the aging.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 800, entitled:

An Act making an appropriation to the Glen Mills School in Delaware County Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 801, entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 802, entitled:

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for juvenile delinquency programs.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 805, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 806, entitled:

An Act making an appropriation to the City of Harrisburg Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 924, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the maintenance of a professorship in the School of Medicine.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1013, entitled:

An Act making an appropriation to the Cystic Fibrosis Laboratory at the Albert Einstein Medical Center in Philadelphia.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1193, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1194, entitled:

An Act making an appropriation to the Department of Military Affairs for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1195, entitled:

An Act making an appropriation to the Department of Health for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1196, entitled:

An Act making appropriations to the Department of Public Welfare for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1197, entitled:

An Act making an appropriation to the Department of Justice for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.



Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1198, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1199, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1431, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania for maintenance and support.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1610, entitled:

An Act making an appropriation to the Supreme Court of Pennsylvania for a portrait of Chief Justice Charles Alvin Jones.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1708, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1709, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 115, entitled:

An Act making an appropriation to the committee appointed by the 1960 General Assembly to study the unemployment problem in Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 755, entitled:

An Act defining and prohibiting waste in the production of oil and gas defining the powers and duties of the Oil and Gas Conservation Commission and the Oil and Gas Division of the Department of Mines and Mineral Industries with respect to the prevention of waste in the production of oil and gas from certain geological horizons \* \* \* imposing penalties and making an appropriation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1009, entitled:

An Act to protect the public safety by regulating the mining of bituminous coal prescribing duties for certain municipal and township officers and imposing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1345, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487), providing for notification of cancellation of registration in certain cases.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1356, entitled:

An Act amending "The Notary Public Law" approved August 21, 1953 (P. L. 1323), providing for the registration of notaries public in the clerk of courts' office in counties of the second class.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1541, entitled:

An Act relating to the manufacture sale and possession of drugs devices and cosmetics conferring powers on the courts and the Secretary and Department of Health providing penalties and for the revocation or suspension of certain licenses making an appropriation to the Department of Health and repealing certain acts.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1551, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), further regulating the days and hours of registration and the days and hours of changing party enrollment.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1555, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), further regulating the days hours and places of registration.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1578, entitled:

An Act amending the "Adoption Law" approved April 4, 1925 (P. L. 127), changing provisions relating to hearings in certain cases.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 526, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" defining the crimes of fraudulent use of credit cards and fraudulent obtaining of telecommunications service and prescribing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside.

Mr. HELM IN THE CHAIR

## APPROPRIATION BILLS ON SECOND READING (NON-PREFERRED)

### BILL PASSED OVER

There being no objection

House bill No. 65, printer's No. 2175  
was passed over at the request of the SPEAKER pro tempore.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 445, entitled:

An Act amending the act of June 4, 1943 (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect \* \* \* a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways \* \* \*" making the bridge a free bridge \* \* \* and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 537, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing boards of school directors to appropriate moneys for payment of the costs of athletic equipment and uniforms used by

members of school bands or athletes in extra curricular intramural or interscholastic activities events or competitive games.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 697, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing certain salaries and work loads prescribing extension education areas decreasing the number of names needed for free extension education raising the deposit fee and providing for a tuition fee in certain instances deleting provisions relating to free evening schools and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 810, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the employment of professional and temporary professional employees of county boards of school directors regulating the employment dismissal suspension and demotion of such employees and providing for their rights and obligations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 997, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457), permitting mortgage loans on industrial property.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1337, entitled:

An Act amending the "Wills Act of 1947," approved April 24, 1947 (P. L. 89), providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1338, entitled:

An Act amending the "Estates Act of 1927" approved April 24, 1947 (P. L. 100), providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1344, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), regulating the furnishing of public property for use as polling places.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1346, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1936 (P. L. 1333), further regulating procedures with respect to general return sheets and tally papers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1347, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the advertising of election proclamations and providing for advertising of a primary election proclamation in counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1350, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the preservation of records.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1353, entitled:

An Act amending "The Permanent Registration Act for Boroughs Towns and Townships" regulating the furnishing of space in school buildings for use as a place of registration.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1377, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the expenses of members of boards of school directors attending certain meetings and for the expenses of certain employees incurred in the furthering of the educational program of the school district.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1447, entitled:

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589), further providing for the tuberculosis and brucellosis ring tests to be given to cows.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1451, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes \* \* \*" requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries \* \* \* paid to officers and employees of the Commonwealth domiciled or performing services within that city \* \* \*.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1457, entitled:

An Act amending the "Real Estate Tax Sale Law" approved July 7, 1947 (P. L. 1368), extending the act to property the owner of which is unknown and has been unknown for a period of not less than ten years.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1469, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457), further defining and limiting the rights powers duties and liabilities of such associations further specifying types of collateral for mortgage loans.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1509, entitled:

An Act amending the act of May 29, 1917 (P. L. 322), entitled as amended "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any turtles frogs and tadpoles \* \* \*" excepting snapping turtles from the limitation upon the number of turtles which may be caught taken or killed in any one day.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1510, entitled:

An Act amending "The Insurance Company Law of

1921" approved May 17, 1921 (P. L. 682), requiring certain domestic mutual insurance companies to accumulate unearned premium reserves within a prescribed period.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1513, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), fixing minimum compensation for recorders of deeds acting as agents for the sale of stamps.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1538, entitled:

An Act relating to trading stamps providing for the escheat to the Commonwealth of Pennsylvania of unredeemed trading stamps and the value thereof issued in this Commonwealth and providing the procedure in connection therewith \* \* \*.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1546, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing an alternative method for establishing area technical schools.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1552, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing eligibility for State scholarships.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1568, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), increasing compensation of constables and their deputies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1575, entitled:

An Act making an appropriation to the School of

Forestry of Pennsylvania State University for research on diseases of maple trees.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1598, entitled:

An Act relating to the regulation of the practice of pharmacy including the sale use and distribution of drugs and amending revising consolidating and changes relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1630, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1663, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), extending the definition of manufacture.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1664, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further defining and extending the manufacturing exemption with regard to capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

### BILLS PASSED OVER

There being no objection

Senate bill No. 200, printer's No. 769 and

Senate bill No. 201, printer's No. 770

were passed over temporarily at the request of the SPEAKER pro tempore.



Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 306, entitled:

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 312, entitled:

An Act amending the act of July 24, 1913 (P. L. 965), entitled "Commodities Weight and Measure Law" requiring additional markings on certain packages.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KORNS offered the following amendment:

Amend Sec. 1 (Sec. 7), page 2, line 19, by inserting after "all" retail

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 419, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended "The Insurance Department Act of 1921" constituting insurance agents and brokers fiduciaries with respect to funds received as insurance agents or brokers and prescribing penalties for the violation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 442, entitled:

An Act amending the act of June 9, 1911 (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" limiting the terms of such liens to twenty years.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate bill No. 553, printer's No. 771 was passed over temporarily at the request of the SPEAKER pro tempore.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WALSH asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

#### REPORTS FROM COMMITTEE

Mr. J. A. O'DONNELL from the Committee on Counties, reported as committed, House bill No. 125, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), fixing the time for the annual report by the county auditors to the court and providing for the audit of miscellaneous accounts.

Mr. GALLAGHER from the Committee on Municipal Corporations, reported as committed, House bill No. 158, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), relieving cities and the counties in which they are located from payment of damages occasioned by and costs of construction, reconstruction, repair and maintenance of certain bridges and viaducts.

Mr. PIPER from the Committee on Liquor Control, reported as committed, House bill No. 161, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance of club liquor licenses and catering licenses.

Mr. CURWOOD from the Committee on Highways, reported as committed, House bill No. 219, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), restricting speed in areas near playgrounds and providing penalties.

Mr. HAMILTON from the Committee on Education, reported as committed, House bill No. 350, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating residence requirements for board secretaries.

Mr. TAYLOR from the Committee on Liquor Control, reported as committed, House bill No. 360, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing persons to bring into Pennsylvania limited amounts of untaxed liquor under limited circumstances.

Mr. BOSSERT from the Committee on Liquor Control, reported as committed, House bill No. 512, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the ordering and sale of miniature bottles to certain licensees.

Mr. STANK from the Committee on Liquor Control, reported as committed, House bill No. 527, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the exchange of existing retail dispenser's licenses for liquor licenses despite the limitations of the quota provisions of this act and establishing procedure therefor.

Mr. MAXWELL from the Committee on Liquor Control, reported as committed, House bill No. 627, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), permitting courts to grant club licenses to desirable applicants despite the limitations of the quota provisions of the law.

Mr. MAXWELL from the Committee on Liquor Control, reported as committed, House bill No. 628, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), changing the time within which notice of a hearing is issued and requiring notice of violations as prerequisite to imposition of a penalty, suspension or revocation.

Mrs. KOOKER from the Committee on Professional Licensure, reported as committed, House bill No. 708, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture; fixing fees; creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

Mr. CROSSIN from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 754, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 1044, entitled:

An Act to create a regional agency by intergovernmental compact for the planning, conservation, utilization, development, management and control of the water and related natural resources of the Delaware River Basin, for the improvement of navigation, reduction of flood damage, regulation of water quality, control of pollution, development of water supply, hydroelectric energy, fish and wildlife habitat and public recreational facilities, and other purposes, and defining the functions, powers and duties of such agency.

Mr. PURSLEY from the Committee on Counties, reported as committed, House bill No. 1059, entitled:

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017), increasing the amount the institution district may pay for burial costs in each case.

Mr. MANBECK from the Committee on Liquor Control, reported as committed, House bill No. 1270, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the issuance of special caterer's permits.

Mr. STANK from the Committee on Liquor Control, reported as committed, House bill No. 1359, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), excepting certain clubs from the quota limitations.

Mr. STRAUSSER from the Committee on State Government, reported as committed, House bill No. 1403, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey .78 acres, more or less, of land situate in the Borough of East Stroudsburg, Monroe County.

Mr. TAYLOR from the Committee on Liquor Control, reported as committed, House bill No. 1450, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing licenses for the retail sale of liquor and malt or brewed beverages on city premises

in cities of the first class under certain terms and conditions and to be known as public event licenses.

Mr. ROYER from the Committee on State Government, reported as committed, House bill No. 1468, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), enlarging the Coal Research Board's sphere of study and research.

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 1498, entitled:

An Act authorizing municipalities and townships to appropriate money to improve or equip State property located within its boundaries.

Mr. KAMYK from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1506, entitled:

An Act amending the act of June 21, 1939 (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; . . .," further regulating the assessment of property or subjects of taxation previously omitted from assessment and the payment of taxes thereon.

Mr. KRAMER from the Committee on State Government, reported as committed, House bill No. 1514, entitled:

An Act making an appropriation to the Department of Labor and Industry for paying the costs incurred by the department in publishing a revised compilation of Bulletin No. 113, containing the laws administered by the Department of Labor and Industry.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 1531, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing transfer to certain boards of township supervisors without charge or at a nominal fee materials salvaged from State highways and bridges.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 1566, entitled:

An Act amending the act of May 10, 1956 (P. L. 1569), entitled "An act authorizing the City of Philadelphia to accept the conveyance, under certain conditions, of the site of Fort Mifflin," by the Commonwealth of Pennsylvania giving up its right of occupancy of Mud Island under certain circumstances and by granting rights of occupancy thereof to the City of Philadelphia.

Mr. PARLANTE from the Committee on Professional Licensure, reported as committed, House bill No. 1596, entitled:

An Act amending the act of March 30, 1917 (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; . . .," conferring additional power on the State Board of Optometrical Examiners, prescribing additional grounds for refusing, cancelling, revoking or suspending licenses, further regulating and providing for the licensing of offices and branch offices of optometrists, the renewal of licenses biennially and license fees to be charged therefor and their utilization.

Mr. LAMB from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1601, entitled:

An Act amending the "Second Class County Port Authority Act," approved April 6, 1956 (P. L. 1414), authorizing the authority to provide group and party services.



Mr. STITELER from the Committee on Military Affairs, reported as committed, House bill No. 1603, entitled:

An Act making an appropriation to the Department of Military Affairs for a training area and armory site in Somerset County.

Mr. GIBB from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1606, entitled:

An Act amending the act of May 12, 1887 (P. L. 96), entitled "A supplement to an act entitled 'An act supplementary to an act relative to burial grounds and cemeteries situated in incorporated boroughs,' . . . , further empowering courts to direct removal of remains in boroughs, cities, and towns from burial grounds where interments have ceased or have become so neglected as to become a public nuisance, or such remains interfere with the improvements, extensions, and interests of such cities, boroughs, or towns," extending the act to counties of the second class.

Mr. GIBB from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1607, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), empowering the exercise of eminent domain for certain purposes in regard to graveyards and cemeteries.

Mr. THOMPSON from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1619, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the printing and reproducing of study and curriculum materials by county commissioners in second class counties; and providing for reimbursements therefor.

Mr. GREENLEE from the Committee on Municipal Corporations, reported as committed, House bill No. 1642, entitled:

An Act amending the "Municipal Unclaimed Moneys Act," approved May 17, 1949 (P. L. 1403), changing the disposition of such moneys.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1678, entitled:

An Act amending the act of June 22, 1935 (P. L. 414), entitled as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, . . ." providing that certain corporations doing business with professional school employees shall not be subject to the provisions of the act.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1683, entitled:

An Act creating the Second Injury Reserve and Rehabilitation Fund in the Department of Labor and Industry; requiring payments by the State Workmen's Insurance Fund and certain insurance carriers; . . . and prescribing limitations.

Mr. PRENDERGAST from the Committee on Counties, reported as committed, Senate bill No. 88, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes, amending, revising, consolidating and changing the laws relating thereto," abolishing county institution districts in counties of the

fourth, fifth and sixth classes, transferring their property, powers, duties and obligations to counties, prescribing certain further duties of county commissioners with regard to persons in foster homes and as to children and youth and regulating payments for care.

Mr. CURWOOD from the Committee on Highways, reported as committed, Senate bill No. 96, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways, empowering counties to pay certain damages and making an appropriation therefor.

Mr. MURPHY from the Committee on Boroughs, reported as committed, Senate bill No. 183, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing that applicants for the position of policeman and fireman need not be residents of the borough and authorizing residence to be required after appointment as police and firemen.

Mr. J. A. SULLIVAN from the Committee on Boroughs, reported as committed, Senate bill No. 186, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing the purchase or condemnation of unobstructed views at curves and intersections.

Mr. IRVIS from the Committee on Education, reported as committed, Senate bill No. 417, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein . . ." establishing an alternative appeal procedure in certain cases.

Mr. E. S. WILLIAMS from the Committee on State Government, reported as committed, Senate bill No. 439, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," empowering the Authority to construct additions and improvements to manual training schools receiving State aid, authorizing contracts to lease and leases by the Department of Public Instruction from the Authority of any additions or improvements to manual training schools receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

Mr. MILLER from the Committee on Cities—Third Class, reported as committed, Senate bill No. 533, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the compensation of mayors councilmen controllers treasurers and department heads.

Mr. MAGEE from the Committee on Cities—Third Class, reported as committed, Senate bill No. 534, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law: prohibiting departments from being headed by member of city council under mayor-council plan A.

Mr. FOERSTER from the Committee on State Government, reported as committed, Senate bill No. 539, entitled:

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An Act appropriating the moneys in

The State Stores Fund" providing for additional kinds of insurance.

Mr. LUTTY from the Committee on State Government, reported as committed, Senate bill No. 540, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" providing for additional kinds of insurance.

Mr. OGILVIE from the Committee on Military Affairs, reported as committed, Senate bill No. 552, entitled:

An Act repealing section 58 of the act of April 23, 1899 (P. L. 133), entitled "An act to provide for the organization discipline and regulation of the National Guard of Pennsylvania."

Mr. LUTTY from the Committee on State Government, reported as committed, Senate bill No. 582, entitled:

An Act amending the act of November 21, 1959 (P. L. 1579), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers . . ." authorizing the acquisition of the Thorn Hill School at Warrendale Allegheny County.

Mr. CROSSIN from the Committee on Military Affairs, reported as committed, Senate bill No. 583, entitled:

An Act amending the act of May 27, 1949 (P. L. 190), entitled "The Military Code of 1949," removing the exemption of certain persons from jury duty.

Mr. E. S. WILLIAMS from the Committee on State Government, reported as committed, Senate bill No. 629, entitled:

An Act amending the act of May 17, 1956 (P. L. 1609), entitled "Pennsylvania Industrial Development Authority Act" empowering the Authority to purchase first mortgages on industrial development projects where necessary to protect loans made by the Authority or industrial development projects and increasing the amount the Authority can contract to loan and decreasing the amount that must be provided by industrial development agencies in the financing of industrial development projects, and removing the limitation as to the amount of Authority loans on industrial development projects where Federal agencies participate in the financing of such projects.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 1083, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the issuance by the board of identification cards and changing penalties.

Mr. LUTTY from the Committee on Public Utilities and Corporations, reported as amended, House bill No. 36, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), requiring the Public Utility Commission to consider and protect the contractual rights of employees and possible adverse effect on employees before approving any transfer of property of a common carrier of passengers by motor bus.

Mr. SCHUSTER from the Committee on Liquor Control, reported as amended, House bill No. 379, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting certain licensees, their servants, agents and employees from selling liquor and

malt and brewed beverages during certain hours on Good Friday.

Mr. STRAUSSER from the Committee on State Government, reported as amended, House bill No. 925, entitled:

An Act requiring the use of a canvas or other barrier to prevent the spread of sand when the exterior of a building is cleansed by sand blasting and prescribing penalties.

Mr. MURPHY from the Committee on Boroughs, reported as amended, House bill No. 1140, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further regulating division of boroughs into wards and the abolition of wards.

Mr. A. M. LEE from the Committee on Education, reported as amended House bill No. 1227, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), including chiropractors within school health program.

Mr. PIPER from the Committee on Professional Licensure, reported as amended, House bill No. 1446, entitled:

An Act amending the "Barbers' License Law," approved June 19, 1931 (P. L. 589), providing credit toward student or apprentice registration periods in certain cases.

Mr. KRAMER from the Committee on State Government, reported as amended, House bill No. 1561, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing the name of the Department of Forests and Waters to the Department of Conservation and Recreation; transferring to it certain functions, powers and duties relating to parks and recreation; making the Pennsylvania Historical and Museum Commission a departmental administrative commission therein; making the Brandywine Battlefield Park Commission an advisory commission therein; changing certain other commissions from departmental administrative commissions to advisory commissions, and abolishing the Flood Control Commission.

Mr. HOLLIDAY from the Committee on Counties, reported as amended, House bill No. 1609, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class; to provide the time of paying the same and to repeal certain acts.

Mrs. MARKLEY from the Committee on Motor Vehicles, reported as amended, Senate bill No. 99, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," regulating the issuance of operator's licenses to persons between sixteen and eighteen years of age restricting their driving privileges and providing penalties.

Mr. RENWICK from the Committee on Motor Vehicles, reported as amended, Senate bill No. 100, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" by making persons over sixteen years of age subject to certain penal provisions of the act.

Mr. NEEDHAM from the Committee on Cities—Counties Second and Second Class A, reported as amended, Senate bill No. 213, entitled:

An Act fixing maximum hours of service for policemen in cities of the second class A.



Mr. POLEN. Mr. Speaker, I ask that this special retirement package be placed on a special retirement page of the calendar.

The SPEAKER pro tempore. The gentleman does not desire to have the bills read for the first time?

Mr. McCANN. Mr. Speaker, he does but he wants them placed on a section of the calendar to be called "Retirement Bills."

The SPEAKER pro tempore. The Chair will so instruct the chief clerk.

Mr. POLEN. Mr. Speaker, in addition to these bills, Mr. Schuster will have House bill 565, which is also to be placed on the special retirement page of the calendar.

The SPEAKER pro tempore. The Chair will then recognize Mr. Schuster first.

The Chair would like to inquire again: Is it the desire of the gentleman that these bills be read for the first time if they have not been amended?

Mr. POLEN. Mr. Speaker, it is our desire that they be placed on the first reading calendar and not be read for the first time today.

The SPEAKER pro tempore. The Chair thanks the gentleman.

## REPORTS FROM COMMITTEE

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 564, entitled:

An Act amending the act of June 1, 1959, (P. L. 392), entitled "An act relating to the retirement of State employees, amending, revising, consolidating and changing the laws relating thereto" providing for the crediting of service in the case of certain former members of the county employees' retirement system in counties of the second class.

Mr. SCHUSTER from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 565, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto" requiring the county commissioners to make appropriations and payments to the State Employees' Retirement Fund to establish reserves on account of certain former county employees.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 610, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), providing a death benefit after ten years of service or an accumulation of withdrawal credits in certain cases.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1080, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing for death benefits for certain annuitants who are receiving a disability allowance.

Mr. POLEN from the Committee on Appropriations, reported as amended, House bill No. 1081, entitled:

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), providing for alternative methods of payment of benefits under certain conditions.

Mr. POLEN from the Committee on Appropriations, reported as amended, House bill No. 1214, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), further defining "school employee" to include certain municipal employees and providing further for the purchase of credit for past service.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1251, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), further providing for the reduction of superannuation and withdrawal allowances.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1273, entitled:

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), providing a disability retirement allowance for disability incurred by officers and employees of the Pennsylvania State Police while engaging in law enforcement activities when not on active duty.

Mr. POLEN from the Committee on Appropriations, reported as amended, House bill No. 1382, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), by further providing for optional membership.

Mr. POLEN from the Committee on Appropriations, reported as amended, House bill No. 1383, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), by changing definition of "State employee" and permitting certain members of the school employees retirement system to elect to become members.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1384, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employees; amending, revising, consolidating and changing the laws relating thereto," clarifying the provisions relating to the computation of allowances payable to members of the joint coverage group.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1385, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees; amending, revising, consolidating and changing the laws relating thereto," providing credit for out-of-State service for certain contributors employed at State colleges.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1386, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees; amending, revising, consolidating and changing the laws relating thereto," clarifying the provisions relating to the computation of allowances payable to members of the joint coverage group and to the filing of applications for withdrawal allowances.

Mr. POLEN from the Committee on Appropriations, reported as amended, House bill No. 341, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employees amending, revising, consolidating and changing the laws relating thereto" providing credit for school service for certain contributors who make additional contributions into the fund.

## BILLS RE-REFERRED

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Judiciary, House bill No. 1643, entitled:

An Act amending the act of May 16, 1919 (P. L. 177), entitled "An act providing for the payment into the State Treasury, without escheat, of certain moneys and property, subject to escheat under the provisions of any act of the General Assembly; \* \* \*" conferring concurrent jurisdiction under certain circumstances.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Judiciary.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1393, entitled:

An Act amending the act of July 20, 1953 (P. L. 550), entitled "An act providing for and regulating the annexation of parts of a second class township to boroughs, cities and townships," providing that a majority of the owners of the real estate must petition requesting annexation.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 125, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), fixing the time for the annual report by the county auditors to the court and providing for the audit of miscellaneous accounts.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 158, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), relieving cities and the counties in which they are located from payment of damages occasioned by and costs of construction, reconstruction, repair and maintenance of certain bridges and viaducts.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 161, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance of club liquor licenses and catering licenses.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 219, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), restricting speed in areas near playgrounds and providing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 350, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating residence requirements for board secretaries.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 360, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing persons to bring into Pennsylvania limited amounts of untaxed liquor under limited circumstances.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 512, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the ordering and sale of miniature bottles to certain licensees.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 527, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the exchange of existing retail dispenser's licenses for liquor licenses despite the limitations of the quota provisions of this act and establishing procedure therefor.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 627, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), permitting courts to grant club licenses to desirable applicants notwithstanding the limitations of the quota provisions of the law.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 628, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), changing the time within which notice of a hearing is issued and requiring notice of violations as prerequisite to imposition of a penalty, suspension or revocation.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 708, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture; fixing fees; creating



and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 754, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1044, entitled:

An Act to create a regional agency by intergovernmental compact for the planning, conservation, utilization, development, management and control of the water and related natural resources of the Delaware River Basin, for the improvement of navigation, reduction of flood damage, regulation of water quality, control of pollution, development of water supply, hydroelectric energy, fish and wildlife habitat and public recreational facilities, and other purposes, and defining the functions, powers and duties of such agency.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1059, entitled:

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017), increasing the amount the institution district may pay for burial costs in each case.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1270, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the issuance of special caterer's permits.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1359, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), excepting certain clubs from the quota limitations.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1403, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and

convey .78 acres, more or less, of land situate in the Borough of East Stroudsburg, Monroe County.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1450, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing licenses for the retail sale of liquor and malt or brewed beverages on city premises in cities of the first class under certain terms and conditions and to be known as public event licenses.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1468, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), enlarging the Coal Research Board's sphere of study and research.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1498, entitled:

An Act authorizing municipalities and townships to appropriate money to improve or equip State property located within its boundaries.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1506, entitled:

An Act amending the act of June 21, 1939 (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; \* \* \*," further regulating the assessment of property or subjects of taxation previously omitted from assessment and the payment of taxes thereon.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1514, entitled:

An Act making an appropriation to the Department of Labor and Industry for paying the costs incurred by the department in publishing a revised compilation of Bulletin No. 113, containing the laws administered by the Department of Labor and Industry.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1531, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing transfer to certain boards of township supervisors without charge

or at a nominal fee materials salvaged from State highways and bridges.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1566, entitled:

An Act amending the act of May 10, 1956 (P. L. 1569), entitled "An act authorizing the City of Philadelphia to accept the conveyance, under certain conditions, of the site of Fort Mifflin," by the Commonwealth of Pennsylvania giving up its right of occupancy of Mud Island under certain circumstances and by granting rights of occupancy thereof to the City of Philadelphia.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1596, entitled:

An Act amending the act of March 30, 1917 (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; \* \* \*" conferring additional power on the State Board of Optical Examiners, prescribing additional grounds for refusing, cancelling, revoking or suspending licenses, further regulating and providing for the licensing of offices and branch offices of optometrists, the renewal of licenses biennially and license fees to be charged therefor and their utilization.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1601, entitled:

An Act amending the "Second Class County Port Authority Act," approved April 6, 1956 (P. L. 1414), authorizing the authority to provide group and party services.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1603, entitled:

An Act making an appropriation to the Department of Military Affairs for a training area and armory site in Somerset County.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1606, entitled:

An Act amending the act of May 12, 1887 (P. L. 96), entitled "A supplement to an act, entitled 'An act supplementary to an act relative to burial grounds and cemeteries situated in incorporated boroughs,' \* \* \*, further empowering courts to direct removal of remains in boroughs, cities, and towns from burial grounds where interments have ceased or have become so neglected as to become a public nuisance, or such remains interfere with the improvements, extensions, and interests of such cities, boroughs, or towns," extending the act to counties of the second class.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1607, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), empowering the exercise of eminent domain for certain purposes in regard to graveyards and cemeteries.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1619, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing the printing and reproducing of study and curriculum materials by county commissioners in second class counties; and providing for reimbursements therefor.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1642, entitled:

An Act amending the "Municipal Unclaimed Moneys Act," approved May 17, 1949 (P. L. 1403), changing the disposition of such moneys.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1678, entitled:

An Act amending the act of June 22, 1935 (P. L. 414), entitled as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, \* \* \*" providing that certain corporations doing business with professional school employees shall not be subject to the provisions of the act.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1683, entitled:

An Act creating the Second Injury Reserve and Rehabilitation Fund in the Department of Labor and Industry; requiring payments by the State Workmen's Insurance Fund and certain insurance carriers; \* \* \* and prescribing limitations.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 88, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes, amending, revising, consolidating and changing the laws relating thereto" abolishing county institution districts in counties of the fourth, fifth and sixth classes, transferring their property powers duties and obligations to counties, prescribing certain further duties of county commissioners with re-



gard to persons in foster homes and as to children and youth and regulating payments for care.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 96, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 183, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" providing that applicants for the position of policeman and fireman need not be residents of the borough and authorizing residence to be required after appointment as police and firemen.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 186, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing the purchase or condemnation of unobstructed views at curves and intersections.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 417, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions occupations trades, vocations and commercial activities therein . . ." establishing an alternative appeal procedure in certain cases.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 439, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to manual training schools receiving State aid authorizing contracts to lease and leases by the Department of Public Instruction from the Authority of any additions or improvements to manual training schools receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 533, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the compensation of mayors, councilmen, controllers, treasurers and department heads.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 534, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law: prohibiting departments from being headed by members of city council under mayor-council plan A.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 539, entitled:

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An Act appropriating the moneys in The State Stores Fund" providing for additional kinds of insurance.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 540, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" providing for additional kinds of insurance.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 552, entitled:

An Act repealing section 58 of the act of April 28, 1899 (P. L. 133), entitled "An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania."

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 582, entitled:

An Act amending the act of November 21, 1959 (P. L. 1579), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers . . ." authorizing the acquisition of the Thorn Hill School at Warrendale Allegheny County.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 583, entitled:

An Act amending the act of May 27, 1949 (P. L. 190),

entitled "The Military Code of 1949" removing the exemption of certain persons from jury duty.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 629, entitled:

An Act amending the act of May 17, 1956 (P. L. 1609), entitled "Pennsylvania Industrial Development Authority Act" empowering the Authority to purchase first mortgages and to make payments on first mortgages on industrial development projects where necessary to protect loans made by the Authority or industrial development projects and increasing the amount the Authority can contract to loan and decreasing the amount that must be provided by industrial development agencies in the financing of industrial development projects, and removing the limitation as to the amount of Authority loans on industrial development projects where Federal agencies participate in the financing of such projects.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Mr. McCANN. Mr. Speaker, for the purpose of putting it in position for tomorrow, I have first a recall resolution and one amendment that I want to put in the bill before we caucus so it can be in print for tomorrow—a correction to the title.

### RESOLUTION

#### RECALLING HOUSE BILL No. 264 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 7, 1961.

Resolved (the Senate concurring), That House Bill No. 264, printer's No. 1301, entitled "An act amending the act of June 3, 1937 (P. L. 1333), entitled 'An act concerning elections including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases," be recalled from the Governor for the purpose of further consideration and amendment.

Ordered, that the clerk present the same to the Senate for concurrence.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 181.

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law," authorizing the assessment and collection of annual per capita taxes on individuals limiting the levy and collection of such taxes and taxes on trades occupations and professions and authorizing taxes on trades occupations and professions to be abolished.

Referred to the Committee on State Government.

#### SENATE BILL No. 222.

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947," defining conveyance.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 541.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the Secretary of Highways to erect accurate mile courses and designations along State highways.

Referred to the Committee on Highways.

#### SENATE BILL No. 547.

An Act amending the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed agreement of sale title insurance policy or other instrument in writing which sells, conveys, transfers, releases, quitclaims or agrees to sell, convey, transfer, release or quitclaim or insures or agrees to insure title to the surface of land and providing for the effect upon the vendor, grantor, transferor, releasor or person who quitclaims or insures title or agrees to do any of the foregoing for noncompliance therewith," modifying the form of notice providing that the act does not apply to mortgage and quitclaim transactions and specifying the situations to which the act applies.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 636.

An Act amending the act of April 27, 1927 (P. L. 465), entitled as amended "Fire Safety Building Regulation Law," requiring that the location of fire extinguishers which are obscured from view be marked.

Referred to the Committee on State Government.

### SENATE MESSAGE

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

#### SENATE BILL No. 565.

An Act making an appropriation to the Senate of Pennsylvania for the payment of expenses of certain Senators.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 508.

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), authorizing the Treasury Department to invest certain moneys of the Commonwealth in certain types of prime commercial paper.

#### HOUSE BILL No. 873.

An Act amending "The Support Law" approved June 24, 1937 (P. L. 2045), qualifying the liability of property owners with respect to minor children.



## HOUSE BILL No. 987.

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken.

## HOUSE BILL No. 994.

An Act relating to the uniform rendition of prisoners as witnesses in criminal proceedings.

## HOUSE BILL No. 1036.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the issuance and transfer of malt and brewed beverage licenses.

## HOUSE BILL No. 1225.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for the use of operators' licenses prior to the license period.

## HOUSE BILL No. 1254.

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" authorizing investment in certain obligations secured by a mortgage and by the assignment of moneys due under a lease.

## HOUSE BILL No. 1381.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation.

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 132.

An Act relating to the establishment operation and maintenance of the State Library and public libraries in the Commonwealth amending revising consolidating and changing the laws relating thereto imposing duties upon public officers providing for State and local cooperation and assistance in the establishment and maintenance of libraries prescribing penalties and repealing existing laws.

## HOUSE BILL No. 208.

An Act regulating the sale of electron receiving and picture tubes used in home type radio and television receivers or other home type electronic devices, and fixing penalties.

## HOUSE BILL No. 308.

An Act amending the act of July 25, 1917 (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" further providing for the paying of premiums imposing powers and duties on the Secretary of Agriculture further determining what associations are to receive money from the Commonwealth and deleting certain war time and obsolete provisions.

## HOUSE BILL No. 326.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" changing the annual vacation of police officers.

## HOUSE BILL No. 451.

An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township Juniata County for State forest administrative purposes.

## HOUSE BILL No. 485.

An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver of competitive bidding requirements therefor.

## HOUSE BILL No. 490.

An Act amending the act of March 17, 1921 (P. L. 32), entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties . . ." correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in its charter.

## HOUSE BILL No. 495.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in its charter.

## HOUSE BILL No. 501.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in charter.

## HOUSE BILL No. 502.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" by correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in charter.

## HOUSE BILL No. 503.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" changing the name of Italian American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

## HOUSE BILL No. 639.

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" removing the Statute of Limitations in certain cases.

## HOUSE BILL No. 734.

An Act amending the act of May 22, 1933 (P. L. 853), entitled "The General County Assessment Law" requiring properly certified duplicates of valuations of property and occupations, taxable for county purposes to be furnished except in counties of the second class to borough councils and to supervisors of townships of the second class and permitting taxes to be levied on duplicates issued for the previous year if such duplicates are not issued by the first day of April.

## HOUSE BILL No. 740.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), excluding music from supplies of the second class.

## HOUSE BILL No. 758.

An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority.

## HOUSE BILL No. 759.

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

## HOUSE BILL No. 760.

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

## HOUSE BILL No. 762.

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

## HOUSE BILL No. 770.

An Act making appropriations to the Department of Property and Supplies for the payment of grants to various municipalities or municipal authorities for the Commonwealth's share of expenses and charges in connection with sewage systems expansions.

## HOUSE BILL No. 803.

An Act making an appropriation to the Department of State for the administration of the Municipal Employees Retirement System.

## HOUSE BILL No. 832.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing payments for liquor and malt or brewed beverages with checks and drafts on banks, banking institutions, trust companies and similar depositories, penalizing the issuance of worthless checks by certain licensees and requiring reports of such checks to the board.

## HOUSE BILL No. 857.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Public Welfare to promote local social welfare programs and to disburse Federal and State funds in connection therewith.

## HOUSE BILL No. 871.

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants \* \* \*" further defining terms \* \* \* imposing powers and duties on the Department of Public Welfare \* \* \* and making repeals.

## HOUSE BILL No. 936.

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" exempting from the imposition of this tax conveyances in lieu of condemnation and acquisitions by municipalities of tax delinquent properties at sheriff sale.

## HOUSE BILL No. 1049.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), exempting airport restaurants on State owned or operated airports from quota law.

## HOUSE BILL No. 1115.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the retention of seniority upon a merger jointure or union of districts.

## HOUSE BILL No. 1116.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing indebtedness of school districts and insured deposits to be used in lieu of bonds or securities which are required to be deposited by school depositories.

## HOUSE BILL No. 1184.

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein . . ." further defining "receipts" to exclude fresh or frozen seafood, shell-fish and fish and making such definitions retroactive.

## HOUSE BILL No. 1192.

An Act amending the "General Appropriation Act of 1959" approved November 12, 1959 (Appropriation Act 38-A) restoring certain amounts appropriated to the Department of Public Instruction and the Department of State which the Legislature deleted and declared its intention to restore.

## HOUSE BILL No. 1204.

An Act providing for the abatement of nuisances arising out of unsafe buildings or premises in cities of the first class and providing for the service or posting of notices relating to the work necessary to abate such nuisances.

## SENATE BILL No. 207.

An Act amending the act of May 9, 1949 (P. L. 927), entitled "Sheriff's Fee Bill Second to Eighth Class Counties" changing fees mileage and other costs chargeable by sheriffs and making editorial corrections.

## SENATE BILL No. 223.

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947" providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

## SENATE BILL No. 291.

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" further regulating the issuance of hunting licenses for antlerless deer season and providing a penalty.

## SENATE BILL No. 336.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3.68 acres more or less of land situate in Indiana Borough Indiana County.

## SENATE BILL No. 338.

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class . . ." increasing the period of time during which a contributor may be reinstated.

## SENATE BILL No. 371.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" authorizing the acquisition of land outside the limits of any city for the use of the National Guard.



## SENATE BILL No. 378.

An Act amending the act of August 9, 1955 (P. L. 312), entitled "An act fixing the salary of the district attorney of Philadelphia" raising the salary of the district attorney of Philadelphia.

## SENATE BILL No. 385.

An Act authorizing arraignments in courts of quarter sessions of the peace and courts of oyer and terminer and general jail delivery.

## SENATE BILL No. 402.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" further regulating notice of assessments and validating certain assessments previously made.

## SENATE BILL No. 482.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" fixing the number of affirmative votes required in seven and nine member councils under the mayor-council plan A of government to effect certain street improvements and to change zoning ordinances.

## SENATE BILL No. 483.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" prescribing membership of board of commissioners of the sinking fund commission in cities which have adopted the mayor-council plan A.

## SENATE BILL No. 484.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the preparation and adoption of budgets after adoption of Mayor-Council Plan A.

## SENATE BILL No. 501.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" requiring a system of accounts to be kept by county officers.

## SENATE BILL No. 505.

An Act amending the act of March 2, 1956 (P. L. 1211), entitled "Practical Nurse Law" providing for biennial licenses.

## SENATE BILL No. 506.

An Act amending the act of January 14, 1952 (P. L. 1898), entitled as amended "Funeral Director Law" providing for biennial licenses.

## SENATE BILL No. 507.

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers' License Law" providing for biennial registration and increasing certain fees accordingly.

## SENATE BILL No. 530.

An Act amending the act of June 20, 1947 (P. L. 733), entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property . . ." authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

## SENATE BILL No. 542.

An Act amending the act of June 11, 1947 (P. L. 565), entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation.

## SENATE BILL No. 565.

An Act making an appropriation to the Senate of Pennsylvania for the payment of expenses of certain Senators.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1077, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), authorizing superintendents to exercise discretion with respect to the performance of surgery on certain patients.

On the question,

Will the House agree to the bill on third reading?

Mr. STONE asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "discretion": "by and with the advice of certain other physicians or surgeons"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## DEMOCRATIC AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, I am going to ask for a recess for the purpose of a Democratic and a Republican caucus and, also, to cover a lunch period. It is now approximately 10 minutes after 12, or 10 minutes after 1, daylight time. I would like to have one hour and 30 minutes. We have agreed that we will start to caucus and act on third reading bills today. I will ask at this point for a 30-minute lunch period, with a caucus to start promptly at 20 minutes of 2, continuing for one hour, returning to this House to have the first roll call vote at approximately 15 minutes of 3, fast time.

I will ask for a recess for an hour and a half.

I yield to the minority whip, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, we will follow the same procedure of lunch and caucus. I ask the Republican members to bring their calendars with them.

Mr. Speaker, I wonder if I might ask the majority leader at this time if he could indicate to the members our schedule for next week and what time we will meet tomorrow morning?

Mr. McCANN. Mr. Speaker, we will convene tomorrow morning at 10 a.m., daylight saving time, for the last day of session this week, working a very lengthy schedule tomorrow.

The following week this House will convene on Mon-

day, and at 5 p.m. a joint session of the General Assembly will be held at which the Governor will address the session. The House will be in session four days, Monday, Tuesday, Wednesday and Thursday.

The following week the Senate will be in session on Monday, but the House will begin on Tuesday, being in session on Tuesday, Wednesday and Thursday as there are not sufficient hotel rooms to take care of the House members for Monday's session. Therefore, the House will convene on Tuesday, the 20th of that week, being in session Tuesday, Wednesday and Thursday. That is as far as the schedule has been arranged for the next two weeks, Mr. Speaker, and I hope the members will make their plans accordingly.

### WORCESTER SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House the students of the 6th grade of the Lower Providence-Worcester Joint School system, with their principal and 6th grade teacher, Robert Kumpf, and their parents. They are here as the guests of the gentlemen from Montgomery, Messrs. Holl and Willaredt, and the lady from Montgomery, Mrs. Henzel.

### RECESS

The SPEAKER pro tempore. Without objection, the Chair will now declare a recess for one hour and thirty minutes.

The Chair hears no objection and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

### COMMUNICATION FROM GOVERNOR

#### REQUEST TO ADDRESS JOINT SESSION

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg  
June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session on Monday, June 12, 1961, at 5:00 p.m., Daylight Saving Time.

DAVID L. LAWRENCE.

### GOVERNOR INVITED TO ADDRESS JOINT SESSION

Mr. POLEN. Mr. Speaker, I move that the Governor of the Commonwealth be invited to address the House at 5 p.m. on Monday, June 12, or at any convenient time.

The motion was agreed to.

### PERMISSION TO ADDRESS HOUSE

Mr. M. H. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, during the last few days I have been enjoying myself with some light reading. I have been reading the Legislative Journal, particularly the Journal of the early days of 1959 and particularly the pronouncements made by the majority leader, Mr. McCann, when he read into the record the 1958 Democratic Party platform. I studied in this light reading, which I now describe as Aesop's Fables, the particular areas of good government which the Democratic Party pledged itself to enact.

Here are three items in the platform of the Democratic Party which the Speaker, in his "Dispelling the Fog," has stated we should enact or try to enact every feature of both party platforms. Here are the three features, all related to good government.

1. The Democratic Party and its candidates pledge as follows: A fair reapportionment of legislative districts to the end that the vicious practice of gerrymandering which has deprived hundreds of thousands of our citizens of equal representation.

The SPEAKER. You will get it if the Republicans go along.

Mr. M. H. GOLDSTEIN. Thank you, Mr. Speaker, we will go along, and I want to know whether the Democratic Party as a whole thinks that this ultimate in gerrymandering, as announced by the Democratic committee of Allegheny County, is their idea of good representation for all the people of Allegheny County?

All I am asking them to do is to present a fair and honest redistricting which will not benefit either party. If the Democratic Party through its Democratic committee wants to redistrict my county in that manner, I will introduce an amendment to make it a fair reapportionment for the benefit of the people and not for the benefit of either party.

Parenthetically I want to say that my own party has been very delinquent, and for years the Democrats have been statesmen in saying they will correct the evils of the Republican Party, and when they get the power they copy the evils of the Republican Party.

The second feature of the good government portion of the Democratic platform is this:

Legislation setting ethical standards for public servants and imposing penalties for violations.

This is the conflict of interests bill, House bill 330, which has been resting in committee for weeks and which has never seen the light of day. This is part of the Democratic Party platform. Why have we not had a chance to debate this issue? Why has it not been released to the floor?

The third portion of the good government items in the Democratic platform is as follows:

A career service to assure competence in State jobs requiring special technical and administrative skills and to attract young people of outstanding ability into government service.

This is civil service. Have we seen a civil service bill on the floor of this House?

In "Dispelling the Fog," the Speaker of this House said we should bring to the floor of this House every item which the Democratic Party has proposed and every item which the Republican Party has proposed.

We do not control the committees; you do. I am asking before it is too late, so the people of Pennsylvania



will not consider your platforms in the future to be fairy tales, why do you not bring out these three items? One, honest and not fakery reapportionment; two, a legitimate conflict of interests bill; and three, a bona fide civil service bill.

If you bring out a legitimate reapportionment bill, if it happens to take out every Republican in Allegheny County, if it is fair and honest, we will support you. We know that cannot occur because under any reapportionment you are always going to allow one minority member. It seems as though you like to carry out the plans that they have in Allegheny, one minority commissioner and one Senator. We do not buy that.

Mr. McCann is looking at me very facetiously and is interested. He is the leader of the Democratic Party on the floor of the House. He was able to get a horse-racing bill out in 24 hours; he can get a liquor bill out in 24 hours. Now, please, for the benefit of the administration, in order to back up your Governor, David L. Lawrence, and the platform on which he ran, and on which both he and you run, bring out these three items, honest reapportionment, conflict of interests bill, and a legitimate civil service bill. Then you can adjourn.

The SPEAKER. Before the majority leader speaks, the Chair desires to read the rules:

"Nor shall a member discuss a bill, resolution or other matter not yet reported by a committee to the House."

The Chair has been very lenient. He has suggested that those who want to address the House about matters not pending in the House be given the opportunity every so often, perhaps every week, a period when members can be permitted to rise and say what is on their minds. If the members of this House will support the Chair, the Chair will only entertain addresses directed to some pending matter before the House in the days to come, beginning tomorrow, because the door has been opened today. The Chair has not wanted to be arbitrary. We do not believe it is helpful to rise to unnecessarily stir up the members about matters that are not pending on the calendar, but there should be a time, an appointed time, when it will be possible for anyone, like the gentleman from Allegheny, to rise and say just exactly what he has said today, but it should fall within a period fixed by the House as a time for doing that sort of thing. We also have a time when resolutions should be introduced, and at that time resolutions should be introduced. As I say, the Chair does not desire to be arbitrary, but if we will follow the rules we would save a lot of time and we could have an hour or two hours set aside when members could say what was in their hearts even though it is not pending before the House.

The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, you have said what I was going to say. I was going to say to the gentleman from Allegheny, "amen," because he used the plural "we" and he spoke for the Republican Party, and God, how I would like to have their help.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, all I want to say in answer to the majority leader, the only way you can get our help is by releasing the bills to the floor of the House.

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I think the essence of the remarks of the Speaker is that he wants some expression of how this side would feel about his suggestion.

I would go along on the idea that a member should be able to get up and comment upon or speak about some matter that might be current in the State, or to be able to speak about a bill he has in committee that he is worried about, and other matters. I go along with the idea that you should set aside a time in any day for that particular type of discussion. If the Speaker would indicate to the House what portion of the day's session can be devoted to speeches by members on matters of the day, I would appreciate it immensely because we have some matters from here on out that we are going to bring up from time to time.

The SPEAKER. The Chair apologizes to the minority leader for not paying attention to what he was saying, but he had other pressing business that concerned some members of the House.

Mr. A. W. JOHNSON. The gist of my remarks, Mr. Speaker, was that we will go along with your suggestion that the Speaker pick a time each day when members can be recognized, and I believe it would be polite if the members would let the Chair know when they want to speak, and we would go along with your suggestion.

The SPEAKER. Under the rules that very thing can be done by the majority and minority leaders who can pick the order of the day any time they want to, and I will honor the day of the week on that particular order of business.

### FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence in the House of a former distinguished member of this House, the Honorable Joseph Hersch, former minority whip and at present the chief magistrate in the city of Philadelphia. Will the gentleman please rise?

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. PETROSKY for today.

Mr. Dougherty for Mr. MEHOLCHICK for today.

Mr. Tompkins for Mr. PRICE for remainder of the week.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, may I have permission of the Chair to move along without markings on the calendar so that I can call the bills in order, since I was not able to attend the full caucus and will have to consult carefully as I go.

On page 25, bills on third reading, for the first roll call of the day, Mr. Speaker, I call up House bill 244, printer's No. 2054.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 244, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743), changing compensation and allowances for magistrates.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—159

Anderson, S. A.,	Gallagher,	Lippincott,	Reibman,
Arlene,	Gelfand,	Long, Wm. Jas.,	Reidenbach,
Bachman,	Gibb,	Long, Wm. Jos.,	Renwick,
Backenstoe,	Gibbons,	Lutty,	Riley,
Blair,	Goldstein, J. H.,	Magee,	Rovansek,
Boles,	Goodrich,	Manbeck,	Rubin,
Bower,	Gramlich,	Markley,	Sakulsky,
Branca,	Gray,	Marsh,	Scarcelli,
Breth,	Greenlee,	Maxwell,	Schaaf,
Buchanan,	Gremminger,	May,	Schuster,
Capano,	Guesman,	McCann,	Seltzer,
Capitolo,	Hamilton,	McCormack,	Shelton,
Cianfrani,	Hankins,	McDevitt,	Sherman,
Cioffi,	Hartley,	McDonald,	Shupnik,
Clarke,	Haudenschild,	McKeever,	Simmons,
Comer,	Heavey,	McLaughlin,	Slack,
Cooley,	Heim,	McNally,	Stank,
Crossin,	Horst,	Merry,	Steckel,
Curwood,	Irviss,	Mihm,	Stimmel,
Davis,	Isaacs,	Mills,	Stone,
Dengler,	Jenkins,	Monroe,	Strausser,
Dennison,	Jim,	Morley,	Sullivan, J. A.,
Donaldson,	Johnson, A. W.,	Mullen,	Sullivan, T. F.,
Dougherty,	Johnson, R. P.,	Munley,	Taylor,
Doughten,	Jones,	Murphy,	Thompson,
Down,	Kamyk,	Murray,	Tomasick,
Edwards,	Kelser,	Musto,	Trusio,
Elberg,	Kelly,	Needham,	Ujobal,
Elvey,	Kernaghan,	O'Dell,	Varner,
Eshback,	Kessler,	O'Donnell, J. A.,	Wall,
	Kistler,	O'Donnell, J. P.,	Walsh,
Ewing,	Knecht,	Odorliso,	Wargo,
Farabaugh,	Kornick,	Parlante,	Welsh,
Filo,	Kramer,	Pashley,	Whittaker,
Fineman,	Lamb,	Perry,	Willard,
Flynn,	Lawson,	Piper,	Wynd,
Foerster,	Lee, A. M.,	Polaski,	Yetter,
Frascella,	Lee, K. B.,	Polen,	Zember,
Fry,	Leonard,	Prendergast,	Zimmerman,
Galley,	Limper,	Pursley,	Andrews,

Speaker

## NAYS—41

Adams,	Fulmer,	King,	Stiteler,
Anderson, J. H.,	George,	Kooker,	Tompkins,
Ashton,	Goldstein, M. H.,	Korns,	Weidner,
Auker,	Gross,	McCandless,	Wescott,
Bossert,	Heffner,	McInroy,	Willaredt,
Bowman,	Henzel,	Miller,	Williams, E. D.,
Bush,	Hocker,	Ogilvie,	Williams, E. S.,
Eshleman,	Holl,	Royer,	Wilt,
Fetterolf,	Holliday,	Rudisill,	Wood,
Foor,	Holman,	Rutherford,	Worley,
Fox,			

## NOT VOTING—9

Bonner,	Klein,	Petrosky,	Snare,
Cauley,	Meholchick,	Price,	Verona,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 396, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring mirrors on motor vehicles and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—100

Adams,	Frascella,	Limper,	Polaski,
Anderson, S. A.,	Fry,	Lippincott,	Polen,
Arlene,	Galley,	Long, Wm. Jas.,	Prendergast,
Auker,	Gallagher,	Long, Wm. Jos.,	Reibman,
Bachman,	Gelfand,	Lutty,	Riley,
Boles,	Goldstein, M. H.,	Marsh,	Rovansek,
Branca,	Gray,	McCann,	Rubin,
Breth,	Greenlee,	McCormack,	Rudisill,
Capano,	Gremminger,	McDevitt,	Scarcelli,
Capitolo,	Guesman,	McDonald,	Schuster,
Cauley,	Hankins,	McKeever,	Shelton,
Cioffi,	Heavey,	McNally,	Sherman,
Clarke,	Holliday,	Mihm,	Shupnik,
Comer,	Irviss,	Miller,	Stank,
Cooley,	Isaacs,	Monroe,	Sullivan, J. A.,
Crossin,	Jones,	Morley,	Sullivan, T. F.,
Dengler,	Kamyk,	Mullen,	Taylor,
Donaldson,	Kelser,	Munley,	Wargo,
Dougherty,	Kelly,	Murray,	Welsh,
Doughten,	Kernaghan,	Needham,	Willaredt,
Elberg,	King,	O'Donnell, J. P.,	Williams, A. D.,
	Kooker,	Odorliso,	Wilt,
Fineman,	Kornick,	Parlante,	Wood,
Flynn,	Lawson,	Pashley,	Yetter,
Foerster,	Leonard,	Perry,	Andrews,
Fox,			Speaker

## NAYS—97

Anderson, J. H.,	Gibb,	Lee, A. M.,	Seltzer,
Ashton,	Gibbons,	Lee, K. B.,	Simmons,
Backenstoe,	Goldstein, J. H.,	Magee,	Slack,
Blair,	Goodrich,	Manbeck,	Steckel,
Bossert,	Gramlich,	Markley,	Stimmel,
Bower,	Gross,	Maxwell,	Stiteler,
Bowman,	Hamilton,	May,	Stone,
Buchanan,	Haudenschild,	McCandless,	Strausser,
Bush,	Heffner,	McInroy,	Thompson,
Cianfrani,	Helm,	McLaughlin,	Tomasick,
Curwood,	Henzel,	Merry,	Tompkins,
Davis,	Hocker,	Mills,	Ujobal,
Dennison,	Holl,	Murphy,	Varner,
Down,	Holman,	Musto,	Wall,
Edwards,	Horst,	O'Dell,	Walsh,
Elvey,	Jenkins,	O'Donnell, J. A.,	Weidner,
Eshback,	Jim,	Ogilvie,	Wescott,
Eshleman,	Johnson, A. W.,	Piper,	Whittaker,
Ewing,	Johnson, R. P.,	Pursley,	Willard,
Farabaugh,	Kessler,	Renwick,	Williams, E. S.,
Fetterolf,	Kistler,	Royer,	Worley,
Filo,	Korns,	Rutherford,	Wynd,
Foor,	Kramer,	Sakulsky,	Zember,
Fulmer,	Lamb,	Schaaf,	Zimmerman,
George,			

## NOT VOTING—12

Bonner,	Klein,	Petrosky,	Snare,
Guthrie,	Knecht,	Price,	Trusio,
Hartley,	Meholchick,	Reidenbach,	Verona,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fails.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 397, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a term of imprisonment mandatory for operating a vehicle after the operator's privilege has been revoked.



On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by striking out "making" and inserting: authorizing

Amend Title, page 1, next to last line of Title, by striking out "mandatory"

Amend Sec. 1 (Sec. 624), page 2, line 9, by striking out "shall" and inserting: may

Amend Sec. 1 (Sec. 624), page 2, line 10, by inserting after "section": be sentenced to

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. TOMPKINS. House bill No. 397, which we are now considering, makes it mandatory upon the courts in the case of conviction or plea of guilty for operating a motor vehicle while your operator's license is under revocation, makes the sentencing mandatory. In other words, the court would have no choice, no discretion, no nothing, excepting to sentence to a minimum of six months' imprisonment and a maximum of three years, in addition to any fine which might be imposed under the provisions of the act. Now, my amendments merely strike out the word "shall" in this bill and make it "may," giving the courts some discretion, because of the fact that, in many cases, not only in offenses of this kind, but in all the offenses, the courts are given some discretion to regulate the penalty based upon circumstances, and many times there are mitigating circumstances. I do not know of any other criminal statute on the statute books that imposes a mandatory sentence for a first offense. In the case of narcotics, which we all consider to be a very heinous offense, you cannot impose a mandatory sentence excepting for a second or subsequent offense. They do not even impose it in those cases for the first offense. I believe this bill to be harsh in its present form. I believe the courts should be given some discretion in connection with circumstances that might be involved. For that reason I have offered these amendments.

The SPEAKER. Conversation is overpowering from the floor. I rather imagine that since the gentleman from Philadelphia is going to debate the bill he wants to hear what the minority whip has to say. The gentleman from Cameron will proceed.

Mr. TOMPKINS. I have made my statement, Mr. Speaker. I hope that a couple of them heard it.

The SPEAKER. The chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. It was with great difficulty that I could hear what he had to say, but I would like to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, what is the present law with respect to a person operating on a revoked or suspended license in Pennsylvania?

Mr. TOMPKINS. The present law makes it a misdemeanor, which means that you are indictable in the quarter sessions court of the Commonwealth of Pennsylvania, and the present law is that in case of conviction you are sentenced for a fine of not less than \$100 or more than \$500 and/or to go to prison for not more than three years. The bill before us provides that.

Mr. McCORMACK. Now, I did not ask you that. You said enough.

Mr. TOMPKINS. Well, I want to give the comparison so the people will know what we are talking about.

Mr. McCORMACK. I did not ask you that.

Mr. TOMPKINS. I know you did not ask me that, but I still want the people to know that by comparison the bill before us provides that you must give six months' sentence and there is no leeway to it. You go to jail for six months, period, with no discretion.

Mr. McCORMACK. Are you finished? In other words, the present law, Mr. Speaker, gives the court discretion, is that correct?

Mr. TOMPKINS. That is right, Mr. Speaker.

Mr. McCORMACK. So then in voting on the merits of the bill without your amendments, there would be no other purpose served in voting on your amendment or introducing it. If you do not like the bill making it mandatory, you vote against the bill and the law as it is now will be in effect. It would give the court discretion. Do you understand that?

Mr. TOMPKINS. I do.

Mr. McCORMACK. Well, then what is the purpose of your amendment?

Mr. TOMPKINS. The purpose of my amendment is that should this bill perchance obtain enough votes to go through, I do not want a mandatory sentence in here. If the amendments go in, I would have to admit to you that it would restore the bill to the present law.

Mr. McCORMACK. That is all, Mr. Speaker. Very briefly that is the issue, whether or not you want to give the courts discretion which they presently have under the law to impose a fine or imprisonment on a person who is operating on a suspended or revoked license. Now, a lot of people are dissatisfied with the way the courts are handling these problems involving safety on the highways and a lot of times the courts, despite the fact that a person can be the most flagrant violator operating on a revoked license, the court still sees fit to impose a fine rather than imprisonment. I agree with the gentleman from Cameron, Mr. Tompkins, that making it mandatory is rather a harsh thing in that it does not give the court any discretion, regardless of the particular mitigating circumstances, and I think it is an issue that should be given some consideration. As to how you finally decide, of course, is up to the House. I believe the bill as written is a good bill and making it discretionary would serve no real purpose.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, at the recent gridiron banquet that the newsmen held, they issued a publication

in which they described Ed Tompkins and I as opening up a law office in Harrisburg to handle fair education cases together. Now, after hearing his amendments and the purpose of the amendments, I believe there might be some truth to our going into the law business together because I support Mr. Tompkins' position 100 percent.

I think it is unreasonable to make imprisonment mandatory for an offense of this type. There are oodles and oodles of more heinous crimes on our panel statutes today where the offender is given an opportunity through the discretion of the courts to either be committed to imprisonment or to pay a fine or both. And I cannot, for the life of me, see that there should not be room for discretion in this type of violation, particularly where we can easily envision so many emergency situations where it is absolutely compelling and necessary that a motorist drives a car notwithstanding the fact that his driving license has been revoked. For that reason I am going to support the amendments.

Mr. TOMPKINS. Mr. Speaker, I wish to thank the gentleman from Philadelphia very much and I wish to thank the authors of that publication who put us into a practice to this extent anyhow.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. I would like to interrogate the sponsor of this bill, the gentleman from Philadelphia, Mr. McCormack.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McCormack, permit himself to be interrogated?

Mr. McCORMACK. I shall, Mr. Speaker.

Mr. ADAMS. Mr. Speaker, I would like to know what would happen to a vehicle operator if he had his license revoked and the department failed to return the license at the proper time either through an oversight or inefficiency when the man should have gotten it back? What would happen to the operator under this law if it became effective?

Mr. McCORMACK. You mean if the period of suspension had elapsed but the person did not receive his license physically after the period of suspension?

Mr. ADAMS. Yes, Mr. Speaker.

Mr. McCORMACK. And then he operated?

Mr. ADAMS. Yes.

Mr. McCORMACK. Well, we passed a bill a couple of weeks ago, did we not, which would make it lawful for a person to operate his motor vehicle after the period of suspension but prior to the time that he received it back.

Mr. ADAMS. Mr. Speaker, this particular bill does not say "suspension"; it say "revocation."

Mr. ADAMS. I am just asking you a question now.

Mr. McCORMACK. I am just answering your question now. What is your question again?

Mr. ADAMS. Mr. Speaker, I will repeat the question. What would happen to the operator if this bill were enacted into law and he drove his vehicle after the revocation had expired and he should have had his license returned but did not have it returned through oversight or inefficiency?

Mr. McCORMACK. It would be the same thing in a revocation or suspension, after the period expired. The present law makes it a misdemeanor for a person to operate his motor vehicle after his operating privileges have been suspended or revoked and before those priv-

ileges have been restored or reinstated, either on revocation or suspension prior to reinstatement. But then I told you we passed a bill a few weeks ago that would—

Mr. ADAMS. You said suspension - - -

Mr. McCORMACK. Well, I believe it pertains to both revocation and suspension.

May I say this, Mr. Speaker, I think it is apparent that there are not enough votes to pass this bill in its mandatory form. I believe the consensus is that the bill is going to be defeated. Now if Mr. Tompkins' amendments are adopted, the bill is going to be carried on the calendar and will defeat the measure's purpose because it would then be the same as the law is now.

So I suggest to Mr. Tompkins to withdraw the amendments, let the bill roll and let it be defeated. There are not 106 votes here to pass the bill.

Mr. ADAMS. Mr. Speaker, the gentleman answered much more than the question that I asked, but I believe the bill is too severe and my conscience dictates me to vote against it.

Mr. McCANN. Mr. Speaker, may I sincerely recommend to Mr. Tompkins, from what information I have, that if he withdraws his amendments, he knows where the bill is going.

#### AMENDMENTS WITHDRAWN

Mr. TOMPKINS. Mr. Speaker, I will withdraw my amendments.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—14

Capano,	Hamilton,	O'Donnell, J. P.,	Stank,
Cianfrani,	Lamb,	Riley,	Stone,
Flynn,	Needham,	Scarelli,	Wilt,
Goldstein, M. H.,	O'Donnell, J. A.,		

#### NAYS—181

Adams,	Fulmer,	Lee, A. M.,	Reibman,
Anderson, J. H.,	Galley,	Lee, K. B.,	Renwick,
Anderson, S. A.,	Gallagher,	Leonard,	Rovansek,
Arlene,	Gelfand,	Limper,	Royer,
Ashton,	George,	Lippincott,	Rubin,
Bachman,	Gibb,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Blair,	Goldstein, J. H.,	Lutty,	Sakulsky,
Boles,	Goodrich,	Magee,	Schaaf,
Bonner,	Gramlich,	Manbeck,	Schuster,
Bossert,	Gray,	Markley,	Seltzer,
Bower,	Greenlee,	Marsh,	Shelton,
Bowman,	Gremminger,	Maxwell,	Sherman,
Branca,	Gross,	May,	Shupnik,
Buchanan,	Guesman,	McCandless,	Simmons,
Bush,	Hankins,	McCann,	Slack,
Capitolo,	Hartley,	McCormack,	Steckel,
Cauley,	Haudenshield,	McDevitt,	Stimmel,
Cioffi,	Heavey,	McDonald,	Stiteler,
Clarke,	Hefner,	McInroy,	Strausser,
Comer,	Helm,	McKeever,	Sullivan, J. A.,
Cooley,	Hocker,	McLaughlin,	Sullivan, T. F.,
Crossin,	Holl,	McNally,	Taylor,
Curwood,	Holliday,	Merry,	Thompson,
Davis,	Holman,	Mihm,	Tomascik,
Dengler,	Horst,	Miller,	Tompkins,
Dennison,	Irvia,	Mills,	Truslo,
Donaldson,	Isaacs,	Monroe,	Ujbal,
Doughten,	Jenkins,	Morley,	Varnier,
Down,	Jim,	Mullen,	Wall,
Edwards,	Johnson, A. W.,	Munley,	Walsh,
Elberg,	Johnson, R. P.,	Murphy,	Wargo,
Elvey,	Jones,	Murray,	Weldner,
Eshback,	Kamyk,	Musto,	Welsh,
Eshleman,	Kelser,	O'Dell,	Whittaker,
	Kelly,	Odorisio,	Willaredt,



Ewing, Farabaugh, Fetterolf, Filo, Fineman, Foerster, Foor, Fox, Frascella, Fry,	Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lawson,	Ogilvie, Parlante, Pashley, Perry, Piper, Polaski, Polen, Prendergast, Pursley,	Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NOT VOTING—14

Auker, Breth, Dougherty, Guthrie,	Henzel, Kleln, Meholchick, Petrosky,	Price, Reidenbach, Snare,	Verona, Wescott, Willard,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. AUKER. Mr. Speaker, if I had been present in the House, I would have voted "no" on this bill.

The SPEAKER. Does the gentleman from Blair desire to be recorded as being one who desires to make it 182?

Mr. AUKER. That is correct, Mr. Speaker.

The SPEAKER. Happy to hear it.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Willard.

Mr. WILLARD. Mr. Speaker, if I had been present, I would have voted in the negative on that last roll call.

The SPEAKER. The remarks of the gentlemen will be recorded in the journal.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 473, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), further regulating the price to be paid for State forest lands.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules for the purpose of amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 640, entitled:

An Act repealing section 2511 act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949" relating to payments on account of closed schools.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, first line of Title, by striking out "Repealing section 2511" and inserting Amending the

Amend Title, page 1, last line of Title, by striking out "relating to" and inserting providing for the termination of

Amend Title, page 1, last line of Title by inserting after "schools" after twenty years.

Amend Sec. 1, page 2, line 2 by striking out "which

reads as follows is repealed" and inserting is amended to read:

Amend Sec. 1 (Sec. 2511), page 2, line 14 by inserting after "townships" provided, however, that such payments shall cease on behalf of each such closed or discontinued school after annual payments have been made on behalf of such closed or discontinued school for a period of twenty or more years.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, I think I can explain the amendments and dispense with the reading of them in full, if that is satisfactory.

The SPEAKER. The Chair recognizes the gentleman from York, who will explain the amendments.

Mr. GAILEY. Mr. Speaker, I think we all know the content of House bill 640. It is not my intention today to debate the merits of this legislation per se. I would like to confine my remarks to the amendments which I have offered.

What the amendments do is this: We are all familiar that certain school districts receive payments on account of closed schools, as it is called. It varies. Some get \$100, some get \$200, for each school they have closed in the course of a rebuilding program. I think we are all aware of the arguments pro and con concerning the effectiveness of this type of school subsidy. These amendments wipe out the repealer of this act. In other words, they change it from an act that repeals outright the school subsidy in these cases and it substitutes instead a provision that school districts shall continue to receive this money, but in no case longer than a period of 20 years..

It seems to me that these amendments make sense on a number of scores. First, many of our districts, in good faith, have closed their schools, relying on this particular subsidy to help them amortize their bond issues. Second, they have been counting on it in their budgets and have the right to count on it in their budgets for at least a reasonable period of time. I would suggest to the members of this House that 20 years is a reasonable period of time. It is the period of time for which most bond issues are written, although some, of course, are written for longer, but I think you will find that the average school bond issue runs for 20 years. It is the intent of this amendment to allow this subsidy to continue for such a period of time as the ordinary school bond issue. This ties in, of course, with the closing of the schools originally.

This will do a number of things: It will save our districts substantial sums which they might have lost otherwise if this bill were passed in its original form. I do not think there is anyone in this House who can argue with logic that these subsidies on account of closed schools should continue for an indefinite period of time. I think we all know that ever since 1912 some districts have been receiving these funds. That is a period of almost 50 years. Surely, in that time the amortization costs for the replacement of these closed schools would have been well taken care of. It seems to me to make good sense to take the money that will be saved by the re-

duction in the cost of subsidies in this area and put it to use through a more logical system than the subsidies.

As I say, I think these amendments make sense. I like to think they are an effective compromise between some people who feel that these subsidies should go on ad infinitum and those who feel that they should be cut out altogether.

I respectfully request members on both sides of the House to support these amendments.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I had wanted to interrogate the gentleman from York, Mr. Gailey, about this bill, but he answered the question. What I wondered was, why a 20-year figure was taken, a rather arbitrary figure? He explained why. He said that the average bond issue was for 20 years, but I believe that is incorrect.

I have received correspondence from a number of rural school districts in Berks County explaining to me that they have bond issues that run between 30 and 40 years. Now, if the amendments aim to cut off this remuneration of \$200 per closed school, cut it off at a time when the bond issue expires. This may be all right to cut it off for districts that have received it since 1912 where the bond issue has been paid for, for the construction of a school in the rural areas where they joined when they closed their one-room schools, but we have schools that were closed within the last two or three years and will be indebted for the next 30 or 35 years, and these funds which are received from the Commonwealth have been earmarked to pay for the interest and to reduce the bonded indebtedness.

I feel that the adoption of this 20-year amendment is a step in the right direction. I just do not think it is adequate to cover the situation completely. I feel this legislation is a breach of faith with the school districts of Pennsylvania. If the bill is going to pass, it would be well if these amendments were in, but I feel that the same thing will happen to the bill that happened to the previous bill, if and when it comes up for a vote. I must oppose the amendments.

The SPEAKER. The Chair recognizes the gentleman from Potter, Mr. Goodrich.

Mr. GOODRICH. Mr. Speaker, will the gentleman from York, Mr. Gailey, permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

The SPEAKER. The gentleman from Potter will proceed.

Mr. GOODRICH. Mr. Speaker, I do not quite understand the intent of this amendment. I would like to ask one question:

If a school district had been closed in 1930, what would the effect of the amendment be?

Mr. GAILEY. If a school district or a school had been closed in 1930?

Mr. GOODRICH. Yes, if a school had been closed in 1930.

Mr. GAILEY. Mr. Speaker, I thought I had explained it sufficiently. It means that the district, then, under these amendments would stop receiving the subsidies, since it has been more than 20 years ago.

Mr. GOODRICH. Then no school which has been closed since 1941 would receive payments for a closed school?

Mr. GAILEY. Not quite, Mr. Speaker. The act does not

take effect since it was amended in committee, the gentleman will recall, to make the act effective May of 1962, I believe it is, so it would be since 1942. That is correct.

Mr. GOODRICH. Mr. Speaker, would you have information as to how many districts that are now receiving payments for closed schools would be affected by the amendments and to what extent?

Mr. GAILEY. I have such information, Mr. Speaker. It is not in such form as would enable me to give the gentleman if he asked me concerning, for instance, Lower Punxsutawney School District in Potter County. I could calculate it for him. It would take some time to do it. I can give the gentleman, if it will be of any help to him, an estimate of the savings to the Commonwealth and, parenthetically, the amount therefore available for distribution under other subsidy methods if this amendment were to be adopted. It has been estimated at approximately \$1 million. It is my understanding that this presently runs \$2.5 million overall, so it means that from 1962 \$1.5 million would be distributed in that year under this present method of subsidy and we would have an additional \$1 million which would be saved, which this legislature, in its wisdom, could decide to use for other purposes should it so wish.

Mr. GOODRICH. I thank the gentleman, Mr. Speaker. I could help him with his geography a little, though.

Mr. Speaker, I am asking the members of the House to vote against the amendment. The bill itself, of course, is extremely objectionable to most of the school districts of Pennsylvania. The amendments themselves might add some value to the bill, but they really do not solve the problem. The amendments themselves do this. They lessen the bad faith which the legislature of Pennsylvania would have in passing House bill 640, but they would not eliminate the bad faith that we would have. Actually, the payments for closed schools originated for several reasons. One may have been the building of schools to take care of the students who were transported from those closed schools; also, the purpose was to aid in the transportation of children from closed schools to consolidated schools. The Pennsylvania legislature offered this sum to the school districts to encourage consolidation of schools. Therefore, it would be bad faith to pass the amendment and the bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, would the gentleman from Potter, Mr. Goodrich, allow himself to be interrogated briefly?

The SPEAKER. Will the gentleman from Potter allow himself to be interrogated?

Mr. GOODRICH. I shall, Mr. Speaker.

Mr. GAILEY. Mr. Speaker, is the gentleman familiar with certain situations with regard to closed school subsidies in which school districts are no longer in operation and in which schools have been under 10 feet of water for 20 years, and a good many others, that are still receiving subsidies on account of closed schools? Is he familiar with newspaper stories concerning them?

Mr. GOODRICH. I am familiar, Mr. Speaker, with a minnow caught in a mud puddle that was the subject of a story in the Philadelphia Bulletin, I believe.

Mr. GAILEY. Mr. Speaker, will the gentleman agree with me, in view of our far-reaching program which we



presently have for subsidies paid by the Commonwealth to districts on account of new buildings, that while school districts count on this money, this is not a particularly logical way for the State to distribute these funds?

Mr. GOODRICH. No, I will not agree that it is not particularly logical. It could be improved. I think several of us have bills that would be an improvement, but those bills are not under consideration. Therefore, out of defense, we must retain the present legislation.

Mr. GAILEY. Does the gentleman agree with me, however—I gather that he does—that there is substantial room, or, at least, some room—I will not put words in his mouth, but there is at least some room—for improvement in this particular area?

Mr. GOODRICH. I agree there is some room for improvement in this particular area.

Mr. GAILEY. I thank the gentleman.

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, all over Pennsylvania today every member of this House must admit that our local schools are in bad shape financially, particularly in the smaller counties. I realize that giving this closed-school money has been a gimmick to give more money, or maintain a certain subsidy to school districts, and it probably is illogical, but the fact remains that the school districts must have this money. Until we in this House change the formula in some way so the schools will not lose this subsidy money, until we get right down to brass tacks and revamp our entire subsidy idea, until then—the cities are not satisfied with their subsidies, they do not get what they think they are entitled to—but until rural Pennsylvania gets what it wants, I think it is very unwise to take this money away from the school districts, particularly right now when they are making their budgets.

All over this State, no matter where you are from, when you get home this week end your school boards are going to ask you, are we going to get the money? As I said yesterday to Mr. Polen, under the freeze clause of the educational bill, are we going to be able to retain our closed-school money? How are we going to balance our budgets? In practically every community in this State the millage has jumped anywhere from 25 to 30 mills for school taxes, particularly in the northern tier counties and middle Pennsylvania.

Therefore, it is absolutely essential that, until we do something drastic here to our formula ideas, the schools must have this money and even this amendment which will cut it down about \$1 million should not prevail, nor should the bill prevail. Therefore, I am asking that the members go against these amendments and, also, when the bill comes up for final passage, that they vote against the bill.

I would be willing to sit down to devise a formula which would be fair to everybody in this State, including the big cities, but until we do that, now is no time to deprive our schools of that money.

Therefore, in behalf of the schools of Pennsylvania that have bonded themselves and relied on this closed-school money, I say it is entirely wrong to either pass these amendments or pass the bill in question. Therefore, I say vote down the amendments, please.

The SPEAKER. The chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. I do not like to abuse the privilege of speaking too many times on one bill. I know we have overlooked it many times this session and, unfortunately, it prolongs debate unnecessarily. However, I do think the minority leader is not speaking accurately when he advises the House as he does. In the first place, should these amendments not go into the bill and should the bill prevail, it would wipe this out altogether. These amendments are a softening of the blow which would be imposed by this bill. In the second place, Mr. Speaker, I would like to point out again that this does not affect budgets for this year; it affects school budgets for the school year beginning in July, 1962, in which case, it seems to me, they have ample time to make provisions for it. The impact would be modest, I can assure this House, if these amendments are accepted.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. GAILEY and McCANN and were as follows:

#### YEAS—70

Anderson, S. A.,	Gallagher,	Leonard,	Polaski,
Arlene,	Gelfand,	Limper,	Prendergast,
Auker,	Gibb,	Lutty,	Riley,
Boies,	Gibbons,	McCann,	Rubin,
Branca,	Gray,	McCormack,	Scarcelli,
Capitolo,	Greenlee,	McKeever,	Schaaf,
Cauley,	Gremminger,	McLaughlin,	Schuster,
Cianfrani,	Guesman,	Mihm,	Shelton,
Clarke,	Hankins,	Monroe,	Sherman,
Donaldson,	Hartley,	Morley,	Stank,
Dougherty,	Irviss,	Mullen,	Sullivan, J. A.,
Doughten,	Jones,	Murray,	Sullivan, T. F.,
Ellberg,	Kamyk,	Needham,	Taylor,
Fineman,	Kelly,	O'Donnell, J. P.,	Walsh,
Foerster,	Kramer,	Parlante,	Wescott,
Frascella,	Lamb,	Pashley,	Williams, A. D.,
Fry,	Lawson,	Perry,	Wilt,
Gailey,	Lee, A. M.,		

#### NAYS—124

Adams,	Fox,	Korns,	Rudisill,
Anderson, J. H.	Fulmer,	Lee, K. B.,	Rutherford,
Ashton,	George,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Seltzer,
Backenstoe,	Goldstein, M. H.,	Magee,	Shupnik,
Blair,	Goodrich,	Manbeck,	Simmons,
Bonner,	Gramlich,	Markley,	Slack,
Bossert,	Hamilton,	Marsh,	Steckel,
Bower,	Haudenschild,	Maxwell,	Stimmel,
Bowman,	Heavey,	May,	Stiteler,
Breth,	Hefner,	McCandless,	Stone,
Buchanan,	Helm,	McDevitt,	Strausser,
Bush,	Henzel,	McDonald,	Thompson,
Capano,	Hocker,	McInroy,	Tomasick,
Cooley,	Holl,	McNally,	Tompkins,
Crossin,	Holliday,	Merry,	Trusio,
Curwood,	Holman,	Miller,	Ujobai,
Davis,	Horst,	Mills,	Varnier,
Dengler,	Isaacs,	Murphy,	Wall,
Dennison,	Jenkins,	Musto,	Weidner,
Down,	Jim,	O'Dell,	Welsh,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Whittaker,
Elvey,	Johnson, R. P.,	Odorisio,	Willard,
Eshback,	Ketser,	Oglvie,	Willaredt,
Eshleman,	Kernaghan,	Piper,	Williams, E. S.,
	Kessler,	Polen,	Wood,
Ewing,	King,	Pursley,	Worley,
Farabaugh,	Kistler,	Reibman,	Wynd,
Fetterolf,	Knecht,	Renwick,	Zember,
Filo,	Kooker,	Rovansek,	Zimmerman,
Flynn,	Kornick,	Royer,	Andrews,
Foor,			

Speaker

#### NOT VOTING—15

Cioffi,	Klein,	Petrosky,	Verona,
Comer,	Lippincott,	Price,	Wargo,
Gross,	Meholchick,	Reidenbach,	Yetter,
Guthrie,	Munley,	Snare,	

So the question was determined in the negative and the amendments were not agreed to.

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to,  
On the question,  
Shall the bill pass finally?

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Mr. GROSS. Mr. Speaker, I desire to be recorded as voting "no" on the bill.

The SPEAKER. The remarks of the gentleman will be noted in the journal.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 890, entitled:

An Act repealing acts pertaining to Berks County prison inspectors.

On the question,  
Will the House agree to the bill on third reading?

Mr. McDEVITT asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 2, page 2, line 8 by striking out "take effect immediately" and inserting "not take effect until a referendum in Berks County approving the same shall have been held, in which event it shall become effective ten days after such approval. Thereupon, the administration of the prisons shall be governed as provided by laws relating to the administration of county prisons in counties of the third, fourth and fifth classes.

The county commissioners shall cause the question to be submitted at the next general election. The question shall be submitted on the ballot or on voting machines in the manner provided by the election laws of this Commonwealth and shall be submitted in the following form:

Do you favor the repeal of the acts under which members of the Board of Inspectors of Berks County Prison are elected and their expenses are fixed?

The election on this question shall be governed in all respects by the election laws of this Commonwealth in so far as they are applicable."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendments?

#### PARLIAMENTARY INQUIRY

Mr. PIPER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PIPER. Mr. Speaker, according to constitutional law, we were compelled to advertise this bill before submitting it to this House for action. The notice of the special bill was advertised in the newspapers, and I would like to read it:

Notice is hereby given that during the regular session of the General Assembly of the Commonwealth of Pennsylvania to be held in the year 1961, there will be introduced a bill entitled "An act repealing acts pertaining to Berks County prison inspectors."

The object of the bill is to repeal the provision of the special laws relating to prison inspectors in Berks County, and by the repeal to have the appointment, powers and duties of inspectors of the jail or county prison governed by general law.

Are these amendments in accordance with our advertising?

Mr. McCANN. Mr. Speaker, may we be at ease until we have a conference?

The SPEAKER. Yes.

(The House was at ease.)

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, the gentleman from Berks, Mr. McDevitt, will withdraw his amendments. I will ask that the bill be passed over. They will be having a conference. There are two conflicting answers from the Legislative Reference Bureau on this. Therefore, they will settle it by tomorrow. I ask that the gentleman from Berks, Mr. McDevitt, withdraw his amendments.

#### AMENDMENTS WITHDRAWN

The SPEAKER. The gentleman requests that the amendments be withdrawn.

#### BILL PASSED OVER

There being no objection

House bill No. 890, printer's No. 979  
was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1122, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417), increasing the annual license fees on milk dealers.

On the question,  
Will the House agree to the bill on third reading?

It was agreed to.

On the question,  
Shall the bill pass finally?

The SPEAKER. Does the gentleman from Butler, Mr. McCandless, desire to be recognized?

Mr. McCANDLESS. I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. McCandless.

Mr. McCANDLESS. Mr. Speaker, House bill 1122 would require the milk dealers to pay the entire cost of operating the Milk Control Commission by increasing the fee per hundredweight from ½ cent to 1½ cents. If this bill were passed, Pennsylvania farmers would be deprived of any say on the Milk Control Commission, the reason being that "he who controls the purse strings has the final say."

In 1937, when the Pennsylvania Milk Control Commission was established by the Pennsylvania legislature, the General Assembly appropriated money for two-thirds of the cost of operating the commission. Dealers contributed one-third. The reason for this action at that time was that the consumer and producer interest should be paid out of the general tax funds.

In 1954, the Milk Control Law was amended, increasing the dealers' contribution from one-third to where it accounted for two-thirds of the financing of the commission. This bill would again amend the Milk Control



Law whereby dealers would be paying the entire cost of the commission.

House bill 1122 is not a good bill for the dairy industry of Pennsylvania. It technically places the entire say of the operation of the commission in the hands of one segment of the dairy industry, namely, the milk dealers. Consumers, as well as farmers, would therefore have no real representation on the commission because every member of the commission and every employe of the commission knows from where their pay check comes.

On April 25, dairymen from 40 counties had a meeting at Camp Hill to discuss and take action on House bill 1122. It was unanimously agreed that an all-out effort be made to oppose this bill.

Based on the above I urge my colleagues to oppose House bill 1122.

#### MOTION TO RECOMMIT

Mr. McCANDLESS. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture and Dairy Industries for the purpose of further study.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, the motion by the gentleman, Mr. McCandless, is on recommitting this bill. I realize it is not proper to speak on the bill itself because a recommittal motion has been made, but we certainly would like to have an opportunity to vote on and discuss this bill in an effort to determine policy year after year with regard to the appropriation, for whichever party is in control will have to answer when they prepare a bill in the Appropriations Committee on appropriations to all, including the Milk Commission.

For that reason I am going to ask that the members oppose the motion to recommit it for the purpose of voting on it, even though I am aware that some are opposed to the bill. I ask that the membership vote "no" on the motion to recommit.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. McCANDLESS and McCANN and were as follows:

#### YEAS—98

Adams,	Fulmer,	Knecht,	Simmons,
Anderson, J. H.	George,	Kooker,	Slack,
Ashton,	Gibb,	Korns,	Steckel,
Auker,	Gibbons,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Magee,	Strausser,
Bossert,	Gramlich,	Manbeck,	Thompson,
Bower,	Gross,	Markley,	Tompkins,
Bowman,	Haudenshield,	Marsh,	Ujobal,
Buchanan,	Heffner,	Maxwell,	Varner,
Bush,	Helm,	May,	Wall,
Davis,	Henzel,	McCandless,	Weidner,
Dengler,	Hocker,	McInroy,	Wescott,
Dennison,	Holl,	Merry,	Whittaker,
Donaldson,	Holliday,	Miller,	Willard,
Down,	Holman,	Mills,	Willaredt,
Edwards,	Horst,	O'Dell,	Williams, A. D.,
Elvey,	Isaacs,	Odorisio,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Ogilvie,	Wilt,
Eshleman,	Johnson, R. P.,	Piper,	Wood,
	Keiser,	Pursley,	Worley,
	Kernaghan,	Royer,	Wynd,
	Kessler,	Rutherford,	Zember,
Ewing,	King,	Sakulsky,	Zimmerman,
Fetterolf,	Kistler,	Seltzer,	
Fox,			

#### NAYS—101

Anderson, S. A.,	Fry,	Long, Wm. Jos.,	Prendergast,
Arlene,	Galley,	Lutty,	Reibman,
Bachman	Gallagher,	McCann,	Reidenbach,
Boles,	Gelfand,	McCormack,	Renwick,
Bonner,	Goldstein, M. H.,	McDevitt,	Riley,
Branca,	Gray,	McDonald,	Rovansek,
Breth,	Greenlee,	McKeever,	Rubin,
Capano,	Gremminger,	McLaughlin,	Rudisill,
Capitolo,	Guesman,	McNally,	Scarcelli,
Cauley,	Hamilton,	Mihm,	Schaaf,
Cianfrani,	Hankins,	Monroe,	Schuster,
Cioffi,	Hartley,	Morley,	Shelton,
Clarke,	Heavey,	Mullen,	Sherman,
Comer,	Irvls,	Munley,	Shupnik,
Cooley,	Jenkins,	Murphy,	Stank,
Crossin,	Jim,	Murray,	Stone,
Curwood,	Jones,	Musto,	Sullivan, J. A.,
Dougherty,	Kamyk,	Needham,	Sullivan, T. F.,
Doughten,	Kelly,	O'Donnell, J. A.,	Taylor,
Edlberg,	Kornick,	O'Donnell, J. P.,	Tomascik,
Farabaugh,	Kramer,	Parlante,	Trusio,
Filo,	Lawson,	Pashley,	Walsh,
Fineman,	Leonard,	Perry,	Wargo,
Flynn,	Limper,	Polaski,	Welsh,
Foerster,	Long, Wm. Jas.,	Polen,	Andrews,
Frascella,			Speaker

#### NOT VOTING—10

Guthrie,	Lippincott,	Price,	Verona,
Klein,	Meholchick,	Snare,	Yetter,
Lamb,	Petrosky,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Down.

Mr. DOWN. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER. Will the sponsor of the bill permit himself to be interrogated?

Mr. PRENDERGAST. I shall, Mr. Speaker.

Mr. DOWN. Mr. Speaker, I understand under the Milk Control Law that the books of the milk dealers are studied by the Milk Control Commission and the cost of operation determines the price to the consumer. If this bill passes, could this possibly mean that the high-priced milk will then be higher to the consumer?

Mr. PRENDERGAST. Will the gentleman repeat the question please?

Mr. DOWN. The question I asked was on the cost of operation, the increased cost of operation to the milk dealers. As I understand it, the costs to the milk dealers are studied by the Milk Control Commission and thus the cost of operation determines the price to the consumer. This could possibly mean an increase of operation. Would this mean an increased cost to the consumer?

Mr. PRENDERGAST. Mr. Speaker, this bill will cost approximately \$300,000. However, the return estimated is \$300,000 this year. I do not feel that \$300,000 spread over the entire milk industry will increase the cost of milk to the average consumer.

Mr. DOWN. Is the gentleman answering the question by saying that he does not feel that this will increase the price of milk to the consumer.

Mr. PRENDERGAST. That is correct, Mr. Speaker.

Mr. DOWN. Mr. Speaker, I cannot see how it will be possible when this is an increased cost to the dealer.

Mr. PRENDERGAST. It is not an unusual situation for an industry or concern to absorb certain costs and

it is my belief that these costs will be absorbed by the milk dealers themselves.

Mr. DOWN. Well, I differ with the gentleman's opinion because, being a little familiar with the Milk Control Commission and the dealer's cost, the producer's cost, and the consumer's costs, in the high-priced areas, such as the Pittsburgh area, this, in my opinion, will no doubt increase the cost of milk to the consumers.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, yes, to answer the aside here, I am a lawyer. I might say that I did not go to the University of Pennsylvania either.

However, I wish that each member of this House could read the note in the Law Review of the University of Pittsburgh, published, I think, in February of 1961, which in detail examines the Milk Control Act of Pennsylvania since its original enactment back in the 30's. It is a clear, lucid explanation of how milk control works in Pennsylvania. I commend it to the reading of every member here, and I particularly suggest it for the reading of the lawyers in this House.

Mr. Speaker, this bill, although I have a great appreciation for the revenue difficulties of this Commonwealth, is another step in creating and strengthening the hold of a regulated group of a union which regulates that group.

I say that my concern is basically on behalf of the consumer. This bill cannot do anything else but represent the best interests of the best producers. Their interests are adverse to the consumer's interest. I again concur in the remarks of my good friend and colleague, the gentleman from Butler, Mr. McCandless; I suggest that it is true. In my own Erie County I have seen small dairy farms go under. The only possibility, apparently, is a large investment of capital, the refinement of their herds, bigness, Mr. Speaker, on the producing end, and the little man cannot do it. I hope to see the day, before I leave these legislative halls, when this legislature defeats this legislation. In 1937, after the creation of the emergency which prompted the enactment of the Milk Control legislation, they had the sense to re-examine the problems. This is something that Pennsylvania has not done since the enactment of this emergency legislation in the 30's. This is a problem which could well deserve the attention of this legislature, and, as I said, I hope it is done. But until it is, I think that legislation of this type, which as I said only strengthens the position of one segment of this economy, should be defeated.

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fox.

Mr. FOX. Mr. Speaker, I rise to oppose this bill. I will not continue the general discussion of the milk control question. Rather, I rise to oppose it on the ground that it is now absolutely unnecessary to pass this bill.

The money to operate the Milk Control Commission has in the past come from two sources, license fees on milk dealers and a supplemental appropriation from the general fund. Over the past several bienniums the supplemental appropriation was \$300,000 per biennium, or \$150,000 per year. This bill originally was introduced, I am told, to make such an appropriation unnecessary. However, the general appropriations bill that has been passed by both Houses and signed by the Governor in-

cludes the provision to appropriate, not \$150,000 a year, but an increase in the total of \$200,000 a year to the Milk Control Commission. Therefore, without this bill they are getting a \$50,000-a-year increase. With this bill, as has been truthfully stated, it will bring in \$300,000 and they will be getting a \$350,000-a-year increase. That is absolutely wrong. Since the appropriation has been passed and signed, this bill, by all means, should be defeated as being completely unnecessary.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I only want to clarify the point of the gentleman from Lawrence, Mr. Fox. The statements he made are not correct in this sense: We have appropriated the money for the milk commission because the appropriation had to be put in the Appropriations Committee for this year. There was no question because 1122 was not law, which would raise the money for the milk commission.

Now then, the milk commission does have an appropriation for the current fiscal 13 months, the same as the other executive branches that were in the general appropriations bill.

The purpose of this bill at this point, which, of course, would also have to be changed in the future, is to determine the policy of whether each year you intend to continue to appropriate money to the milk commission or try to place them on a self-supporting income basis. This becomes a decision. There has been, up to this date, no amendments offered by anyone to change any of the fees proposed in 1122 to reduce the income in any way. I believe that we should vote on the bill. I, of course, am aware of the situation because we have checked continually on this bill.

With the passage of this bill, it will establish one policy; with the failure of the bill, it will continue to carry out the policy of appropriating the money from the general fund to the milk commission. I do not argue the points in the bill as to the revenue they raise, which, I believe, has been certified to by Mr. Polen, the chairman of the Appropriations Committee, nor do I argue as to the operating expense of the milk commission. But there is no question but that you who have served here and worked on the fiscal budget of this Commonwealth are well aware that the appropriations must be appropriated each year, although they do receive a sum of money from the present fees under the law.

Therefore, I would like to vote the bill and that was the purpose in asking that you defeat the amendment, that the bill be voted, which would establish the policy of this House regarding money for the milk commission at the present time.

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fox.

Mr. FOX. Perhaps it is the way to establish a policy by voting on a bill like this. However, this bill was on the calendar before the appropriations bill was passed. While it could have been established before the appropriations passed either the House or the Senate, it was not. That policy can be established next year in our fiscal session before the appropriations bill comes before this body. It is not necessary now to set that policy and in so doing take from the milk dealers \$300,000 that the milk commission does not need.



On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—57

Anderson, S. A.,	Filo,	Lawson,	Pashley,
Arlene,	Frascella,	Leonard,	Polen,
Boles,	Galley,	Limper,	Prendergast,
Bonner,	Gelfand,	Lutty,	Riley,
Branca,	Gray,	McCann,	Rovanssek,
Breth,	Greenlee,	McDevitt,	Rubin,
Capitolo,	Gremminger,	McKeever,	Scarcelli,
Cauley,	Hankins,	McNally,	Shelton,
Clanfrani,	Hartley,	Monroe,	Sullivan, J. A.,
Clarke,	Irvis,	Morley,	Taylor,
Comer,	Jones,	Mullen,	Tomasck,
Dougherty,	Kamyk,	Needham,	Wargo,
Doughten,	Kelly,	O'Donnell, J. P.,	Welsh,
Ellberg,	Lamb,	Parlante,	Andrews,
Farabaugh,			Speaker

## NAYS—136

Adams,	Gibb,	Lee, K. B.,	Schaaf,
Anderson, J. H.,	Gibbons,	Long, Wm. Jas.,	Schuster,
Ashton,	Goldstein, J. H.,	Long, Wm. Jos.,	Seltzer,
Auker,	Goldstein, M. H.,	Magee,	Sherman,
Bachman,	Goodrich,	Manbeck,	Shupnik,
Backenstoe,	Gramlich,	Markley,	Simmons,
Bossert,	Gross,	Marsh,	Slack,
Bower,	Guesman,	Maxwell,	Stank,
Bowman,	Hamilton,	May,	Steckel,
Buchanan,	Haudenshield,	McCandless,	Stimmel,
Bush,	Heavey,	McDonald,	Stiteler,
Capano,	Heffner,	McInroy,	Stone,
Cooley,	Helm,	McLaughlin,	Strausser,
Crossin,	Henzel,	Merry,	Sullivan, T. F.,
Curwood,	Hocker,	Mihm,	Thompson,
Davis,	Holl,	Miller,	Tompkins,
Dengler,	Holliday,	Mills,	Trusio,
Dennison,	Holman,	Munley,	Ujobal,
Donaldson,	Horst,	Murphy,	Varnar,
Down,	Isaacs,	Musto,	Wall,
Edwards,	Jenkins,	O'Dell,	Walsh,
Elvey,	Jim,	O'Donnell, J. A.,	Weidner,
Eshback,	Johnson, A. W.,	Odorisio,	Wescott,
Eshleman,	Johnson, E. P.,	Ogillive,	Whittaker,
	Kernaghan,	Piper,	Willard,
Ewing,	Kessler,	Polaski,	Willaredt,
Fetterolf,	Kelser,	Pursley,	Williams, A. D.,
Flynn,	Knecht,	Reibman,	Williams, E. S.,
Foerster,	King,	Reidenbach,	Wilt,
Foor,	Kistler,	Renwick,	Wood,
Fox,	Kooker,	Royer,	Worley,
Fry,	Kornick,	Rudisill,	Wynd,
Fulmer,	Korns,	Rutherford,	Zimmerman,
Gallagher,	Kramer,	Sakulsky,	
George,			

## NOT VOTING—16

Blair,	Klein,	Meholchick,	Price,
Cloffi,	Lee, A. M.,	Murray,	Snare,
Fineman,	Lippincott,	Perry,	Verona,
Guthrie,	McCormack,	Petrosky,	Yetter,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1212, entitled:

An Act amending the act of July 5, 1917 (P. L. 693), entitled "An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children \* \* \*" providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON. Mr. Speaker, I heard this bill might be passed over and we did not caucus on it, 1212.

Mr. McCANN. Did they caucus on the next bill, Mr. Speaker?

Mr. A. W. JOHNSON. Yes, we have caucused on 1215.

Mr. McCANN. House bill 1212 was marked for caucus and Mr. Irvis of Allegheny to debate it. It is a bill that is needed in conjunction with another bill that is coming from the Senate.

Mr. A. W. JOHNSON. Well, we will caucus on 1212 tomorrow, unless it is imperative to move it today, when we will call a quick caucus.

Mr. McCANN. No, Mr. Speaker.

## BILL PASSED OVER

There being no objection

House bill No. 1212, printer's No. 1385  
was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1215, entitled:

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145), fixing the maximum tax which may be assessed by school districts and other political subdivisions on the wages salary commissions or other earned income of the same individual.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—93

Anderson, J. H.,	Frascella,	Lamb,	Reidenbach,
Anderson, S. A.,	Fry,	Lawson,	Renwick,
Arlene,	Gallagher,	Lee, A. M.,	Riley,
Ashton,	Gelfand,	Leonard,	Rubin,
Blair,	Gray,	Limper,	Scarcelli,
Boles,	Greenlee,	Lutty,	Schaaf,
Bossert,	Gramlich,	Marsh,	Schuster,
Bowman,	Gremminger,	McCandless,	Shelton,
Branca,	Guesman,	McCann,	Sherman,
Capitolo,	Hamilton,	McCormack,	Slack,
Cauley,	Hankins,	McDevitt,	Stiteler,
Clarke,	Hartley,	McKeever,	Stone,
Comer,	Haudenshield,	McLaughlin,	Strausser,
Crossin,	Heavey,	Monroe,	Sullivan, J. A.,
Davis,	Helm,	Morley,	Taylor,
Dennison,	Henzel,	Mullen,	Tomasck,
Dougherty,	Holl,	O'Dell,	Ujobal,
Doughten,	Holliday,	O'Donnell, J. P.,	Weidner,
Ellberg,	Irvis,	Parlante,	Welsh,
	Jones,	Pashley,	Wescott,
Fetterolf,	Kamyk,	Perry,	Willaredt,
Filo,	Kelly,	Polaski,	Williams, A. D.,
Fineman,	Korns,		Andrews,
Foerster,	Kramer,		Speaker

## NAYS—104

Adams,	Galley,	Long, Wm. Jas.,	Royer,
Auker,	George,	Long, Wm. Jos.,	Rudisill,
Bachman,	Gibb,	Magee,	Rutherford,
Backenstoe,	Gibbons,	Manbeck,	Sakulsky,
Bonner,	Goldstein, J. H.,	Markley,	Seltzer,
Bower,	Goldstein, M. H.,	Maxwell,	Shupnik,
Breth,	Goodrich,	May,	Simmons,
Buchanan,	Gross,	McDonald,	Stank,
Bush,	Heffner,	McInroy,	Steckel,
Capano,	Hocker,	McNally,	Stimmel,
Clanfrani,	Holman,	Merry,	Sullivan, T. F.,
Cooley,	Horst,	Miller,	Thompson,
Curwood,	Isaacs,	Mills,	Tompkins,
Dengler,	Jenkins,	Munley,	Varnar,

Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Flynn, Foor, Fox, Fulmer,	Jim, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Lee, K. B.,	Murphy, Murray, Musto, Needham, O'Donnell, J. A., Odoriso, Ogilvie, Piper, Polen, Prendergast, Pursley, Rovanse,	Wall, Walsh, Wargo, Whittaker, Willard, Williams, E. S., Wilt, Wood, Worley, Zember, Zimmerman, Wynd,
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NOT VOTING—12

Cloff, Guthrie, Klein,	Lippincott, Meholchick, Petrosky,	Price, Reibman, Snare,	Trusio, Verona, Yetter,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1222, entitled:

An Act relating to bituminous coal mines amending revising consolidating and changing the laws relating thereto providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith \* \* \*.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edberg, Elvey, Eshback, Eshleman,  Ewing, Farabaugh, Fetterolf, Filo, Fineman,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Hamilton, Hankins, Hartley, Haudenshield, Heavener, Hefner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Iris, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler,	Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDonald, McInroy, McKeever, McLaughlin, McNally, Merry, Mihm, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Perry, Piper, Polaski,	Riley, Rovanse, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujohal, Varnier, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood,
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Flynn, Foerster, Foor, Fox, Frascella, Fry,	Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick,	Worley, Wynd, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—15

Blair, Cloff, Edwards, Guthrie,	Klein, Lippincott, McCormack, McDevitt,	Meholchick, Petrosky, Price, Royer,	Snare, Verona, Yetter,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1237, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed \* \* \* and fixing penalties" increasing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, will one of the sponsors explain this bill and the necessity therefor?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Welsh.

Mr. WELSH. All this bill does, Mr. Speaker, is increase the fine.

Mr. A. W. JOHNSON. How much?

Mr. WELSH. Well, in one instance, \$100 to \$300; in another instance, from \$200 to \$500.

Mr. A. W. JOHNSON. The second part of my question was, why is it necessary to double or triple these fines?

Mr. WELSH. Because of the fine angle. For one reason, they tried to increase these, and the reason to have an increase is that the fines are too low for people getting injured. They felt maybe people will be more careful.

Mr. A. W. JOHNSON. May I further interrogate the gentleman? As I understand the bill, this increases the fine for first offense up to \$300 for violating a rule or regulation of the Department of Labor and Industry. Is that correct?

Mr. WELSH. That is correct.

Mr. A. W. JOHNSON. Could you tell the House how many arrests there have been, say, in the year 1960 for violation of the standard regulations and rules of the Department of Labor and Industry?

Mr. WELSH. I could not, Mr. Speaker.

Mr. A. W. JOHNSON. Does the gentleman have in his possession any wholesale flagrant violations of safety standards that would require a \$300 fine for the first offense?

Mr. WELSH. I do not, Mr. Speaker.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. Speaker, we had this bill before us last session. I am for safety in our industrial plants just as much as anybody in this House and I am sure we all favor it.



I think that the members of the industrial community in Pennsylvania are doing a marvelous job in establishing safety standards, in improving safety devices, and all over the State the various associations are giving prizes for safety records, and so forth.

Now what I do not like about this bill is this: Last year, as you know, the Department of Labor and Industry in compliance with the public instruction department issued many rules and regulations and orders and mandates that the schools immediately do these crash repairs and they had the State in violent turmoil at that time, and, Mr. Speaker, this bill raising the first fine up to \$300, I do not see any necessity for such a harsh penalty.

It really is another answer to industry and saying that you are doing a bum job from a safety standpoint. The idea back of penal law, the idea back of arrest and punishment, first of all, is to punish; secondly, reformation. That is the idea that runs through our whole penal code. And I cannot see any reason for putting this additional, you might say, hammer on industry in this State and, in effect, have this General Assembly say, you are doing a bum job from a safety standpoint with these wholesale violations; we have to raise the penalty to \$300. I think, therefore, we should vote down this bill.

Industry in this State is in terrible shape. We have a committee here that is going to send out a questionnaire one of these days to find out what we can do about unemployment in this State. There has been too much talk from both sides of our mouths about it. We lead in unemployment in vital industry here in similar States. It is time that we did something to invite industry and set up a proper climate instead of putting up all kinds of barriers.

Therefore, I think this is another instance where you are going to hammer industry and, for goodness sakes, let us vote down this bill.

Mr. J. P. O'DONNELL. Mr. Speaker, this is one of the most important pieces of legislation that came before this House in the present session. I have to disagree with Mr. Johnson in this matter. Various large cities would like to have this kind of legislation on its books. I know in our department we had one specific accident where three men were killed. It was the Commonwealth itself that prosecuted. Under the present law the most the Commonwealth could fine these individuals, these contractors, was \$75 apiece. Is \$75 all you are going to pay for a man's life?

I was talking with a member of the Chamber of Commerce. They themselves are behind this bill. I talked to him in the last session of the legislature and they are the ones that asked me if I would push this bill. I say to you this: This is the type of legislation we need on the books for every manufacturer in the Commonwealth, every reasonable manufacturer who needs safety, with the various safety programs who want this type of legislation. This is not that type of organization. This is the type of organization that walks into a fight and thinks it can get away with wholesale murder and walk away with a \$75 fine and walk away free. This is the type of legislation we need in this House. Thank you.

Mr. MORLEY. Mr. Speaker, I would like to emphasize what the previous speaker has said.

This bill is not a bill to handicap industry. This is a bill that is highly desirable for the industrial firms

in this State who are complying with the law. There is a certain fringe element that is arrogant and consistent violators of the law and the fines in the present law do not have sufficient deterrent effect to stop these people.

The gentleman from McKean asked about the number of violations in this department. I am not familiar with the present figures, but I do know that in the districts which have supervisors, a few years ago there were 45 in the one district. We issued 144 warrants in an entire year. Certainly that is reasonable and fair-minded law enforcement. But there are specific cases bordering on manslaughter and almost murder where there are consistent and repeated violations of these laws and the present fines do not have the deterrent effect.

I think this bill is highly desirable, not only for the working man and for labor, but for the responsible employers of the Commonwealth of Pennsylvania, and I advocate its passage.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—102

Anderson, S. A.,	Gailey,	McCann,	Renwick,
Arlene,	Gallagher,	McCormack,	Riley,
Bachman,	Gelfand,	McDevitt,	Rovansek,
Boles,	Gray,	McDonald,	Rubin,
Bonner,	Greenlee,	McKeever,	Rudisill,
Branca,	Gremminger,	McLaughlin,	Sakulsky,
Breth,	Guesman,	McNally,	Scarcelli,
Capano,	Hamilton,	Mihm,	Schaaf,
Capitolo,	Hankins,	Mills,	Schuster,
Cauley,	Hartley,	Monroe,	Shelton,
Cianfrani,	Heavey,	Morley,	Sherman,
Clarke,	Irviss,	Mullen,	Shupnik,
Comer,	Jim,	Munley,	Stank,
Cooley,	Jones,	Murphy,	Stone,
Crossin,	Kamyk,	Murray,	Strausser,
Curwood,	Kelly,	Musto,	Sullivan, J. A.,
Dougherty,	Kramer,	Needham,	Sullivan, T. F.,
Doughten,	Lamb,	O'Donnell, J. A.,	Taylor,
Ellberg,	Lawson,	O'Donnell, J. P.,	Tomascik,
Farabaugh,	Lee, A. M.,	Parlante,	Walsh,
Filo,	Leonard,	Pashley,	Wargo,
Fineman,	Limper,	Perry,	Welsh,
Flynn,	Long, Wm. Jas.,	Polaski,	Williams, A. D.,
Foerster,	Long, Wm. Jos.,	Polen,	Worley,
Frascella,	Lutty,	Reibman,	Andrews,
	Maxwell,	Reidenbach,	Speaker

## NAYS—87

Adams,	Fox,	Johnson, A. W.,	Pursley,
Anderson, J. H.,	Fry,	Johnson, R. P.,	Simmons,
Ashton,	Fulmer,	Kelser,	Slack,
Auker,	George,	Kernaghan,	Steckel,
Backenstoe,	Gibb,	Kessler,	Stimmel,
Blair,	Gibbons,	King,	Stiteler,
Bossert,	Goldstein, J. H.,	Kistler,	Thompson,
Bower,	Goldstein, M. H.,	Knecht,	Tompkins,
Bowman,	Goodrich,	Kooker,	Ujobal,
Buchanan,	Gramlich,	Korns,	Varnier,
Bush,	Gross,	Lee, K. B.,	Wall,
Davis,	Haudenshield,	Magee,	Weldner,
Dengler,	Heffner,	Markley,	Wescott,
Dennison,	Helm,	Marsh,	Whittaker,
Donaldson,	Henzel,	May,	Willard,
Down,	Hocker,	McCandless,	Willaredt,
Edwards,	Holl,	Merry,	Williams, E. S.,
Elvey,	Holliday,	Miller,	Wood,
Eshback,	Holman,	O'Dell,	Wynd,
Ewing,	Horst,	Odorisio,	Zember,
Fetterolf,	Isaacs,	Ogilvie,	Zimmerman,
For,	Jenkins,	Piper,	

## NOT VOTING—20

Cioffi,	Lippincott,	Prendergast,	Snare,
Eshleman,	Manbeck,	Price,	Trusio,
Guthrie,	McInroy,	Royer,	Verona,
Klein,	Meholchick,	Rutherford,	Wilt,
Kornick,	Petrosky,	Seltzer,	Yetter,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. For what purpose does the gentleman from Northampton, Mr. Prendergast, rise?

Mr. PRENDERGAST. Mr. Speaker, I wish to be recorded as voting "aye" on the last vote.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

#### Mr. HELM IN THE CHAIR

Mr. McCANN. Mr. Speaker, I request permission to turn to page 21, bills on final passage. I call up House bill 1162, printer's No. 2070.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1162, entitled:

An Act amending "The C P A Law" approved May 26, 1947 (P. L. 318), further regulating the certification and public practice of certified public accountants.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, may it please the honorable gentleman of this assembly for me to plead surprise?

I had an understanding, not an agreement, but an understanding, that this bill would not be called up today. I therefore appear without the documents that I desire to present to this House and without either physical or mental preparation.

Ordinarily, in addressing this House and to those who hold an opposing view, in the past I have almost always been able to say "Lay on, MacDuff, and damned be he who first cries 'Hold, enough.'"

I have very few requests to make personally of this House. This bill was placed upon the final passage postponed calendar, and I will not resist taking it off tomorrow. Who knows, the sponsor of this bill may have more votes tomorrow than he has today. I want to emphasize, there was no binding gentlemen's commitment, just an understanding, a plan, that I thought was approved this morning and for those reasons that seem good to the gentleman from Philadelphia the plan was changed. As I say, I plead surprise.

#### MOTION TO POSTPONE

Mr. ANDREWS. I move that this bill be placed upon the postponed calendar, and I will not resist tomorrow any effort made to take it off the calendar.

On the question,

Will the House agree to the motion?

Mr. EILBERG. Mr. Speaker, it is very difficult for me to follow our Speaker with all the eloquence at his command and the respect that the House quite properly has for him. But I think this time I have been accused wrongly of entering into a misunderstanding and I am somewhat hurt by the Speaker's accusation because I am not in the custom or habit of making any such understanding.

I would say in reply to the Speaker's charge, and as the Speaker well knows, he has been closely concerned with House bill 1162 for as long a period as it has been in this House of Representatives. He has actively worked on the bill; he has been aware of every move on the bill;

he debated the amendments which have been adopted by this House; and we expect to do nothing further than to move the bill in the form it presently is.

Now I went to the Speaker this morning, the Speaker did not come to me, and I frankly told him that there were certain questions that I had about the bill. I at no time indicated to him or to anyone that I would agree to the bill being postponed.

It seems at this point, and I say this in utter candor, that the Speaker is misusing my line of defense with him to establish the battleground. I think the Speaker is very unfair and I ask everyone in fairness to defeat the motion and debate the bill which has already been substantially debated.

I ask everyone to vote "no" on the motion.

The yeas and nays were required by Messrs. ANDREWS and EILBERG and were as follows:

#### YEAS—82

Adams,	Flynn,	Kramer,	Reidenbach,
Anderson, J. H.,	Foor,	Lutty,	Rovansek,
Ashton,	Fox,	Manbeck,	Rudisill,
Backenstoe,	Fulmer,	Markley,	Sakulsky,
Blair,	George,	May,	Seltzer,
Bossert,	Gibbons,	McCandless,	Slack,
Breth,	Goldstein, M. H.,	McLaughlin,	Stimmel,
Capano,	Gramlich,	McNally,	Stiteler,
Cauley,	Guesman,	Mihm,	Strausser,
Cianfrani,	Hartley,	Miller,	Sullivan, T. F.,
Cloff,	Hefner,	Mills,	Tompkins,
Cooley,	Helm,	Monroe,	Ujobai,
Curwood,	Hocker,	Morley,	Varner,
Davis,	Holliday,	Musto,	Walsh,
Dennison,	Holman,	O'Dell,	Weidner,
Down,	Horst,	O'Donnell, J. A.,	Williams, A. D.,
Elvey,	Jenkins,	Ogilvie,	Wilt,
Eshback,	Jim,	Polaski,	Wood,
	Kamyk,	Polen,	Zimmerman,
Ewing,	Kistler,	Pursley,	Andrews,
Farabaugh,	Knecht,	Reibman,	Speaker

#### NAYS—104

Anderson, S. A.,	Gallagher,	Korns,	Piper,
Arlene,	Gelfand,	Lawson,	Prendergast,
Auker,	Gibb,	Lee, A. M.,	Renwick,
Bachman,	Goldstein, J. H.,	Lee, K. B.,	Rubin,
Boles,	Goodrich,	Leonard,	Schaaf,
Bower,	Gray,	Limper,	Schuster,
Bowman,	Greenlee,	Long, Wm. Jas.,	Shelton,
Branca,	Gremminger,	Long, Wm. Jos.,	Sherman,
Buchanan,	Gross,	Magee,	Shupnik,
Capitolo,	Hamilton,	Marsh,	Simmons,
Clarke,	Hankins,	Maxwell,	Stank,
Comer,	Haudenschild,	McCann,	Stone,
Crossin,	Heavey,	McCormack,	Sullivan, J. A.,
Dengler,	Holl,	McDevitt,	Taylor,
Donaldson,	Irvls,	McKeever,	Thompson,
Dougherty,	Isaacs,	Merry,	Tomascik,
Doughten,	Johnson, A. W.,	Mullen,	Trusio,
Edwards,	Johnson, R. P.,	Munley,	Wall,
Eilberg,	Jones,	Murphy,	Wargo,
Fetterolf,	Kelser,	Murray,	Welsh,
Filo,	Kelly,	Needham,	Wescott,
Fineman,	Kernaghan,	O'Donnell, J. P.,	Willaredt,
Foerster,	Kessler,	Odorisio,	Williams, E. S.,
Frascella,	King,	Parlante,	Worley,
Fry,	Kooker,	Pashley,	Wynd,
Galley,	Kornick,	Perry,	Zember,

#### NOT VOTING—23

Bonner,	Lamb,	Prie,	Steckel,
Bush,	Lippincott,	Riley,	Verona,
Eshleman,	McDonald,	Royer,	Whittaker,
Guthrie,	McInroy,	Rutherford,	Willard,
Henzel,	Meholchick,	Scarcell,	Yetter,
Klein,	Petrosky,	Snare,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,  
Shall the bill pass finally?



## MOTION TO RECOMMIT

Mr. HOCKER. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I am somewhat surprised by the motion that has been made by the gentleman from Dauphin, Mr. Hocker, since I had no indication that it would be made at this time. However, in indicating my opposition to the motion, I will call to the gentleman's attention and to the attention of the House that the amendments to the bill were fully considered on Wednesday, May 24th. We had a full debate in the House, the amendments were written into the bill, and I would point out, Mr. Speaker, that the vote was overwhelmingly in favor of the adoption of my amendments. It would seem to me that this House has had all the opportunity that it needs as a practical matter to study this bill. What the gentleman proposes is not to study the bill further, but to bury the bill. I oppose that vigorously. I ask everyone to vote against the motion.

The yeas and nays were required by Messrs. HOCKER and EILBERG and were as follows:

## YEAS—87

Adams,	Fox,	Leonard,	Prendergast,
Anderson, J. H.,	Fulmer,	Long, Wm. Jas.,	Pursley,
Ashton,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Blair,	George,	Lutty,	Seltzer,
Bonner,	Goldstein, M. H.,	Manbeck,	Sherman,
Bossert,	Goodrich,	Markley,	Stank,
Bower,	Gramlich,	May,	Stiteler,
Branca,	Guesman,	McCandless,	Strausser,
Buchanan,	Hartley,	McDonald,	Sullivan, T. F.,
Bush,	Heffner,	McLaughlin,	Tompkins,
Capano,	Helm,	McNally,	Varnier,
Cauley,	Hocker,	Mihm,	Walsh,
Cianfrani,	Holliday,	Miller,	Wargo,
Cloffi,	Holman,	Mills,	Wescott,
Comer,	Horst,	Morley,	Willard,
Curwood,	Jenkins,	Musto,	Williams, A. D.,
Down,	Jim,	O'Dell,	Williams, E. S.,
Elvey,	Kamyk,	O'Donnell, J. A.,	Wood,
Eshback,	Kistler,	O'Donnell, J. P.,	Wynd,
Farabaugh,	Korns,	Oglive,	Zimmerman,
Flynn,	Kramer,	Polaski,	Andrews,
Foor,	Lee, K. B.,	Polen,	Speaker

## NAYS—105

Anderson, S. A.,	Gailey,	Lamb,	Rubin,
Arlene,	Gallagher,	Lawson,	Rudisill,
Auker,	Gibb,	Lee, A. M.,	Scarcelli,
Bachman,	Gibbons,	Limper,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Magee,	Schuster,
Boles,	Gray,	Marsh,	Shelton,
Bowman,	Greenlee,	Maxwell,	Shupnik,
Breth,	Gremminger,	McCann,	Simmons,
Capitolo,	Gross,	McCormack,	Slack,
Clarke,	Hamilton,	McDevitt,	Steckel,
Cooley,	Hankins,	McKeever,	Stimmel,
Crossin,	Haudenschild,	Merry,	Stone,
Davis,	Heavey,	Monroe,	Sullivan, J. A.,
Dengler,	Henzel,	Munley,	Taylor,
Donaldson,	Holl,	Murphy,	Thompson,
Dougherty,	Irvia,	Murray,	Tomascik,
Doughten,	Isaacs,	Needham,	Trusio,
Edwards,	Johnson, A. W.,	Odorisio,	Ujobal,
Eilberg,	Johnson, R. P.,	Parlante,	Wall,
	Jones,	Pashley,	Weidner,
	Keiser,	Perry,	Welsh,
Ewing,	Kelly,	Piper,	Whittaker,
Fetterolf,	Kernaghan,	Reibman,	Willaredt,
Filo,			

Fineman,  
Foerster,  
Frascella,  
Fry,

Kessler,  
King,  
Kooker,  
Kornick,

Reidenbach,  
Renwick,  
Rovansck,

Wilt,  
Worley,  
Zember,

## NOT VOTING—17

Dennison,  
Eshleman,  
Guthrie,  
Klein,  
Knecht,

Lippincott,  
McInroy,  
Meholchick,  
Mullen,

Petrosky,  
Price,  
Riley,  
Royer,

Rutherford,  
Snare,  
Verona,  
Yetter,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

The SPEAKER pro tempore. The chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I will try as best I can to conserve the time of the House. I believe that this measure, or the principal point in the measure, was fully debated on Wednesday, May 24, and I will try not to belabor the point too much at this time.

I would remind the members of the House, and I am recalling from memory now because I do not have the figures in front of me, that the vote on my amendments was 144 to 30, if I recall correctly. Since that time I have received a letter from the State Board of Examiners of Public Accountants, the CPA Examining Board, which reads as follows:

This is to confirm that the Pennsylvania State Board of Examiners of Public Accountants concurs with the statement of intent of the equivalent education which was read into the legislative record in the House of Representatives on Wednesday, May 24th. A copy of this statement will be made a part of the official minutes of the Board. When House bill 1162 becomes law, the State Board of Examiners of Public Accountants will draft regulations to implement the amendments. Very truly yours,  
Irving Yaverbaum, Chairman  
Irving Dubin, Secretary.

I would like to make this letter part of the record at this time.

Since May 24 we have been subjected to a barrage of correspondence mainly from business schools throughout the Commonwealth, Mr. Speaker, that are not accredited by the National Association of Business Schools. I would emphasize that point because it seems to me, if an institution is accredited within the standards, it should be in favor of the accrediting standards set forth by its own association. It is the institutions that are not accredited primarily, and apparently have no intention of becoming accredited, that are raising all the fuss at this time.

Mr. Speaker, I have received a copy of a letter indicating that my amendments are meaningless, that to write into the bill an education which is the equivalent of a college education has no meaning. Mr. Speaker, I will emphatically deny that and point out at the same time that this language is very customary in our statute books. It appears in the Medical Practice Act of 1911, the Chiropractic Act of 1956, the Chiropractic Registration Act of 1951, the Registered Architects Act of 1919, and in the act of 1917 relating to optometrists. The language we employ in our amendments is identical with what is used in other statutes on our statute books. So I say, Mr. Speaker, that there is no misunderstanding, the words are not meaningless, they are very meaningful.

One of the things, Mr. Speaker, that I have been con-

cerned with during the last few days in connection with 1162 was the fact that it appeared on a circular which is handed out daily in this House by the AFL-CIO. Many of the members of this House are reluctant to vote in favor of a bill which appears on their opposed list. I have taken the trouble, Mr. Speaker, to speak to the officials involved in that organization personally, directly, not hearsay, and I have been assured this morning, late this morning, that the opposition of the organized labor movement has been withdrawn, so if any members are concerned about the position of organized labor in this matter, please be assured that that opposition no longer exists.

It is true, Mr. Speaker, that we are attempting to raise the standards in our particular bill. We think that today with modern business we need people who are capable, trained, who are best able to take care of the needs and wants of the people and, as I said on May 24, I think it is our duty to attempt to raise professional standards whenever we can.

I would hasten to point out, however, that in taking a good look at the law pertaining to the licensing of CPA's and after thorough study, we come to the conclusion that there should be, and properly be, provision for the man who is self-educated, the man who is self-trained. This provision does not presently appear in the law. Mr. Speaker, a man who studies by himself in the wee hours of the night, the man who goes into business and who is successful in business, this kind of man, the Abraham Lincoln type of man, if you please, the man who characterizes the American heritage, this kind of man could, under my amendment, be qualified to take the CPA examination, whereas he cannot presently do so. Mr. Speaker, I think this bill has merit and I ask for the support of everyone in its favor. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Hocker.

Mr. HOCKER. Mr. Speaker, I agree with what my good friend, Mr. Eilberg, said as to the very meaningful import of the words "equivalent thereof."

I have had an opportunity on several occasions to deal with that type of language. It is very meaningful to the extent that they help people whom the board wants to help, and for the poor fellow who cannot get any help, they use it the other way, against him.

I have been told by some of the people in this profession, and if I am wrong I stand to be corrected by the gentleman, that in the past year only 30 percent of the people, and that figure may not be right, but very close to 30 percent of the people who took the examinations passed.

Now their cry is that they want to build up better standards. If that is not complete control by examination, I do not know what is. When you can turn down over half the people who prepare for this examination and work hard for it, then you have complete control and you do not have to come back to us for the answer.

I also happen to know that one of the gentleman with whom I spoke is a member of one of the large CPA firms in the State of Pennsylvania; he was a former member of this House; he is a partner in the firm and that man does not have a college degree.

I have a gentleman in my town who is a partner in one of the firms, a very large firm; he is not a college

graduate. And I have been one of the people down through the years who has used certified public accountants. I am satisfied with the work they do today.

What disturbs me more than anything else is the fact that when you pass legislation like this, you are tearing down, and if America is ever destroyed, it will be destroyed by this kind of legislation. You are tearing down the right; you are putting price above the guy who knows how to do something in this world and that is what made America great. If a boy does not have the money back of him to go to college and he wants to learn, yes, if they use the words "equivalent thereof," he may have an opportunity.

But under the present law, every child who grows up in this Commonwealth has the right and the privilege to seek that examination and try to be a CPA. I do not see why all of a sudden these people who are protected thoroughly under the law, who protect themselves with an examination that a lot of people cannot pass, I cannot see why they suddenly want to go to the extreme that unless you are a college graduate you cannot take the examination, or if you want to use those phony words, in my estimation, "equivalent thereof."

So I say to you, ladies and gentlemen, if you want to preserve the right of your children and your neighbor's children to grow up in this great Country and have the right to take this examination, then vote down this kind of legislation. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. Mr. Speaker, not too many years ago there were not many stockholders except for the more wealthy people. Now, however, there are over 15 million people in the United States who own stock in some company. A hot tip on the stock market is on everyone's lips.

When so many people are so interested in the stock market, the need for protecting the public interest becomes apparent.

One of the chief protections is the certified public accountant's report of the fairness of the financial statements in a prospectus to sell stock. The CPA lays his name on the line that the income statement and the balance sheet are okay. The buyer of stocks sees the CPA certificate and knows that an independent expert examined the statements, made an audit, and was satisfied the statements made were fair. This certificate is the first thing a prospective security buyer examines, or, at least, should examine.

The financial statements tell the story of the company; how much money it made and what it is worth. The buyer relies on the CPA certificate to assure him that the statements are good.

Naturally, the CPA must be qualified to perform the audit so he can express his expert, independent opinion on those statements. He must be familiar, not only with the figures themselves, but what they mean in the light of the business world of the company; what they mean in the light of general business conditions, and what they mean in light of tax laws, price fixing laws, and so forth.

This need for an advanced general education to provide CPA with a background and knowledge far beyond simple bookkeeping is why the CPA law should be amended to provide that a prospective CPA have a broad



general education and knowledge, attained either through a college education or studies the equivalent thereof.

A vote for House bill 1162 will provide for this so that an investor in stocks when he reads the CPA certificate will know that the CPA has a background of business knowledge and judgment that he has applied to the situation, not just a bookkeeping knowledge.

I urge, Mr. Speaker, the ladies and gentlemen of this House, to support this measure.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Morley.

Mr. MORLEY. Mr. Speaker, this bill is one of a series that has been put in the last few years in legislatures all over the country, sometime or another, primarily to get them to ward off or fence in special interest groups.

In the 1959 session of the New York Legislature, a bill of this type was passed that was so restrictive and so ridiculous that it completely upset the accounting industry in New York and the legislature had to come back in the last session and repeal the bill.

This ruler is a standard, Mr. Speaker. You can embroider it; you can decorate it; you can nickel plate it; you can gold plate it; it is still the same standard. It performs the same function; it has the same accuracy; you have not changed it essentially one bit.

The existing bill is a standard. Any additions by this bill are not standard. They are stumbling blocks and straight jackets to tie the hands of future Pennsylvanians.

The gentleman from Philadelphia quoted Mr. Lincoln. Mr. Lincoln once said that no man can be miserable if he knows that he is worthy, but I assume that he never heard of the Institute of CPA's.

In my discussion here the other day on the amendments I mentioned the case of a youngster named O'Toole, from Philadelphia, who did not have the requirements set up in this new bill. He took the examinations for CPA and he placed third on the list. He was honored by this association, this Institute of CPA's, for his accomplishments and for his work. They said that his education and his training was entirely adequate. That was only a year and a half ago.

Now they come before us today and say that it is not enough, that a person with that background and education and training is not qualified as a CPA. That is nonsense, Mr. Speaker. It is just a lot of rubbish. As an illustrious son of the great American system of opportunities, the Governor Alfred E. Smith, said some years ago, "No matter how thin you slice it, it is still baloney."

The gentleman from Somerset here the other day named a long list of distinguished Americans, who, over the years have attained high places and positions in our society without any college degree. They had education. They were some of the most highly educated men in the world. They got their own education. They educated themselves. They did not get it in formal schools and courses, and I have no objection whatever to formal education, I am all for it. But I say that any system that denies opportunities to men like the late Justice von Moschzisker of the Pennsylvania Supreme Court, who went into a law office at the age of 12 and rose to become the distinguished Chief Justice of this State, is wrong.

I say that any system is wrong that would forget a Jack Northrup, who was an automobile mechanic in

Alhambra, California, and developed into one of the geniuses of the aircraft industry. If any of you have ever flown in a Douglas plane, or you fellows in the service in a Black Widow or a Starfighter fighter or Douglas Dauntless, you flew in a Northrup plane. Jack Northrup started out with another man who did not have a college degree who was also an automobile mechanic, Allan Rockey, on the West Coast. They developed into one of the greatest teams of aeronautical scientists who ever lived.

We have another case of a distinguished American in Philadelphia, William Francis Gibbs. William Francis Gibbs was the father of the high pressure, high temperature steam system used in American naval vessels during the war, which gave them a range and a radius of action unmatched by any other Navy, surely the only modern Navy afloat in the second World War. And he also developed the liner United States, a city in motion at 35 knots against wind and weather, one of the most involved and interesting and beautiful things that was ever created by a human being.

Does anybody here seriously contend that men of this type should be denied to reach their place in the sun in a free America?

When the gentleman from Cambria, our Speaker, came down into the well of this House the other day, I was in doubt about this bill, but when he swept aside the tinsel and the rubbish and he labeled this bill for exactly what it is, a bad bill, I was encouraged. And I prayed that the Good Lord would keep him with us so that we and particularly the younger members of this House can learn some of the lessons that he has lived, so that traveling the road together we can some day, in some way, break down these barriers that hold open the door of opportunity to Pennsylvanians, so that when they pass through the only question ever asked will be, have they the intelligence, the knowledge and the courage and the character to do the job and not where they got it.

Let us hold our standards high, but do not dig a pit to the ambitions and the hopes and the futures of thousands of Pennsylvania boys and girls. Let us retain for them the heritage that James Michener spoke about only yesterday in this chamber.

Ladies and gentlemen, I ask you to vote against this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I ask the members to turn to page 9 of this bill. It is the heart of the problem. You will find, beginning on line 3, the qualifications for taking the examination:

"Graduation with a baccalaureate degree from a college or university approved at the time of graduation by the State Council of Education or an education which is the equivalent thereof . . ."

What does that mean? That means that in one way or another in order to take the examination you must have at least four years and, perhaps, six years of college instruction, or "the equivalent thereof." Now, it will take the average student six years, if he is not in college, to get what he would get in college in four years. I say that is condemning everybody who wants to take this examination to six years of training in educational institutions, or "the equivalent thereof." There is nothing about the learned profession of the CPA that requires that

training. I wish I had some of the information at hand that I have downstairs, but we are facing a movement in this year of organized groups that are entrenching their position by means of ability, but by means of statutory law. Why, the electricians would like to have, and are moving in the direction that they will have so many qualifications after a while that you will have to go to college to get in. The plumbers are the same way, all along the line, and we are deifying education and downgrading natural human ability and natural human ambition. We are gradually, gradually, gradually, closing the door against at least one-fourth of our population for advancement in the trades or the professions by means of the statutes we are passing, because we cannot possibly train all the people for whom there will be openings in the various trades and professions, we cannot possibly give them four years or six years of college, or its equivalent. We condemn them, gradually condemn them, by statutory law to become the servants of a privileged class that has this mysterious thing that we call a college degree.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Boies.

Mr. BOIES. Mr. Speaker, I agree with the gentleman from Philadelphia, there has been a lot of nonsense spoken about this bill today.

This is the last of the recognized professions, I believe, to ask for advancement of standards requiring a college education. I believe it was two sessions ago we passed the same requirements for the funeral directors. We did not have all this "baloney," telling about how you are going to cut down the youth of the country in their ambitions to progress. This is simply a move to elevate the standards of the profession along with all the other professions. Now it is as simple as that. Do you mean to tell me that it is not as essential for a CPA to be as well educated as a funeral director? Why should he not be? I would suggest to the gentleman from Dauphin, who deplores the fact that only 30 percent of the candidates passed the examination, that it may well be that the reason there was only 30 percent was that they did not have enough education. Twenty years ago the figure was five percent, and 85 percent of the candidates sitting for the CPA examination right now are college graduates. So the percentage is raised up to 30 percent. Now, if we make it 100 percent, maybe it will be up to 50 percent who will successfully pass the examination. But all this talk about restricting the ambitious young American, why do they not go back and tell you about all the millions of people who have had no college education and have accomplished world-famous careers for themselves. Why do they not start with Julius Caesar, Napoleon, and the rest of them. That has no bearing on the subject, Mr. Speaker. People in the past have accomplished great things without a college education, masses of them, millions of them, but that does not say that with a college education they might not have even done more.

I say to you, Mr. Speaker, that this is the last, to my knowledge, of the recognized learned professions which has come to this legislature to ask for a raise in standards, and I ask the support of the House.

The SPEAKER pro tempore. The chair recognizes the gentleman from Cumberland, Mr. Kistler.

Mr. KISTLER. Mr. Speaker, I do not want to talk

about somebody who lives in the past. I want to talk about somebody who lives in the present and who is living in the present. I believe it is past time that we vote against academic snobbery. A baccalaureate degree is no criteria for determining a man's ability to learn the methods necessary to master the knowledge required to become a certified public accountant.

One of my good friends, who presides over and handles millions of dollars here in this city, has no college degree, but this man is a certified public accountant. If this bill were passed at the time he became a certified public accountant, he never would have been a certified public accountant.

Recently while attending the dedication of the \$5½ million physics building at Temple University in Philadelphia, those members of the legislature who were in attendance were introduced to the professor of Physics, who held the chair in Physics at this great university. If this particular law were to have applied to him, he would not this day be presiding over the Physics department in that school. This gentleman did not go to college. This gentleman did not go to high school, but as the president, Mr. Gladfelter said, he had a number of inventions orbiting the earth. We do not know how we may stifle the people by saying that we must have baccalaureate degrees for this and baccalaureate degrees for that. The real test for CPA's is their examination.

I respectfully submit to each of you members who are about to vote on this bill, would you give serious consideration to this, serious consideration to what the gentleman, Mr. Hocker, from Dauphin County said about the requirements necessary to become a CPA and what you might do by eliminating the right of people to aspire to a CPA certificate without a formal college training.

I say finally that the qualifications necessary to become the head of the Physics department of Temple University are certainly adequate to ascend to the status of a certified public accountant. I thank you.

The SPEAKER pro tempore. The chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I would like to briefly interrogate the gentleman from Philadelphia, Mr. Eilberg, the sponsor of the bill.

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. ADAMS. Mr. Speaker, I had read or heard that the CPA examination required three and a half days. Is that correct or incorrect? If it is not correct, tell me how long it takes?

Mr. EILBERG. I am not certain of my answer, Mr. Speaker, but I believe that it takes two days.

Mr. ADAMS. Mr. Speaker, whether it is two or three and a half days, I wonder why it should require a college degree or its equivalent to pass an examination of that nature. If the CPA board, in my opinion, cannot devise an examination that takes two days or three and a half days, they cannot devise an examination to separate the wheat from the chaff, I think there might be some necessity for possibly improving the caliber of the people who devised the examination, rather than restrict unfairly the type of people they are going to permit to take the examination.

I studied this bill very carefully, I voted for the amend-



ments a couple weeks ago, I thought the amendments would make this bill palatable, but upon further study and examination I am afraid they do not. I think this bill places a lot of us in a very uncomfortable position. I have a lot of PA's and a lot of CPA's in my district, and I know a lot of them are not going to be happy with how I vote on this bill. Nevertheless, some of them have told me to do what I thought is right, and that is what I am going to do, I am going to let my conscience be my guide and let the chips fall where they may, and I am going to vote against the bill.

The SPEAKER pro tempore. The chair recognizes the gentleman from Erie, Mr. O'Dell.

Mr. O'DELL. Mr. Speaker, I should like to interrogate the sponsor, Mr. Eilberg.

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. O'DELL. Mr. Speaker, I am not going to discuss the merits of the education provisions of the bill, I am neither for them or against them. But there are two or three things here, after reading the bill, that do disturb me. On page 17, section 11.1, this privileged communications, can the gentleman tell me how many groups of people now enjoy privileged communication?

Mr. EILBERG. Mr. Speaker, I think the answer would be doctors and lawyers.

Mr. O'DELL. Doctors, lawyers, religious leaders?

Mr. EILBERG. I am not certain that they are covered by statute, Mr. Speaker.

Mr. O'DELL. How about the radio, television and newspapers?

Mr. EILBERG. They have no exemption.

Mr. O'DELL. Did we not pass a bill last session giving them - - -

Mr. EILBERG. I do not recall any such bill.

Mr. O'DELL. Well, it does not matter. The point is that this bill is going to give to CPA's privileged communication. In other words, it is going to allow them to aid and abet in defrauding the government, you might say, out of tax money.

Mr. EILBERG. May I answer that?

Mr. O'DELL. You may. I would like an answer.

Mr. EILBERG. The idea of privileged communications in the law, as I understand it, as it applies to doctors and lawyers, is to encourage people to tell the truth to doctors and lawyers so that these professional people can provide the maximum amount of help those individuals need. If this protection were not present, the person who needed medical attention or legal attention might be afraid to freely talk to his advisor for fear that whatever he might say might be used against him some day, and it seems to me that it is a very logical thing to place the CPA in the same category.

Mr. O'DELL. Then would you not say that if I wished to confess my sins, or if I tried to cover up some tax shenanigans, I would be more inclined to go to a CPA whom I knew would not have to tell the truth rather than to go to a public accountant who under the present law would have to tell the truth?

Mr. EILBERG. That is true, and it is that kind of person we are trying to help.

Mr. O'DELL. That is the point that I wanted to bring out.

Now, on page 12, section 8.1, Registration of Foreign

Accountants. Is this going to open the door for an influx of foreigners coming into this country to get CPA certification immediately?

Mr. EILBERG. No, indeed. The purpose of this is so that we may know what foreigners are practicing here, and we would not attempt to license or recognize any such persons unless the standards of the country from which they come are at least equal to what we are proposing here.

Mr. O'DELL. That answers my question, Mr. Speaker.

There is one more question I want to ask you again, you answered it the other day, but I would like to have it again to have it appear in the record. The passage of this bill will in no way permit any person to be a public accountant.

Mr. EILBERG. Mr. Speaker, this bill has absolutely nothing to do with the practice of public accounting. No one who is practicing as a public accountant today, or tomorrow, or next year, will be in any way affected by this bill.

Mr. O'DELL. Other than the fact that they would have to tell the truth if they were interrogated on tax matters?

Mr. EILBERG. That is correct.

Mr. O'DELL. Thank you very much.

Mr. EILBERG. Mr. Speaker, the arguments, the discussion, has been long, and I just want to make a few brief replies to some of the statements that have been made.

The question has repeatedly come up why, why do we need this? Mr. Speaker, any member of this House can pick up a newspaper in his city, in his own town, in his municipality, and very likely find an ad, go to this school and become a CPA. It seems to me that this kind of advertisement should be criminal in many cases where the schools know that some of the individuals who come to them could never be CPA's. This is one of the reasons why we want the bill at this time—to help make legitimate the study, the preparation, for becoming a CPA.

The Speaker spoke at length about why do we need this now, there is no need for this, they are trying to "sentence him" to use the terms of another speaker—Mr. Speaker, these opponents are overlooking the fact that the operation of this law would be six years from now. We are looking toward the future, Mr. Speaker. Anyone who desires to become a CPA could qualify under existing regulations for the next six years. We are looking to the future, Mr. Speaker.

The gentleman from Dauphin, Mr. Hocker, stated that 30 percent in a given year passed the CPA examination. I would remind him that under present qualifications you need be only a high school graduate. I would also remind him that in the last five years 67 percent of those who took the examinations passed. In other words, a man may take an examination, pass a part of it, two parts of it, three parts of it, and come back and pass the total of four parts, and of the persons who took the examinations in the last five years 67 percent passed and are CPA's today.

The gentleman from Dauphin, Mr. Hocker, would also have us believe that presently anyone can take the examination. Mr. Speaker, this is simply not in accord with the law. You must be at least a high school graduate today. Not anyone can take the examination, he must be a high school graduate; he must have that degree of final education.

Now as I said, we are trying to raise standards here, but at the same time we are in fact in this bill and in these amendments making it possible for anyone to take the examination because, if he can show through his business experience or courses of self-study that he is qualified, he can take the examination. So that under our bill anyone can take the examination.

Finally, Mr. Speaker, here we are in the House of Representatives in Harrisburg, Pennsylvania, and the impression may be current that we are alone in this movement. Let me assure all of you who are concerned with that point, and I hold a paper in my hand indicating that there are some 14 States, including the State of New York, which presently require a college degree or the equivalent thereof.

I say it is time we become a modern State in this area.

Thank you, Mr. Speaker.

Mr. KING. Mr. Speaker, I realize that the members of this House are getting impatient, but there is one point I would like to bring out.

As a member of the dental profession, in 1940 when I was still in high school, I decided I wanted to become a dentist and it was clearly defined at that time what my requirements were to be. I knew what schooling was required of me.

The reason I am going to vote for this bill is because I feel that it is going to do the young people of the future a favor. These courses will be clearly defined and outlined. They will be able to get through school in a minimum amount of time and they will be more ably suited to take a CPA examination. I am sure it will end frustration for hundreds of people in the future.

Thank you.

Mr. A. W. JOHNSON. Mr. Speaker, I believe I would be amiss if I did not make a short statement about this bill, seeing that I am one of the sponsors.

I think it is a good-faith attempt on the part of the certified public accountants' profession to elevate their profession. I can give a similar situation in the legal profession. To become an attorney today, you can, of course, become a lawyer without stepping foot into a college. However, the law is, in respect to lawyers, you must have the equivalent of a college education first. Then you are certified as a law student. Then you can work in a law office for three years and then take the bar examination.

When I took the bar examination, there were five or six fellows in 1938 who were taking the bar examination who had not been to college, either college or law school. They, however, had taken examinations in certain subjects to prove they had the equivalent of a college education. That is the way the legal profession does it today and it is eminently fair.

Carrying out the theme of Mr. King, when I decided to become an attorney I did not have much money. I realized I would have to work my way through and I worked my way, as many people have who are in professions today, through undergraduate school, through law school. I taught accounting in the University, I worked with text books, did everything I possibly could to meet the minimum requirements of the legal profession before I could sit for the examination. Here in this tremendously important era of huge authorities and the tremendous complex business life there is today and the job the

CPA's are doing, there is nothing unreasonable about this bill that six years from now a person, to sit for the examination, like the legal profession, have to have the equivalent of a college education. I personally cannot see anything wrong with it.

With all the scholarships we are going to give throughout the nation under this advanced higher education program, it will be a rarity that a person does not have a college education in the future, and the CPA's are just trying to come up to those standards.

There has been a lot of criticism of the CPA's in the field of tax accounting and there is some question of whether they are practicing law or not. There has been strife between the lawyers and the CPA's within that field. I feel that if the CPA's increase their requirements like they are doing very modestly here, and then set those standards, there will not be the criticism that they are untrained persons in the field of very intricate law, that of taxation.

So really, this bill is not the devastating, bad thing it is painted. It is merely trying to take the honorable profession of accounting and restore it to a high standard and make it so that people will be qualified to enter into this tremendous complex business life we have today.

I therefore feel that the bill should pass. There is nothing unreasonable about it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Morley.

Mr. MORLEY. Mr. Speaker, these gentlemen seem to suggest that these young people should be forced to go to colleges that the Governor's Report on Education says are not built, with money they do not have.

I would like to repeat a quotation by Winston Churchill, who is half American, on this very subject. When he was asked how he had developed his command of English, which is one of the greatest, probably, in this or any other century, without a college degree, he replied:

"By being in the lower form at Harrow for so long, I had an advantage over the clever boys. I got into my bones the essential structure of the ordinary British sentence, which is a noble thing. Naturally, I am in favor of a boy's learning English, and after that I would give the clever ones Latin as an honor and Greek as a treat."

And I say to you, Mr. Speaker, that I am in favor of CPA's learning accounting, and after they have been certified as CPA's they could have their "Latin as an honor and their Greek as a treat."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Eilberg?

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. GELFAND. Mr. Speaker, I notice that Mr. Johnson indicated that the purpose of this legislation is to elevate the standards of the certified public accountants. Has there been a deterioration in the quality of certified public accountants?

Mr. EILBERG. Mr. Speaker, never at any time have I said, nor have I heard, that there has been a deterioration.



To the contrary, the need is in the future. We need people who understand business, we need people who understand the stock market, we need people who can write reports, we need people who can advise the public as a CPA can and should.

Mr. GELFAND. Has there been a deterioration in the quality of the applicants for the certified public accountant's examination?

Mr. EILBERG. I do not have the answer to that question.

Mr. GELFAND. Mr. Speaker, an applicant for the certified public account examination at the present time, is he not required to be aware or instructed in certain things like general accounting, theory of accounts, and also in practice auditing and a general familiarity with the various economic factors which were previously mentioned.

Mr. EILBERG. Mr. Speaker, in answer to the gentleman, if he will examine the existing law, you need be only a high school graduate and have three years experience in public accounting. Now certainly a number of the subjects just referred to do not appear in a high school education. Furthermore, the kind of experience that the individual might have in public accounting might definitely not equip the individual along the lines indicated.

Mr. GELFAND. I thank the gentleman.

Mr. Speaker, I did not intend to debate this bill when we started earlier this evening, but as it went along I saw certain things that certainly merited attention. The fact of the matter is that the current examination requires an applicant to be informed in commercial law as affecting public accounting, and in general accounting, including general accounting practice, auditing and taxation so that actually the current examination and the current requirements to practice so as to become a certified public accountant well cover the field with which an accountant who is certified should be acquainted. So, I do not think that alone would require any change in the law. Now, insofar as the requirement of a college education is concerned, I am a lawyer, and I well know that education is a great thing to enhance a man in his profession and in order to enable him, possibly, to pass an examination. However, I am not one who is an educational or college graduate snob. I think that these United States, many, many years ago, in the course of its history, was created so that we would have a classless society, where the doors to the professions and the occupations were open to all who could prove themselves to be qualified to handle the requirements of business.

However, what we have done, and what we are doing over the passage of years, is to create a new aristocracy, a new aristocracy of the educated man, and primarily the college graduate. More and more, as time goes by, we close the doors of opportunity to young men who desire to practice the professions and the occupations which they have every skill to handle. I do not think, and I am sure I am right, that the mere acquisition of a college education merits either consideration or proof of the ability to qualify for any professions, and I do not think that the mere absence of an education should mean that a man is unqualified to take an examination to become a member of such a profession.

What we have here are words saying, "college edu-

cation or the equivalent thereto." But on definition and on interpretation what, actually, is the equivalent thereto? Can anybody here state what the equivalent thereto is, except—

The SPEAKER pro tempore. The gentleman is perfectly right in stopping because I am sure he cannot be heard.

Mr. GELFAND. I know at this late portion of the afternoon possibly I may not sway many votes, but there may be somebody who is as yet undecided. If I can influence that particular individual, that is my aim. If I am speaking for the record, at least I would like my words on the record.

As I say, the words "equivalent thereto" are subject to definition. Each man determines for himself what the "equivalent thereto" means. Does it mean two years of college plus some additional experience? Does it mean three years of college, or does it mean four years of college and a baccalaureate degree? I do not believe anybody here, if he were pinned down and had to describe what "equivalent thereto" means, could actually give such a definition.

We have heard that the board of examiners will have a definition of its own, and that this board will determine what "equivalent thereto" means, and that they have already indicated by letter and by word what their determination is. But boards are transient and boards make their judgments, in many instances, on individual viewpoints. I do not want to see somebody dropped or unable to take an examination which he may be amply qualified for because the board has changed its mind as to what the regulations should be as to "equivalent thereto," or because the membership of the board has changed and their viewpoints are different. I think that by allowing this legislation to have such words as "equivalent thereto" in it, and then patching it would only open the doors for exclusion on the determination of the board which could be arbitrary.

Therefore, in view of the fact that there is already ample legislation on the books, which does make this profession exclusive and also provides for the examination of the quality of applicants who show themselves meritorious of being certified, I do not think any further legislation of this nature, and especially legislation which requires a college education or equivalent thereto, should be on our legislative books. Therefore, I would respectfully ask the members in their consideration of this legislation to vote in the negative. I thank you.

Mr. FILO. I did not intend to talk on this legislation, but there has been so much said about college education and the equivalent thereof, that I am impelled to quote an article here that I read some time ago and I thought it very appropriate for this occasion.

This is an article written by Dr. Eric A. Walker, President of Pennsylvania State University. I am quoting from the article here:

"President Eric A. Walker of the Pennsylvania State University today advocated more stress on the two-year college program to relieve the mounting pressures for education beyond high school in the Commonwealth of Pennsylvania."

Now I want to read another paragraph further on in the article:

"President Walker gave as an example of an effective two-year program the associate degree

technical training which Penn State now offers at thirteen two-year urban centers scattered throughout the State.

"Just a year ago," he said, "we graduated some 400 engineering technicians at these centers and they went right out and got jobs at \$400 a month. This program might lack some of the glamour usually associated with college but the results certainly justify our belief that this training is sound and useful."

So here are engineers graduate technical engineers, who use figures from the point down to five or six figures below the decimal point. These fellows are just as well qualified to serve as certified public accountants. I say that two-year training for certified public accountant is enough.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—95

Anderson, J. H.,	George,	Lamb,	Scarcelli,
Anderson, S. A.,	Gibb,	Lee, A. M.,	Schaaf,
Auker,	Gibbons,	Magee,	Seltzer,
Bachman,	Goldstein, J. H.,	Marsh,	Shelton,
Backenstoe,	Gramlich,	Maxwell,	Shupnik,
Boles,	Greenlee,	McCandless,	Simmons,
Bowman,	Gremminger,	McCann,	Slack,
Branca,	Gross,	McCormack,	Stank,
Breth,	Hankins,	McDevitt,	Steckel,
Buchanan,	Haudenschild,	McKeever,	Stimmel,
Clarke,	Heavey,	Merry,	Thompson,
Crossin,	Helm,	Mills,	Tomasck,
Davis,	Henzel,	Munley,	Tompkins,
Dengler,	Holl,	Murray,	Ujbal,
Dennison,	Irlis,	Needham,	Varnar,
Donaldson,	Jenkins,	O'Dell,	Wall,
Doughten,	Jim,	Pashley,	Weidner,
Down,	Johnson, A. W.,	Piper,	Whittaker,
Ellberg,	Johnson, R. P.,	Prendergast,	Willard,
	Kelser,	Pursley,	Wilt,
Ewing,	Kernaghan,	Reibman,	Wood,
Fetterolf,	King,	Reidenbach,	Worley,
Fineman,	Knecht,	Renwick,	Wynd,
Galley,	Kooker,	Rubin,	Zember,

## NAYS—96

Adams,	Fox,	Kramer,	Perry,
Arlene,	Frascella,	Lawson,	Polaski,
Ashton,	Fry,	Lee, K. B.,	Polen,
Blair,	Fulmer,	Leonard,	Riley,
Bonner,	Gallagher,	Limper,	Rovansek,
Bossert,	Gelfand,	Long, Wm. Jas.,	Sakulsky,
Bower,	Goldstein, M. H.,	Long, Wm. Jos.,	Schuster,
Bush,	Goodrich,	Lutty,	Sherman,
Capano,	Gray,	Manbeck,	Stiteler,
Capitolo,	Guesman,	Markley,	Stone,
Cauley,	Hamilton,	McDonald,	Strausser,
Clanfrani,	Hartley,	McLaughlin,	Sullivan, J. A.,
Cloffi,	Hocker,	McNally,	Sullivan, T. F.,
Cooley,	Holiday,	Mihm,	Taylor,
Curwood,	Holman,	Miller,	Trusio,
Dougherty,	Horst,	Monroe,	Walsh,
Edwards,	Isaacs,	Morley,	Wargo,
Elvey,	Jones,	Mullen,	Welsh,
Eshback,	Kamyk,	Murphy,	Wescott,
Farabaugh,	Kelly,	Musto,	Willard,
Filo,	Kessler,	O'Donnell, J. A.,	Williams, A. D.,
Flynn,	Kistler,	O'Donnell, J. P.,	Williams, E. S.,
Foerster,	Kornick,	Ogilvie,	Zimmerman,
Foor,	Korns,	Parlante,	Andrews,

Speaker

## NOT VOTING—18

Comer,	Lippincott,	Petrosky,	Rutherford,
Eshleman,	May,	Price,	Snare,
Guthrie,	McInroy,	Royer,	Verona,
Heffner,	Meholchick,	Rudisill,	Yetter,
Klein,	Odoriso,		

Less than the majority required by the Constitution hav-

ing voted in the affirmative, the question was determined in the negative and the bill falls.

## PERMISSION TO ADDRESS HOUSE

Mr. POLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I rise to make a brief statement giving information to the House that was requested yesterday by the minority leader, Mr. Johnson.

Mr. Speaker, yesterday Mr. Johnson, the minority leader, interrogated me as to the status of payments to school districts under the freeze clause placed in House bill 808, the general appropriation bill which is now Act 58.

I can now advise the House that the Attorney General has issued official opinion No. 237, dated June 7, 1961, to the effect that the rider in the general appropriation act of 1961 is unconstitutional and ineffective. The opinion is signed by Harrington Adams, Deputy Attorney General, and by Anne X. Alpern, Attorney General.

The SPEAKER pro tempore.

The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, first of all I want to thank Mr. Polen for getting us that information. I understand that early today the opinion was given to the press.

Secondly, I want to thank Mr. Polen for giving me a statement of when the non-preferred appropriations, when passed, would normally be paid by the State Treasurer.

I want to say this in respect to the opinion of the Attorney General:

I suppose that the Governor's office and the State Treasurer and the Auditor General will be bound by that opinion and that the school districts will not be able to put into their budget now the provisions of the freeze clause unless the school directors' association immediately or at an appropriate time files a mandamus action to mandamus the State Treasurer, Auditor General and so forth to make the payments as provided by the act.

We pointed out several weeks ago the court decision wherein the Supreme Court decision plainly said that you could put such a rider in the general appropriation bill. The Attorney General says differently. Therefore, of course, we find ourselves in the courts if we are going to help our schools.

I understand that the Governor has sent a request here to appear before us next Monday to talk about education. I hope Governor Lawrence says something with some meat in it now to help the beleaguered school districts of this State. I hope he justifies some way for the schools to get this money that is represented by this freeze clause. He should take a trip out through the hinterlands and talk to the school directors of this State and find out just what the situation is, how they feel.

I hope that the Governor on Monday, as I say, gives us something definite, comes out with some definite recommendations. If he wants a tax program, if wants to provide \$30 million or \$40 million for education, I hope he says so. I hope he gives us a tax program. I think the school districts of this State are entitled to have something definite and something concrete, not something mealy-mouthed, not something that is just a bunch of corn meal.



They want something they can sink their teeth into and say, "Well here it is; we can put this into our budget." It is really a tremendously important situation and I am sorry that the Attorney General has so ruled.

Why? Because we have a recent letter in our desk saying that they lapsed \$42 million this fiscal period ending May 31, more than the \$41 million they expected. I say that \$8 million could be rammed out of that budget, could be cut out of various items. If they could cut \$42 million out of the last budget after the State Senate cut it down \$56 million, they certainly could find this \$8 million in this present budget in the various classes all over the several departments.

So as I say, I hate to keep repeating this. I know it is repetitive, but it is true. You people go back home and talk to your school boards. This legislature has got to do something.

People say to me, "When are you going to get out of there?" The Democrats are saying that we will get out on the 30th of June. I say that is a lot of "baloney." We will get out about the 15th of September. It depends on what the Governor says now in his speech on Monday. If he is going to talk about all-out implementation of the Governor's Report on Education and a tax program to go with it, we will be here on and on and on and on all summer long and into fall, as I see it.

So, if the Governor now has spoken to his Attorney General and it has been ruled that the schools cannot have this freeze clause, I say that the Governor should come up with something with some meat in it, something that will be definite, something that will give some hope to the schools of Pennsylvania.

### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I will ask the membership to bear in mind that tomorrow this House will convene at 10 a. m. and following the first and second reading calendar we will proceed to vote on many bills that have already been caucused on.

Then, in addition, there will be a caucus, a break for lunch, and we shall, proceed very likely until 5 o'clock.

In addition, on the following Monday, this House will be called into session at 3 o'clock, daylight saving time, and caucus will be called at 2 o'clock, daylight saving time, since there will be a joint session at 5 o'clock when the Governor will address the House and the Senate.

Therefore, one of the bills that was coming up here today, 1258, and its debate, is scheduled for tomorrow, probably some time after 11 o'clock, in addition to other controversial measures throughout the day.

Mr. Speaker, I ask that every member who has amendments that are agreed to, please stay here in the House and offer their amendments so the bills can be amended during the night. In addition, I understand, there are some committee meetings.

### REPORTS FROM COMMITTEE

Mr. GELFAND from the Committee on Appropriations, re-reported as amended, House bill No. 735, entitled:

An Act regulating the manufacture of stuffed toys intended for sale gift or use in Pennsylvania providing for registration of such manufactures the paying of a fee for such registration the issuance of a seal of approval to such manufacturers \* \* \* and providing penalties.

Mr. SAKULSKY from the Committee on Boroughs, reported as committed, House bill No. 1284, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing ordinances and certain resolutions to be in force after attachment to the borough ordinance book, and validating certain borough records.

Mrs. KERNAGHAN from the Committee on Boroughs, reported as committed, House bill No. 1373, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing boroughs to authorize or provide for the destruction or killing of unowned pigeons by humane means.

Mr. M. H. GOLDSTEIN from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1519, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing that cities of the second class and school districts of the first class A in second class counties shall not be required to segregate a portion of the amount of certain taxes paid.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1284, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing ordinances and certain resolutions to be in force after attachment to the borough ordinance book, and validating certain borough records.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1373, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing boroughs to authorize or provide for the destruction or killing of unowned pigeons by humane means.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1519, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing that cities of the second class and school districts of the first class A in second class counties shall not be required to segregate a portion of the amount of certain taxes paid.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Mr. McCANN. Mr. Speaker, I would like to have permission to amend two bills, I believe it is, or three bills that were on second reading.

The first one would be on page 13. Mr. Speaker, on page 13, bills on second reading, I call up House bill No. 1344, printer's No. 1590.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1344, entitled:

An Act amending the "Pennsylvania Election Code" ap-

proved June 3, 1937 (P. L. 1333), regulating the furnishing of public property for use as polling places.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

Mr. LAMB. Mr. Speaker, I second the motion.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. EILBERG offered the following amendments:

Amend Sec. 1 (Sec. 527), page 3, line 1, by inserting brackets before and after "sixty" and inserting immediately thereafter: "ten"

Amend Sec. 1 (Sec. 527), page 3, line 5, by inserting after "is": "located in an election district which is"

Amend Sec. 1 (Sec. 527), page 3, line 10, by inserting brackets before and after "sixty" and inserting immediately thereafter: "ten"

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Mr. McCANN. Mr. Speaker, on page 15, bills on second reading, I call up House bill 1469, printer's No. 1802.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1469, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457), further defining and limiting the rights, powers, duties and liabilities of such associations, further specifying types of collateral for mortgage loans.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

Mr. LAMB. Mr. Speaker, I second the motion.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. LAMB and DONALDSON offered the following amendment:

And Sec. 1 (Sec. 903), page 4, line 20, by inserting after "therein": "for a stated purchase price."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 553, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to grant to Upper St. Clair Township, Allegheny County its successors or assigns a

right of way for the purpose of constructing installing and maintaining a sanitary sewer system over property of the Commonwealth of Pennsylvania known as the Mayview State Hospital Property.

The first, second and third sections, inclusive were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. FINEMAN offered the following amendment:

Amend Sec. 4, page 7, lines 12 to 17, by striking out "IN CONSIDERATION OF" in line 12 and all of lines 13 to 17 and inserting: "without consideration"

It was agreed to.

The section was agreed to as amended.

The fifth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1319, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), defining "resident" and prescribing certain benefits for nonresident indigents.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1452, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364), clarifying the provisions of the act relating to the setting aside of funds by cemetery and burial corporations and bringing additional corporations within the provisions of the act.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 201.1), page 3, by inserting between lines 16 and 17:

Any natural person, partnership or unincorporated association subject to the provisions of the act of October 2, 1959 (P. L. 1008), which hereafter forms a cemetery or burial corporation, and which, prior to its incorporation, established a permanent lot care fund in compliance with said act, which permanent lot care fund has become an asset of the corporation, shall be credited with the amount of such fund for the purpose of complying with this act.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.



On the question,  
Will the House agree to the amendment?  
It was agreed to.  
On the question,  
Will the House agree to the bill on third reading as amended?  
It was agreed to.  
Ordered, that the bill as amended lie over for printing.

### TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1216, printer's No. 1739, on page 24 of today's calendar, bills on final passage postponed.

### BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

### COMMITTEE MEETINGS

TOWNSHIPS, Mr. Flynn, chairman, Room 131-A, Thursday, June 8, at 9:30 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIME

### RESOLUTION

Mr. TOMASCIK offered a resolution which was filed with the clerk under the rules.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 29.

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

HOUSE BILL No. 1144.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for the appointment of additional clerks at polling places in counties of the third class.

With the information that the Senate has passed the same without amendment.

### SENATE MESSAGE

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 75.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring operators to depress their headlights when following or overtaking another vehicle and providing penalties.

### SENATE MESSAGE

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 565.

An Act making an appropriation to the Senate of Pennsylvania for the payment of expenses of certain Senators.

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, June 7, 1961.

Resolved (the Senate concurring), That House bill No. 264, printer's No. 1301, entitled "An act amending the act of June 3, 1937 (P. L. 1333), entitled 'An act concerning elections including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases," be recalled from the Governor for the purpose of further consideration and amendment.

### SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 430, 739 and 828.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 31, 55, 154, 157, 171, 315, 331, 392, 409, 489, 493, 497, 498, 500, 663, 879, 892, 947, 953, 1091, 1112, 1113, 1154, 1290, and 1369.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg.

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 31, printer's No. 1429, entitled "An Act amending the Act of March 30, 1937 (P. L. 115), entitled 'The First Class City Permanent Registration Act' changing provisions for proof of citizenship for certain persons previously registered."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 55, printer's No. 1780, entitled "An Act amending the Act of June 3, 1937 (P. L. 1333), entitled 'Pennsylvania Election Code' requiring

county election boards to submit additional reports with respect to registered electors and making the reports available."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 154, printer's No. 1432, entitled "An Act amending the Act of May 1, 1933 (P. L. 103), entitled 'The Second Class Township Code' providing for an assistant township secretary."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 157, printer's No. 1433, entitled "An Act amending the Act of June 24, 1931 (P. L. 1206), entitled 'The First Class Township Code' providing for an assistant township secretary."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 171, printer's No. 171, entitled "An Act amending the act of August 9, 1955 (P. L. 323), entitled 'The County Code' authorizing the appointment of solicitors by certain county officials and limiting the duties of the county solicitor."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 315, printer's No. 344, entitled "An Act amending the act of September 23, 1959 (P. L. 941), entitled 'An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack Montgomery County' further providing for an easement in lands situate in the Township of Skippack Montgomery County."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 331, printer's No. 360, entitled "An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended 'An Act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 392, printer's No. 1689, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' authorizing the designation of 4-way stop and other multi-way stop intersections."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 409, printer's No. 1437, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code' further regulating compensation to aged employees."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 489, printer's No. 532, entitled "An Act amending the act of May 3, 1923 (P. L. 134), entitled 'An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution' correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 493, printer's No. 536, entitled "An Act amending the act of June 24, 1939 (P. L. 872), entitled 'The Penal Code' changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 497, printer's No. 540, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'The Third Class City Code' changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 498, printer's No. 541, entitled "An Act amending the act of June 2, 1937 (P. L. 1184), entitled as amended 'An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day Flag Day and Armistice Day' correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter."

DAVID L. LAWRENCE



June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 500, printer's No. 543, entitled "An Act amending the act of August 9, 1955 (P. L. 323), entitled 'The County Code' correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in its charter."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 663, printer's No. 1497, entitled "An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 879, printer's No. 964, entitled "An Act reenacting and amending the act of May 15, 1933 (P. L. 796), entitled as amended 'An act providing for the preservation of the records or photographic film reproductions or photographic or photostatic copies thereof of banks bank and trust companies trust companies savings banks private banks and national banking associations providing that such photographic film reproductions or photographic or photostatic copies shall be admissible in evidence equally and with the same force and effect as the original records providing a means for the final adjustment and settlement of depositors' accounts saving certain parts of acts from repeal and imposing penalties for violations' extending the provisions thereof to employees' mutual banking associations extending the penalty provisions to include owners partners and members of managing boards and removing certain obsolete language."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 892, printer's No. 981, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' requiring the Secretary of Highways to erect signs at major entrance points into the Commonwealth giving notice of the law regulating passing of school buses and the penalty for violation thereof."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 947, printer's No. 1048, entitled "An Act amending the act of May 16, 1923 (P. L. 207), entitled 'An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing pay-

ment of such claims the effect of judicial sales of the properties liened the distribution of proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly' extending the period for revival of suggestions and averments of non-payment and default and the time for the filing and renewal of all taxes and municipal claims in cities and school districts of the first class to twenty years."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 953, printer's No. 1054, entitled "An Act amending the act of November 21, 1959 (P. L. 1583), entitled 'An act providing that in cities and school districts of the first class real estate tax water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed under certain terms and conditions' providing that the provisions of this act shall extend to real estate tax water rent and sewer rent claims or judgments filed or revived thereafter."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1091, printer's No. 1208, entitled, "An act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code' requiring auditors to elect a chairman and a secretary."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill 1112, printer's No. 1242, entitled "An act making an appropriation to the joint committee appointed by the House of Representatives and the Senate to act as host to the National Legislative Conference for expenses incurred by said committee for that purpose."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill 1113, printer's No. 1243, entitled "An Act making an appropriation to the Department of Commerce for defraying the expenses of the Commonwealth as host to the 1962 National Governors' Conference."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill 1154, printer's No. 1286, entitled "An Act transferring inheritance tax commissions of the Register of Wills of Philadelphia County to the Department of Revenue."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1290, printer's No. 1487, entitled "An Act amending the act of June 24, 1937 (P. L. 2017) entitled 'County Institution District Law' regulating taxation for institution district purposes."

DAVID L. LAWRENCE

June 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1369, printer's No.

1786, entitled "An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended 'The Realty Transfer Tax Act' providing for determination of deficiencies redetermination reviews and appeals therefrom and conferring additional powers and duties upon the Department of Revenue."

DAVID L. LAWRENCE

#### ADJOURNMENT

Mr. J. A. O'DONNELL. Mr. Speaker, I move that this House do now adjourn until Thursday, June 8, 1961, at 9 a. m., e. s. t.

The motion was agreed to, and (at 5:57 p. m., e. s. t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., THURSDAY, JUNE 8, 1961.

No. 59.

## HOUSE OF REPRESENTATIVES

THURSDAY, June 8, 1961

The House met at 9 a.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair

### PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Thou Who art the light of the world, and dost dispel the darkness of life, we come to Thee out of the shadows of our world. We realize that Thy presence is able to keep our feet walking in Thy way, as well as the courage to meet and overcome the trials of life. Be the constant companion of these members of the legislature, we pray, and grant to them Thy blessed and assuring peace: in the name and for the sake of the Blessed Prince of Peace, who came to bring the light to a darkened and troubled world. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, June 7, 1961, will be postponed until printed.

The Chair hears none.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 514.

An Act amending the act of June 2, 1915 (P. L. 736), entitled as amended "The Pennsylvania Workmen's Compensation Act" providing for reimbursement by the Commonwealth to employers the State Workmen's Insurance Fund and insurance carriers for awards of compensation and expenses paid in certain cases.

Referred to the Committee on Labor Relations.

### RESOLUTIONS INTRODUCED AND REFERRED

By Mr. A. M. Lee.

RESOLUTION No. 77.

In the House of Representatives, June 7, 1961.

Whereas, there are continuing disclosures in the city of Philadelphia of extensive corruption in the agencies of the government, said disclosures being of deep concern not only to Philadelphians but to all the people of the Commonwealth;

Whereas, even though Home Rule is a proper, laudable,

zealously guarded concept, the City is the creature of the State and Home Rule cannot be allowed to become a license for uncontrolled corruption, and

Whereas, the health, safety and life of the transit riders of Philadelphia have been threatened by faulty maintenance of public facilities; there are reports of conflict of interest in the appraisal of real property done for the Redevelopment Authority of the City of Philadelphia, an agency of the Commonwealth of Pennsylvania; there is once again evidence of mismanagement in election administration and reports of frauds in the conduct of elections; there are reports of violations of corrupt practices acts as to the form, method, source and handling of political contributions;

Whereas, the Mayor is without the power of subpoena or funds to conduct an effective inquiry; his so-called Watchdog Committee has publicly announced it will perform no investigatory functions and therefore will lack complete information on essential matters in question; City Council refused to avail itself of the powers granted it in the Philadelphia Home Charter to institute and finance its own investigation; the consummate insult to the processes of democracy has come with action of City Chairman William J. Green, Jr. who issued a decree imposing silence upon the elected representatives of the people of Philadelphia in City Council and they have acquiesced in this edict; the incumbent City Controller and District Attorney owe their present positions to Congressman Green as well as their present candidacies for reelection and therefore he has much power to control their activities as he has already exercised over City Council, and

Whereas, in the light of the foregoing it is obvious that a full, impartial investigation cannot be obtained through the regular local agencies in the City of Philadelphia, and

Whereas, the Attorney General is the Chief law enforcement officer of the Commonwealth of Pennsylvania and has a duty and obligation in situations of this kind to act in the interests of all citizens.

Therefore be it resolved, that the House of Representatives urgently requests the Attorney General of the Commonwealth to intervene in the City of Philadelphia for the purpose of seeking empanelment of a Special Grand Jury, adequately staffed by Special Deputies of unquestioned caliber, ability and independence to provide the vehicle by which all aspects of the present situation can be thoroughly investigated and the full measure of the law administered to those deserving it.

Referred to the Committee on Rules.

By Messrs. TOMASCIK and BACHMAN.

RESOLUTION (Not Printed)

In the House of Representatives, June 7, 1961.

A knowledge of the procedure and proceedings of legislative bodies of other countries would be of immeasurable value to this House. We can benefit greatly by obtaining first hand information of the workings of such legislative bodies which have evolved throughout the years under widely varying circumstances.

A member of this House of Representatives, the Honorable Francis Worley, whose background, education and

experience well qualify him to intelligently observe and glean information from these various legislative bodies, has indicated a willingness to perform such a service at his own expense; therefor, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby directs the Honorable Francis Worley, together with such assistants as he may deem necessary, to proceed, at his convenience, as its duly authorized representative to visit and observe such legislative proceedings and legislative bodies, or members thereof, in such other countries as he may find feasible, such services to be performed at his own expense as a public service to our Commonwealth.

Referred to the Committee on Rules.

## REPORTS FROM COMMITTEE

Mr. RENWICK from the Committee on Townships, reported as committed, House bill No. 1463, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), clarifying the meaning of "frontage abutting on the sewer" for the purpose of sewer assessments.

Mr. JIM from the Committee on Townships, reported as committed, House bill No. 1464, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), permitting townships to make appropriations to industrial development agencies.

Mr. ODORISIO from the Committee on Townships, reported as committed, House bill No. 1465, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), permitting townships to make appropriations to industrial development agencies.

Mr. ODORISIO from the Committee on Townships, reported as committed, House bill No. 1522, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), removing maximum limitations upon dues assessed on townships by the State Association of Township Supervisors.

Mr. GOODRICH from the Committee on Townships, reported as committed, House bill No. 1530, entitled:

An Act providing for the destruction of certain records and papers upon petition in townships of the first class.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1463, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), clarifying the meaning of "frontage abutting on the sewer" for the purpose of sewer assessments.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1464, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), permitting townships to make appropriations to industrial development agencies.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1465, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), permitting townships to make appropriations to industrial development agencies.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1522, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), removing maximum limitations upon dues assessed on townships by the State Association of Township Supervisors.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1530, entitled:

An Act providing for the destruction of certain records and papers upon petition in townships of the first class.

And said bill having read at length the first time,  
Ordered, to be laid aside for second reading.

## RETIREMENT BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 564, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees amending, revising, consolidating and changing the laws relating thereto" providing for the crediting of service in the case of certain former members of the county employees' retirement system in counties of the second class.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 565, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class amending, revising, consolidating and changing the laws relating thereto" requiring the county commissioners to make appropriations and payments to the State Employees' Retirement Fund to establish reserves on account of certain former county employees.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 610, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), providing a death benefit after ten years of service or an accumulation of withdrawal credits in certain cases.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.



Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1080, entitled:

An Act amending the "State Employees Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing for death benefits for certain annuitants who are receiving a disability allowance.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1081, entitled:

An Act amending the "State Employees Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing for alternative methods of payments of benefits under certain conditions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1214, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), further defining "school employee" to include certain municipal employees and providing further for the purchase of credit for past service.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1251, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), further providing for the reduction of superannuation and withdrawal allowances.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1273, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing a disability retirement allowance for disability incurred by officers and employees of the Pennsylvania State Police while engaging in law enforcement activities when not on active duty.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1382, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), by further providing for optional membership.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1383, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), by changing definition of "State employee" and permitting certain members of the school employees retirement system to elect to become members.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1384, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employees amending, revising, consolidating and changing the laws relating thereto" clarifying the provisions relating to the computation of allowances payable to members of the joint coverage group.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1385, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees amending, revising, consolidating and changing the laws relating thereto" providing credit for out-of-State service for certain contributors employed at State colleges.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 1386, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees amending, revising, consolidating and changing the laws relating thereto" clarifying the provisions relating to the computation of allowances payable to members of the joint coverage group and to the filing of applications for withdrawal allowances.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

## BILLS ON FIRST READING

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 36, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), requiring the Public Utility Commission to consider and protect the contractual rights of employees and possible adverse effect on employees before approving any transfer of property of a common carrier of passengers by motor bus.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House bill No. 379, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), prohibiting certain licensees their servants, agents and employees from selling liquor and malt and brewed beverages during certain hours on Good Friday.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 925, entitled:

An Act requiring the use of a canvas or other barrier to prevent the spread of sand when the exterior of a building is cleansed by sand blasting and prescribing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1140, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further regulating the division of boroughs into wards and the abolition of wards.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1227, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), including chiropractors within school health program.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1446, entitled:

An Act amending the "Barbers' License Law" approved June 19, 1931 (P. L. 589), providing credit toward student or apprentice registration periods in certain cases.

And said bill having read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1561, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing the name of the Department of Forests and Waters to the Department of Conservation and Recreation transferring to it certain functions, powers and duties relating to parks and recreation making the Pennsylvania Historical and Museum Commission a departmental administrative commission therein making the Brandywine Battlefield Park Commission an advisory commission therein changing certain other commissions from departmental administrative commissions to advisory commissions and abolishing the Flood Control Commission.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1609, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 99, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age restricting their driving privileges and providing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 100, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" by making persons over sixteen years of age subject to certain penal provisions of the act.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 213, entitled:

An Act fixing maximum hours of service for policemen in cities of the second class A.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

## RETIREMENT BILL ON SECOND READING

### BILL PASSED OVER

There being no objection

House bill No. 341, printer's No. 2198, was passed over at the request of the SPEAKER.

## APPROPRIATION BILLS ON SECOND READING (NON-PREFERRED)

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 65, entitled:

An Act providing for pensions for war veterans blinded through service connected injuries conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 761, entitled:

An Act making an appropriation to the Department of Commerce for payments of grants to local agencies for tourist promotional assistance.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 763, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.



And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 764, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 765, entitled:

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 769, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 771, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 772, entitled:

An Act making an appropriation to the Department of Public Instruction for the improvement of library services.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 773, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 774, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the Library School.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 775, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 776, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 777, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 778, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 779, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 780, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 781, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 782, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 783, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 784, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 785, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 786, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 787, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 788, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania for maintenance and purchase of supplies and equipment.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 789, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 790, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum, Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 791, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art, Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 792, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 793, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.



And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 794, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 795, entitled:

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 796, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 797, entitled:

An Act making an appropriation the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 798, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 799, entitled:

An Act making an appropriations to the Department of Public Welfare for payment of grants to political subdivisions for services for the aging.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 800, entitled:

An Act making an appropriation to the Glen Mills School in Delaware County, Pennsylvania.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 801, entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County, Pennsylvania.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 802, entitled:

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for juvenile delinquency programs.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 805, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 806, entitled:

An Act making an appropriation to the City of Harrisburg, Pennsylvania.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 924, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the maintenance of a professorship in the School of Medicine.

And said bill having been read at length the second time and agreed to,  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1013, entitled:

An Act making an appropriation to the Cystic Fibrosis Laboratory at the Albert Einstein Medical Center in Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1193, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1194, entitled:

An Act making an appropriation to the Department of Military Affairs for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1195, entitled:

An Act making an appropriation to the Department of Health for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1196, entitled:

An Act making appropriations to the Department of Public Welfare for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1197, entitled:

An Act making an appropriation to the Department of Justice for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1198, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1199, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1431, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia, Pennsylvania for maintenance and support.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1610, entitled:

An Act making an appropriation to the Supreme Court of Pennsylvania for a portrait of Chief Justice Charles Alvin Jones.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1708, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1709, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and con-



sideration of Senate bill No. 115, entitled:

An Act making an appropriation to the committee appointed by the 1960 General Assembly to study the unemployment problem in Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

The SPEAKER. Having gone through the first reading calendar, the Chair asks the gentleman from Armstrong to take a part of the second reading calendar. When his voice fails him I will spell him.

We went through 14 pages of the calendar in 14 minutes; I think that is pretty good.

Mr. HELM IN THE CHAIR

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 125, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), fixing the time for the annual report by the county auditors to the court and providing for the audit of miscellaneous accounts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 158, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), relieving cities and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 161, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the issuance of club liquor licenses and catering licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 219, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), restricting speed in areas near playgrounds and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 350, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), eliminating residence requirements for board secretaries.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 360, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing persons to bring into Pennsylvania limited amounts of untaxed liquor under limited circumstances.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 457, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), authorizing the Commonwealth and its political subdivisions and instrumentalities to come within the provisions of the act.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 512, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the ordering and sale of miniature bottles to certain licensees.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Liquor Control.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 527, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the exchange of existing retail dispenser's licenses for liquor licenses despite the limitations of the quota provisions of this act and establishing procedure therefor.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 627, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), permitting courts to grant club licenses to desirable applicants despite the limitations of the quota provisions of the law.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 628, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), changing the time within which notice of a hearing is issued and requiring notice of violations as prerequisite to imposition of a penalty suspension or revocation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 670, entitled:

A Supplement to "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs or the dependents of such special school police.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

#### MIFFLINVILLE JUNIOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. I have been informed that we have in the gallery members of the Student Council of the Mifflinville Junior High School, Columbia County. They are under the supervision of Mr. Clyde Goss, Student Council Advisor. They are here today as the guests of the gentleman from Columbia, Mr. Strausser.

#### AVELLA JOINT SCHOOL DISTRICT STUDENTS WELCOMED

The SPEAKER pro tempore. We have with us the eighth grades of the Avella Joint School District, who are the guests of the gentleman from Washington County, Mr. Polen. They are here under the supervision of their teachers, Mr. Caldwell, Mrs. Smith, Mrs. Wetzel, Mr. White and Mr. Lofstead.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 708, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture fixing fees creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 735, entitled:

An Act regulating the manufacture of stuffed toys intended for sale gift or use in Pennsylvania providing for registration of such manufacturers the paying of a fee for such registration the issuance of a seal of approval to such manufacturers \* \* \* and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 754, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 755, entitled:

An Act defining and prohibiting waste in the production of oil and gas defining the powers and duties of the Oil and Gas Conservation Commission and the Oil and Gas Division of the Department of Mines and Mineral Industries with respect to the prevention of waste in the production of oil and gas from certain geological horizons \* \* \* imposing penalties and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1009, entitled:

An Act to protect the public safety by regulating the mining of bituminous coal prescribing duties for certain municipal and township officers and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1044, entitled:

An Act to create a regional agency by intergovernmental compact for the planning conservation utilization development management and control of the water and related natural resources of the Delaware River Basin for the improvement of navigation reduction of flood damage regulation of water quality control of pollution development of water supply hydroelectric energy fish and wild-



life habitat and public recreational facilities and other purposes and defining the functions powers and duties of such agency.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1059, entitled:

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017), increasing the amount the institution district may pay for burial costs in each case.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1270, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the issuance of special caterer's permits.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1284, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing ordinances and certain resolutions to be in force after attachment to the borough ordinance book and validating certain borough records.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1345, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487), providing for notification of cancellation of registration in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1356, entitled:

An Act amending "The Notary Public Law" approved August 21, 1953 (P. L. 1323), providing for the registration of notaries public in the clerk of courts' office in counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1359, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), excepting certain clubs from the quota limitations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1373, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing boroughs to authorize or provide for the destruction or killing of unowned pigeons by humane means.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1403, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .78 acres more or less of land situate in the Borough of East Stroudsburg, Monroe County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1450, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing licenses for the retail sale of liquor and malt or brewed beverages on city premises in cities of the first class under certain terms and conditions and to be known as public event licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1468, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), enlarging the Coal Research Board's sphere of study and research.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1498, entitled:

An Act authorizing municipalities and townships to appropriate money to improve or equip State property located within its boundaries.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1506, entitled:

An Act amending the act of June 21, 1939 (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class \* \* \*" further regulating the assessment of property or subjects of taxation previously omitted from assessment and the payment of taxes thereon.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1514, entitled:

An Act making an appropriation to the Department of Labor and Industry for paying the costs incurred by the department in publishing a revised compilation of Bulletin No 113 containing the laws administered by the Department of Labor and Industry.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1519, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), providing that cities of the second class and school districts of the first class A in second class counties shall not be required to segregate a portion of the amount of certain taxes paid.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1531, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing transfer to certain boards of township supervisors without charge or at a nominal fee materials salvaged from State highways and bridges.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1541, entitled:

An Act relating to the manufacture sale and possession of drugs devices and cosmetics conferring powers on the courts and the Secretary and Department of Health providing penalties and for the revocation or suspension of certain licenses making an appropriation to the Department of Health and repealing certain acts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1551, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), further regulating the days and hours of registration and the days and hours of changing party enrollment.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1555, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), further regulating the days hours and places of registration.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1566, entitled:

An Act amending the act of May 10, 1956 (P. L. 1569), entitled "An act authorizing the City of Philadelphia to accept the conveyance under certain conditions of the site of Fort Mifflin" by the Commonwealth of Pennsylvania giving up its right of occupancy of Mud Island under certain circumstances and by granting rights of occupancy thereof to the City of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1578, entitled:

An Act amending the "Adoption Law" approved April 4, 1925 (P. L. 127), changing provisions relating to hearings in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1596, entitled:

An Act amending the act of March 30, 1917 (P. L. 21), entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions \* \* \* conferring additional power on the State Board of Optometrical Examiners prescribing additional grounds for refusing canceling revoking or suspending licenses further regulating and providing for the licensing of offices and branch offices of optometrists the renewal of licenses biennially and license fees to be charged therefor and their utilization.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1601, entitled:

An Act amending the "Second Class County Port Authority Act" approved April 6, 1956 (P. L. 1414), authorizing the authority to provide group and party services.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1603, entitled:

An Act making an appropriation to the Department of Military Affairs for a training area and armory site in Somerset County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1606, entitled:

An Act amending the act of May 12, 1887 (P. L. 96), entitled "A supplement to an act entitled 'An act supplementary to an act relative to burial grounds and cemeteries situated in incorporated boroughs' \* \* \* further empowering courts to direct removal of remains in boroughs cities and towns from burial grounds where interments have ceased or have become so neglected as to become a public nuisance or such remains interfere with the improvements extensions and interests of such cities boroughs or towns" extending the act to counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1607, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), empowering the exercise of eminent domain for certain purposes in regard to graveyards and cemeteries.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1619, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing the printing and reproducing of study and curriculum materials by county commissioners in second class counties and providing for reimbursements therefor.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1642, entitled:

An Act amending the "Municipal Unclaimed Moneys Act" approved May 17, 1949 (P. L. 1403), changing the disposition of such moneys.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1678, entitled:

An Act amending the act of June 22, 1935 (P. L. 414),

entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills \* \* \*" providing that certain corporations doing business with professional school employees shall not be subject to the provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1683, entitled:

An Act creating the Second Injury Reserve and Rehabilitation Fund in the Department of Labor and Industry requiring payments by the State Workmen's Insurance Fund and certain insurance carriers \* \* \* and prescribing limitations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 88, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" abolishing county institution districts in counties of the fourth fifth and sixth classes transferring their property powers duties and obligations to counties prescribing certain further duties of county commissioners with regard to persons in foster homes and as to children and youth and regulating payments for care.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 96, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 183, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" providing that applicants for the position of policeman and fireman need not be residents of the borough and authorizing residence to be required after appointment as police and firemen.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 186, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing the purchase or condemnation of unobstructed views at curves and intersections.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate bill No. 200, printer's No. 769, and

Senate bill No. 201, printer's No. 770

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 417, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein . . ." establishing an alternative appeal procedure in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 439, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to manual training schools receiving State aid authorizing contracts to lease and leases by the Department of Public Instruction from Authority of any additions or improvements to manual training schools receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 526, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" defining the crimes of fraudulent use of credit cards and fraudulent obtaining of telecommunications service and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 533, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the compensation of mayors councilmen controllers treasurers and department heads.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 534, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" prohibiting departments from being headed by member of city council under mayor-council plan A.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 539, entitled:

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An Act appropriating the moneys in The State Stores Fund" providing for additional kind of insurance.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 540, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" providing for additional kinds of insurance.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 552, entitled:

An Act repealing section 58 of the act of April 28, 1899 (P. L. 133), entitled "An act to provide for the organization discipline and regulation of the National Guard of Pennsylvania."

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 582, entitled:

An Act amending the act of November 21, 1959 (P. L. 1579), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers . . ." authorizing the acquisition of the Thorn Hill School at Warrendale Allegheny County.



And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 583, entitled:

An Act amending the act of May 27, 1949 (P. L. 190), entitled "The Military Code of 1949" removing the exemption of certain persons from jury duty.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the hecond reading and consideration of Senate bill No. 629, entitled:

An Act amending the act of May 17, 1956 (P. L. 1609), entitled "Pennsylvania Industrial Development Authority Act" empowering the Authority to purchase first mortgages and to make payments on first mortgages on industrial development projects where necessary to protect loans made by the Authority or industrial development projects and increasing the amount the Authority can contract to loan and decreasing the amount that must be provided by industrial development agencies in the financing of industrial development projects and removing the limitation as to the amount of Authority loans on industrial development projects where Federal agencies participate in the financing of such projects.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

### LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. FILO for today.

Mr. Tompkins for Mr. McINROY for today because of illness.

Mr. Tompkins for Mr. BOSSERT for today because of official business in Washington.

Mr. Tompkins for Mr. HAUDENSHIELD for today because of illness in the family.

Mr. Tompkins for Mr. LIPPINCOTT for today.

The SPEAKER pro tempore. The Chair would like to inquire of the gentleman from Washington, Mr. Polen, if it is his desire to make a statement at this time?

Mr. POLEN. It is, Mr. Speaker.

The SPEAKER pro tempore. Has the gentleman cleared his request with the majority and minority floor leaders?

Mr. McCANN. He cleared it with the majority floor leader yesterday for this point today, whenever that time should arrive, following the first and second reading calendars.

The SPEAKER pro tempore. Is that agreeable to the minority leader?

Mr. A. W. JOHNSON. Yes, Mr. Speaker.

### PERMISSION TO ADDRESS HOUSE

Mr. POLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, ordinarily I do not take up the time of this House in making speeches, but I feel at this time that I must because of the editorial comments and criticisms that have been made in some of the papers in Pennsyl-

vania, but particularly the Pittsburgh Press of Pittsburgh, Pennsylvania.

I am going to read two editorials and then I am going to discuss them. The first editorial I shall read is from "The Progress" of Penn Hills, Pittsburgh, Pennsylvania. It is headed, "Newspapers Had It Coming."

The tables have been turned on Pennsylvania's newspapers, in particular the editorial writers, and one can already detect the tone of bitter resentment upon the part of the fourth estate.

It seems that the Pennsylvania State Legislators in the State House of Representatives have leveled some editorial blasts of their own at the newspapers for the treatment they have been subjected to across the State in editorial comment. It further seems that the newspapers don't like it.

Editorial writers have a free rein to lambaste whomsoever they please.

I think this next part is very pertinent:

But they have a responsibility equal to this freedom . . . a responsibility to be accurate and fair. The latter isn't always evident in the editorial comment regarding our government.

The editorials that have come across this desk regarding the increase in expenses (\$3,000 annually) that the Legislature voted itself have been for the most part one-sided and unfair. And in the main, it was this recent legislative action that touched off this round of editorial attack.

This battle between newspapers and public officials, however, is a long-standing feud, and the newspapers have indeed had the better of it. It's as common at the city hall and White House level of government as it is in our State Capitol.

One result has been that the public's faith in its own democratic government has been so seriously undermined that the minute a citizen becomes a public official he loses much of the public confidence he rightfully deserves, and the word politician has taken on some evil connotation.

This is more the result of irresponsible newspaper reporting and editorializing than anything else. And it's hardly a record that the journalism field in general can be proud of.

Of course, not every newspaper is irresponsible. Those legislators who rose on the floor of the House last week to fire back at editorial criticism will be the first to admit this . . . we are sure. But the publications that are guilty of this are many and perhaps in the majority.

The Progress has never objected to criticism from public officials who reply to our editorial comments. In fact, we welcome it. But we have tried to understand the problems of government and be sympathetic with the officials who wrestle with them. And we have earnestly tried to temper our editorial remarks with reason.

This doesn't mean that a newspaper editorial shouldn't disagree with an official or an official action. By all means, the editorial should forthrightly state the newspaper's views. But that view should represent a reasonable conclusion based on a thorough study of the problem . . . and not a half-cocked opinion based on emotion and preconceived notions.

We do not agree with the legislators who would banish the newsmen from the press galleries in the Legislature in reprisal for unfavorable editorials. But we certainly endorse the procedure of public officials rising to their feet in just indignation and fighting back at some of the irresponsible editorial criticisms they are often subjected to.

Now, Mr. Speaker, the editorial to which I refer in the Pittsburgh Press was printed on Sunday, June 4th. It is headed, and I ask the members of this House to note the heading, "State Treasury—NSF." I have always heard that "NSF" means "not sufficient funds," and I believe that is exactly what this editorial writer meant it to mean. As I read the editorial, I am going to discuss some of the things he said. I am going to show that this editorial writer is doing exactly what this other editorial writer said is wrong.

He is going off half-cocked and he is not stating the facts and we can prove that. I am going to read the editorial. It is not as long as the other one, but I will make some remarks as I go along.

#### "State Treasury—Not Sufficient Funds"

"The members of the Pennsylvania State Legislature who airily voted themselves a \$3,000 a year pay raise—thinly disguised as expenses—Now are in the process of learning some of the financial facts of life."

Now, members of the House, the \$3,000 we voted were for expenses, and, so far as I am concerned, my expenses here in Harrisburg exceed \$3,000.

"They were to have received the first \$1,500 of this self-ordained largesse on Wednesday. But no checks were available. The reason: Not enough money in the Treasury."

Not enough money in the Treasury to pay \$390,000, this editorial writer would have you believe, because that is the total amount. However, I have with me the official report of the State Treasurer of Pennsylvania, which shows that on May 31, the date that this gentleman is referring to, the cash balance in the general fund of Pennsylvania was \$103,860,414. Now, what kind of editorializing is this, when a man says there is not enough money in the treasury to pay \$390,000, and there is over \$100 million in the treasury? I think the time has come when the editorial writers of Pennsylvania had better do what this other editorial writer says, they had better give the facts. I think they are more interested in news than they are in facts.

Now we will take the next thing that this editorial writer says, or paragraph: "Furthermore, Auditor General Thomas Z. Minehart wants a legal opinion from his counsel before he issues any checks."

Now, maybe he did—he apparently got it, because this article is written on Sunday, June 4, and the checks were issued and in the hands of the chief clerk on June 2, 1961. So, we will pass that over.

But, now, the next paragraph of this editorial really gets me. It is in great big black bold type: "And to cap the climax, an appropriation bill to provide the necessary funds—\$780,000 a year"—and he is right in the amount—"hasn't been approved yet by the Legislature."

Remember, members of the House, he is writing this on June 4th. We passed this general appropriation bill back in May, and the Senate did too, and the Governor signed it on May 25, 1961. What kind of newspaper service is this? What kind of editorializing is this? Has this editorial writer of the Pittsburgh Press such a great hatred of legislative bodies who are here for the protection of the people that he wants to so down-grade them that he will print information that is absolutely incorrect? If I would resort to the vernacular, I would say he is telling lies.

Mr. Speaker, he goes on to say: "This new item in the cost of conducting the State government was not included in the Administration's general budget."

If the gentleman will refer to page 153 of the budget, he will find that the amount is included. As a matter of fact, so far as this specific payment is concerned, it was even included in the old budget. It is true that part of the payment due the Senators was not included, because when they made up their budget they were in a state over there where they did not know whether the Republicans or the Democrats were going to control the Senate, so nobody did anything and the same amount was placed in it. But that is not true here in the House.

He goes on and says: "Unless, of course, the Legislature decides to do some honest budgeting and passes taxes sufficient to pay for its raise. This is considered a remote possibility."

Mr. Speaker, what are the facts? We have never in the three terms that I have served as chairman of the Appropriations Committee, and I think it was true when Mr. Wood served, reported even out of committee to this House bills in excess of tax revenues. We are given fiscal responsibility. Only this morning several people were in there about bills, and they were the bills that we would like to pass, and I told them that we cannot report them out because we do not have any tax base to pay for them.

Mr. Speaker, in the 1959 session, the bills that were sent by this House and the Senate to the Governor for signature were slightly under the revenue tax estimates for that fiscal period, that biennium.

I think if the editorial writer will check into these facts he will find it is a matter of record. It is not anything that he needs to tell lies about. He can find out the truth if he will look into it.

Then he goes on to say: "In this connection, we recall that Governor Lawrence's standard attitude has been that if the Legislature proposed to add to the State's expenditures, it must provide the taxes to pay the bill."

I am going to go further and say that that has been the practice of this legislature. As I stated before, we have not passed appropriation bills in excess of the tax revenues, and in the 1959 session the Governor was not called upon, nor was it necessary for him, to veto a single item.

It goes on further, and I am near the end: "Mr. Lawrence already has approved the legislative pay raise, with what seemed like enthusiastic promptness. So he has thrown away his veto power. He can't very well back up a demand now that the Legislature designate where the money is coming from. But he can use his influence with the Legislature, if he will, to avoid additions to the state's deficit."

Mr. Speaker, I do not think the time will ever come in Pennsylvania where we want a situation where the Governor is not going to sign this or sign that so he will have a veto power. I think it is wrong. I think every measure should stand on its merit. I think this editorial writer should recognize this.

The Governor does not need to have any influence with members of this legislature to provide fiscal soundness for Pennsylvania, because we are already doing that and we are not going to pass bills that will add to the State's deficit.

Now I am down to the last paragraph: "As taxpayers,



we know full well who's going to pay the \$780,000 a year. But we have a right to insist that the Legislature do a fair job of budgeting and refrain from adding to our collective debt to line their own pockets."

I take particular exception to that. I do not think there is any member of the legislature who wants to line his own pockets. I think all we have done here and all we have asked for is an honest amount to take care of the rising cost of the expenses of the legislature in Harrisburg.

I do not think this editorial writer in Pittsburgh would want to come down here and work as we work and have the expenses we have for the salary and expenses we receive.

Mr. Speaker, there is one thing that impressed me about this. Right opposite "State Treasury—NSF" the heading of another editorial says, "Down With Fairness." It seems to me that is exactly what this editorial writer is doing—down with fairness! As this writer in "The Progress" says, he should be fair. I do not even care if he is fair. All I want him to do is tell the truth.

### FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair notes the presence in the hall of the House today of a former distinguished member of this House and a former Treasurer of this Commonwealth, Honorable Robert F. Kent from the County of Crawford.

### BIRTHDAY

The SPEAKER pro tempore. We have another very pleasant interlude that we missed a few days ago purely and simply because the gentleman was not in his seat at the particular time we wanted to recognize his birthday. The gentleman from Philadelphia, Mr. Lee, had a birthday on the 6th of June.

(Members sang "Happy Birthday" led by Mr. Dengler)

The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, I would like to express my deepest appreciation for the sentiments expressed musically on the occasion of my birthday a few days ago. I would only like to say to all members of the House that every once in a while I get a little excited and, perhaps, some of us have our differences, but to me the relationships I have, the friendships I have made with members on both sides of the aisle, are some of the greatest things in my 42 years to date. Thank you very much.

### REPORT FROM COMMITTEE

Mr. STRAUSSER from the Committee on Highways, reported as committed, House bill No. 1023, entitled:

An Act amending the State Highway Law," approved June 1, 1945 (P. L. 1242), giving the Secretary of Highways authority and discretion to issue permits to qualified individuals or corporations desiring to conduct seismic operations on certain State highways.

### BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1023, entitled:

An Act amending the State Highway Law," approved June 1, 1945 (P. L. 1242), giving the Secretary of Highways authority and discretion to issue permits to qualified

individuals or corporations desiring to conduct seismic operations on certain State highways.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, on page 30, bills on final passage recalled from the governor, for the first roll call of the day, I call up House bill 1038, printer's No. 2189, and asked that I be recognized for explanation.

### BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1038, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey all of its right title and interest that it may have in a tract of land in the borough of Canonsburg Washington County Pennsylvania.

On the question recurring,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, Bills on Final Passage Recalled from the Governor, House bill 1038 was passed by this House and the Senate and is being recalled from the Governor and, as you notice, in the print of the bill on your desk, the words "the Commonwealth of Pennsylvania" had to be inserted in the title, and on page 2, line 4, when the bill passed here it was "African Methodist Church" and the proper title holder of the land is "African Methodist Episcopal Church" and the word "Episcopal" appears here.

Mr. Speaker, I ask that all the members vote "aye" on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—190

Adams.	Fulmer,	Lee, A. M.,	Rubin,
Anderson, J. H.	Galley,	Lee, K. B.,	Rudisill,
Anderson, S. A.,	Gallagher,	Leonard,	Rutherford,
Arlene,	Gelfand,	Limper,	Sakulsky,
Ashton,	George,	Long, Wm. Jas.,	Scarcelli,
Auker,	Gibb,	Long, Wm. Jos.,	Schaaf,
Bachman,	Gibbons,	Lutty,	Schuster,
Backenstoe,	Goldstein, J. H.,	Magee,	Seltzer,
Blair,	Goldstein, M. H.,	Manbeck,	Shelton,
Bonner,	Goodrich,	Markley,	Sherman,
Bower,	Gramlich,	Marsh,	Shupnik,
Bowman,	Gray,	Maxwell,	Simmons,
Branca,	Greenlee,	May,	Slack,
Breth,	Gremminger,	McCandless,	Snare,
Buchanan,	Gross,	McCann,	Stank,
Bush,	Guesman,	McDevitt,	Steckel,
Capano,	Hamilton,	McDonald,	Stimmel,
Capitolo,	Hankins,	McKeever,	Stiteler,
Cauley,	Hartley,	McLaughlin,	Stone,
Cianfrani,	Heavey,	McNally,	Strausser,
Cloffi,	Heffner,	Merry,	Sullivan, J. A.,
Clarke,	Helm,	Miller,	Sullivan, T. P.,
Comer,	Henzel,	Mills,	Taylor,
Cooley,	Hocker,	Monroe,	Thompson,
Crossin,	Holl,	Morley,	Tomascik,
Curwood,	Holliday,	Mullen,	Tompkins,
Davis,	Holman,	Munley,	Trusio,
Dengler,	Horst,	Murphy,	Ujobal,
Dennison,	Irvins,	Musto,	Varnier,

Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman,	Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Needham, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck, Royer,	Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—19

Boles, Bossert, Filo, Foerster, Guthrie,	Haudenshield, Klein, Knecht, Lippincott, McCormack,	McInroy, Meholchick, Mihm, Murray, O'Donnell, J. P.,	Perry, Price, Verona, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

### NAZARETH AREA SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair would like to introduce a group of students from the Nazareth Area School, Northampton County, of the fifth and sixth grades. There are 106 safety patrol and nine school-crossing guards and they are in the charge of Chief of Police Asher Hahn.

They are the guests of the delegation from Northampton County, Mrs. Reibman and Messrs. Verona, Prendergast, and J. A. O'Donnell.

### STATEMENT BY MINORITY LEADER

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I would just like to make a brief comment in reply to Mr. McCann's remarks on next Thursday's session.

Mr. Speaker, we cannot help, of course, but compliment the majority leader on being the hardest working majority leader we have ever seen and pleased to see that apparently the members agree. But I am just wondering—now here we have a 57- or 58-page calendar today. When we were in power, along about this time in the session we would say to the committee chairmen, for goodness sakes, close the flood gates; the cookies ought to all be out by this time.

I understand in the Senate they have piles and piles of bills that the House has sent over to them that they do not even have time to read. And if we could just cut out now, unless there is something really imperative, then get it out on this floor. There are other years to come. Let us get this calendar down to about 20 or 15 pages, and then we will not have to worry about being here Thursday, Friday, Saturday and Sunday.

As I say, you have plenty of time, and the Senate is swamped with bills now and it seems like we could

start coasting a little. If we are not here next Thursday, I do not think it will mean anything. Nobody is going to die or suffer.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, on page 31, bills on final passage, I call up House bill 719, printer's No. 2008.

### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 719, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), eliminating duplicate revocations or suspensions arising out of same event or occurrence.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

## YEAS—188

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremmlinger, Gross, Guesman, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvie, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Fulmer,	Lee, A. M., Lee, K. B., Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCann, McDevitt, McDonald, McKeever, McLaughlin, McNally, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Royer, Rubin, Rudisill, Rutherford, Scarcelli, Sakulsky, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varner, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Andrews, Speaker
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## NAYS—0

## NOT VOTING—21

Boles, Bossert, Filo, Foerster, Fry, Guthrie,	Haudenshield, Klein, Knecht, Lippincott, McCandless,	McCormack, McInroy, Meholchick, Mihm, Murray,	O'Donnell, J. P., Price, Verona, Walsh, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 613, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing additions and revisions to duplicates in second class school districts.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Education.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 697, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing certain salaries and work loads prescribing extension education areas decreasing the number of names needed for free extension education raising the deposit fee and providing for a tuition fee in certain instances deleting provisions relating to free evening schools and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 935, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), providing that the commission shall not have the power to revoke the license of any hunter for the first offense of unlawfully killing game when game of the specie killed is in season.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Conservation.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, I regret that this action is being taken because House bill 935 represents a major step forward in behalf of all hunters in Pennsylvania.

If I cannot speak on the bill, I will speak on returning it to committee. By returning it to committee we eliminate any possibility of eliminating a double penalty which

hunters find themselves under when they kill game in season. Under the present system, when a hunter kills a piece of game illegally, he not only pays a fine but he is subject to revocation of his license from one to three years.

This is a very peculiar thing, this law, because ordinarily first offenders are given some sort of a break. Sometimes in other courts, and for other violations, the sentences are suspended and they are given other consideration because they are first offenders.

Now there are a great many hunters who break this law and their licenses are revoked when they are not willful and intentional violators. But under the present act they are given this dual penalty. I have been against that for years. I am still against it and I regret very much this action of sending this bill back to committee.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1138, entitled:

An Act amending the "State Tax Equalization Board Law" approved June 27, 1927 (P. L. 1046), requiring that objections to certified findings or conclusions of board shall be filed by October first of year the same are certified.

On the question,

Will the House agree to the bill on third reading?

Messrs. STECKEL and KORN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, last line, by inserting after "appropriation" abolishing the State Tax Equalization Board, creating the Office of Equalization, providing for a director of said Office and an Advisory and Appeals Board, prescribing the duties of the director and Advisory and Appeals Board, requiring the use of uniform methods of valuation of taxable real property

Amend Title, page 2, first line, by striking out "board" and inserting in lieu thereof the director

Amend Title, page 2, second line, by inserting after "certified" repealing certain sections, and making an appropriation

Amend Section 1, page 2, line 1, by striking out "Section 13" and inserting in lieu thereof The title

Amend Section 1, page 2, line 8, by striking out "amended December 30, 1959 (P. L. 2072),"

Amend Section 1, page 2, by inserting between lines 2 and 9 the following:

### An Act

Providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating (a State Tax Equalization Board) an Office of Equalization, providing for a director of said Office, and prescribing (its) his powers and duties; creating an Advisory and Appeals Board and prescribing its powers and duties, imposing duties on certain local officers, agents, boards, commissions and departments, providing for the formulation and use of uniform methods and making an appropriation.

Section 2. Sections 1 through 8 of the act are hereby repealed.

Section 3. The act is amended by adding the following sections to read:

Section 1. Office of Equalization. There is hereby created, in the Department of Internal Affairs an office to be known as the Office of Equalization, the chief executive officer of which shall be a director.

Section 2. Directors: Powers and Duties—

(a) The director shall be appointed by the Governor, shall be a qualified statistician, shall receive an annual salary of twenty thousand dollars (\$20,000) and shall devote his entire time to the duties of the office.

(b) The director shall have the power and duty to

(1) Determine the value of taxable real property in each of the school districts according to the uniform methods hereinafter provided.

(2) Conduct investigations, require information, and have access to whatever public records are necessary in making each such determination.

(3) Certify to the Superintendent of Public Instruction, not later than the first day of July of each odd numbered year, a list of all school districts, showing the value of taxable real property, the assessed valuation for county tax purposes, and in cases where applicable uniform valuation methods were not used, the supplementary methods actually used in determining the values certified. In even numbered years, the director shall certify only those changes in market values which result from properties going on or off the assessment rolls for school purposes.

(4) Furnish to the board of school directors of each school district as much of the information set forth in clause (3) of this subsection as pertains to the district.

(5) Subpoena state and local officials and require from them such information as may be necessary for the proper discharge of his duties.

(6) Formulate uniform valuation methods.

(7) Submit to the General Assembly an annual report in which the uniform valuation methods formulated and used shall be set forth, together with any supplementary valuation methods actually employed.

(8) Employ such assistants, experts, consultants, technicians, investigators, special agents, examiners, clerks, stenographers and other personnel as may be necessary, and fix their compensation subject to approval by the Executive Board.

Section 3. Advisory and Appeals Board; Powers and Duties.—

(a) There is hereby created an Advisory and Appeals Board in the Office of Equalization, consisting of three members, who shall possess the qualifications set forth in subsection (b) of this section. The members of the Advisory and Appeals Board shall be appointed by the Governor, with the advice and consent of the Senate, for terms of six years: Provided, That of the first members appointed, one shall be appointed for a term of two years, one for a term of four years, and one for a term of six years. Any vacancy in the Advisory and Appeals Board shall be filled by appointment of the Governor for the unexpired term.

(b) Each member of the Advisory and Appeals Board shall be a citizen of the United States, a resident of Pennsylvania, and a qualified elector for a period of at least one year next preceding his appointment. One member shall be familiar by training or experience with uniform valuation methods applicable to industrial property; another member shall be similarly familiar with uniform valuation methods applicable to agricultural property, and the other shall be similarly familiar with uniform valuation methods applicable to residential property. Not more than two of the members at any time shall have the same political affiliation.

(c) Each member shall receive fifty dollars (\$50) and be reimbursed for actual traveling expenses for each day he participates in the Work of the Advisory and Appeals Board.

(d) The Advisory and Appeals Board shall meet at the call of the director or, if an appeal has been filed with it, at the call of any member, and the board shall have the power and duty to—

(1) Take testimony and otherwise conduct a hearing in any appeal filed with it by a school district feeling itself aggrieved by a finding or conclusion of the director, and decide and rule on the merits of such appeal.

(2) Issue any order and take any action required to make effective its decision in an appeal filed with it.

(3) Promulgate rules and regulations relating to the filing and hearing of appeals.

(h) Advise the director as to the uniform valuation methods to be used in carrying out the duties of his office.

Section 4. Uniform Methods. The director with the advice of the Advisory and Appeals Board shall formulate uniform methods techniques formulae, and procedures to be applied by him in determining the value for each type of taxable real property, such as industrial, agricultural, residential, and commercial. All uniform methods shall be formulated for the purpose of ascertaining the current market value of taxable real property in each school district as nearly as the same can be determined. In the event the application of the uniform methods required by this section would result in a valuation which does not reflect the current market valuation of the taxable real property in any school district, the director shall develop and use such supplementary methods as will approximate, as nearly as practicable, the current market value in the district.

Section 5. Compilation of Data Showing Value of Taxable Real Property. The present records, correspondence and data of the State Tax Equalization Board shall be transferred upon the effective date of this act to the office of Equalization. The director shall accumulate and compile data showing the prices at which real property in each school district has been sold and all other available relevant material in any way having a bearing on the market value of real property in the several school districts to the end that his records shall, at all times, show the current market value of all real property in each school district of the Commonwealth. The director shall have authority to examine all public records wheresoever located, including all local tax assessment records kept by the assessors of any political subdivision or by any board, department or commission charged with the duty of revising assessments.

Section 4. Sections 9 and 10 of the act, section 9 amended April 6, 1949 (P. L. 404), are amended to read:

Section [9] 6. Monthly Reports by Counties; Commonwealth Payments.

(a) It shall be the duty of the board of revision of taxes in all counties of the first class and of the county commissioners of each county other than a county of the first class on the fifteenth day of each month to prepare, certify and deliver to the [board for its use and] director in such form and manner as [the board] he may prescribe, a list of all conveyances or other transfers of real estate, or any interest therein, recorded within the county during the preceding month, stating the value of the Federal tax stamps affixed to the deed for each such conveyance or transfer as set forth within such instrument, and the assessed valuation for county tax purposes of such real estate. Pursuant to the requirements of this section, the recorder of deeds of each county of the first class shall prepare and deliver to the board of revision of taxes of such county and in all other counties the recorder of deeds of each such other county shall prepare and deliver to the county commissioners at the end of each month, a list of all the real estate so conveyed or transferred within such county during such month, stating the value of Federal tax stamps affixed to the instruments so conveying or transferring such real estate, or any interest therein.

(b) The [board] director shall pay to the board of revision of taxes of counties of the first class and to the county commissioners of each county other than a county of the first class, the sum of ten cents (10¢) for each such conveyance or transfer of real estate on each list so prepared, certified and delivered to the [board for its use] director.

Section [10] 7. Annual Reports of Local Assessing Officials.—[On or before the first day of June, one thousand nine hundred forty-eight and on] On or before the first day of June of every year [thereafter,] the board of revision of taxes of counties of the first class, the board of property assessment, appeals and review of counties of the second class, the board for the assessment and revis-



sion of taxes of counties of the third class and the county commissioners of all other counties shall file a certificate with the [board] director in such form as [It] he may prescribe and on blanks to be furnished by [It] him showing the assessed valuation of all real property in each school district in the county on which the taxes for the then current year are levied [In the year one thousand nine hundred forty-eight such certificates shall be filed both with the Superintendent of Public Instruction, as now required by law, and with the board as required hereby. But thereafter no certificate shall be required to be filed with the Superintendent of Public Instruction.]

Section 5. Sections 11 and 12 of the act are hereby repealed.

Section 6. Sections 13, 14 and 15 of the act, amended December 30, 1959 (P. L. 2072), are amended to read

Amend Section 13, page 2, line 9, by striking out "13" and inserting in lieu thereof: "8."

Amend Section 13, page 2, line 11, by striking out "board" and inserting in lieu thereof: "director."

Amend Section 13, page 2, line 15, by striking out "board" where it appears the first time and inserting in lieu thereof: "Advisory and Appeals Board."

Amend Section 13, page 2, line 15, by striking out "board" where it appears the second time and inserting in lieu thereof: "director."

Amend Section 13, page 3, line 2, by striking out "board" and inserting in lieu thereof: "director."

Amend Section 13, page 3, line 6, by striking out "its" and inserting in lieu thereof: "the."

Amend Section 13, page 4, line 1, by striking out "board" and inserting in lieu thereof: "director."

Amend Section 13, page 4, line 6, by striking out "In" and inserting in lieu thereof: "in."

Amend Section 13, page 4, line 7 and 8, by striking out "in any case where no objections are filed or no appeal is taken from the decision of the board such" and inserting in lieu thereof: "In all other cases, the"

Amend page 4 by inserting between lines 9 and 10 the following:

Section [14] 9. Annual Adjustments of Valuations.—[On or before the first day of July, one thousand nine hundred forty-nine and on] On or before the first day of July of each odd numbered year [thereafter] the [board] director shall adjust the market value of real property in each school district to conform with such new data as may have been accumulated since the market values for the last preceding two years were determined, and shall determine the percentage of such market value of the assessed valuation of all real property in the district on which county taxes for the then current year are levied. Such market values, percentages and adjustments shall be certified to the Superintendent of Public Instruction and the several school districts, as hereinbefore provided, with the same rights to school districts to hearing and determinations by the board.

Section [15] 10. Determination and Apportionment of Commonwealth Subsidies.—As soon as possible each odd numbered year, after the final adjustment of values by the [board, the board] director, he shall certify to the Superintendent of Public Instruction and market value of all real property in each school district in the Commonwealth. [Beginning with payment to be made for the school year one thousand nine hundred forty-nine—one thousand nine hundred fifty each] Each school district's assessed valuation to be used for purposes of computing its standard reimbursement [fraction] fractions shall be the market value of the taxable real property in the school district as finally adjusted and determined upon by the [board, and not the assessed valuation for county tax purposes, as now provided by law. Beginning with the year one thousand nine hundred forty-nine and every two (2) years thereafter, in place of the valuations now required by law to be used for such purposes, the] director. The market value of the real property in each school district, as finally adjusted and determined upon by the [board] director shall be used by the Superintendent of Public Instruction in ascertaining and determining the amount of funds required to meet payments to school districts [and vocational school districts] which became due

and payable by law [within the two fiscal years beginning June first, one thousand nine hundred forty-nine and ending May thirty-first, one thousand nine hundred fifty-one, and each biennium thereafter and to apportion and allot the same to and among the respective school districts].

Amend Section 2, page 4, line 10, by striking out "2" and inserting in lieu thereof: "7"

Amend Bill, page 4, by striking out all of line 11 and inserting in lieu thereof:

Section 8. Section 17 of the act is amended to read:

Section [17] 11. Saving Clause.—Nothing contained in this act shall be construed to change or affect the validity of the assessed valuation of any real property for the purpose of levying taxes by any political subdivision.

Section 9. The sum of three hundred thirty-two thousand two hundred fifty-eight dollars (\$332,258), or as much thereof as may be necessary, is hereby specifically appropriated to the Office of Equalization for the expenses incurred by said office in carrying out its duties for the period beginning September 1, 1961, and ending June 30, 1962.

Section 10. This act shall take effect September 1, 1961, except that any appeals from the certifications made on or before July 1, 1961, by the State Tax Equalization Board under the act to which this is an amendment shall be heard and finally determined by the board as of October 31, 1961. All records and data of the State Tax Equalization Board, except any records or data required by the State Tax Equalization Board to hear and determine appeals lodged with it, shall be transferred to the director by September 15, 1961, and any records or data retained by the State Tax Equalization Board shall be transferred by November 1, 1961. As of November 1, 1961, the State Tax Equalization Board shall cease to exist, and the members of the State Tax Equalization Board shall cease to be such members or have any powers as such, nor shall they be entitled to compensation as of that date.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1249, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), permitting the Game Commission to sell deer killed by accident.

On the question,

Will the House agree to the bill on third reading?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Curwood.

Mr. CURWOOD. Mr. Speaker, this bill would permit the game commission to sell deer or any other animal that has been killed along the highways or any other place. We feel that if this bill is passed other bills like it will be introduced to sell game animals. We feel that this is not the proper way to dispose of it.

#### BILL RECOMMITTED

Mr. CURWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Conservation.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, this gentleman is the chairman of the Game and Conservation Committee and, since that committee evidently has decided that move, I ask that you support the recommitment. That is not the way we caucused on it.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Green, Mr. McCann.

Mr. McCANN. Mr. Speaker, on page 41, I call up House bill 1258, printer's number 1452, and ask that the gentleman from Westmoreland, Mr. Jim, be recognized on the opening debate.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1258, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An Act providing for the licensing and regulation of motor boats operated or navigated upon any public stream \* \* \* within the Commonwealth \* \* \* and prescribing penalties" transferring certain powers and duties from the Pennsylvania Fish Commission to the Department of Revenue further providing for the licensing and regulation of motor boats and boats electrically propelled and providing for liability for damages caused by the negligent operation of boats \* \* \*.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Jim.

Mr. JIM. Mr. Speaker and members of the House. I present myself to you here today in a very humble way. I had a lengthy statement but I am going to be rather brief. For example, I like boats although a lot of people think I do not like them. For example, I like boats and I am going to talk about them. I have had about three months' service on House bill No. 1258, two weeks in preparing my statement, and here today I hope I shall have about ten minutes with you. This all comes from experience in the House and from my heart. Again I repeat, with a sincere and honest heart for our people in the Commonwealth of Pennsylvania.

Today, House bill 1258 is the basic law for boating safety rules and regulations and those it affects are very important. Number one, in compliance with the Federal Bonner Act under the jurisdiction of the United States Coast Guard they have a copy of House bill 1258, as now written acceptable to them. If enacted into law motor boats will need only one license in Pennsylvania. Now, in many waters of our Commonwealth, motor boats need two licenses, one issued by the United States Coast Guard and one by Pennsylvania. It affects the Pennsylvania Fish Commission, it affects the Department of Revenue, it affects the sportsmen of fishing and boating. On an average of 650,000 licensed fishermen, there is an approximate revenue comprising \$2 million. There are 68,000 motor

boats and many of the licensed motor boatmen are fishermen. Approximate revenue here is \$145,000.

Now, as to what we have done for boating, see Pennsylvania Fish Laws 1959-60, page 71, chapter 12, General Powers of The Commission Assistant Executive Director of Water Craft Safety Division. The appointment for the Water Craft Safety Division has not been made, I presume, for lack of sufficient revenue from boats. I believe in the near future, with the increased revenue from boats, that the Assistant Executive Director of Water Craft Safety will be made by the Commission.

The Commission presently has 50 trained and uniformed officers and 250 special deputies for education and regulation of the boat law, costing around \$50,000 per year for enforcement of boating laws. The Fish Commission has applied and developed 47 sites in all sections of the State for access to public waters. At least 30 percent of these are used almost exclusively by pleasure boating. The Commission spends about \$85,000 per year on this purpose.

What we intend to do for boats: the Pennsylvania Fish Commission proposes to appoint an advisory board of boaters that will promulgate safety regulations according to recommendations and requirements of the United States Coast Guard. It provides that all revenue collected from the boaters be used for the administration of the boating act, the improvement of boating facilities in the Commonwealth. A separate annual accounting of such funds is required. The Pennsylvania Fish Commission, under the amendment in House bill 1335, which amendment provides \$2,754,819, shall have of that amount \$662,000 for boating facilities. Yes, in House bill 1258, we have rules and regulations for safety. In the Pittsburgh Press of May 14, 1951, there was an article on Boating Water Safety Week which is to get under way with a Point show on July 2, 1961. The program includes canoe and other boat races. According to the Coast Guard reports, in the United States last year 3,785 were involved in accidents, with 819 fatalities and \$3,192,100 in damages. Let us remember, during the session of 1959, House bill No. 1178, the boat bill, was amended in committee, amended on the floor of the House, and finally passed. It was returned to the Senate, and I believe it was so full of holes that the Senate could not repair the damage and it died there.

Now, this is one of the most fantastic things that I have ever heard of in this House of Representatives. There are letters and telegrams from many counties of the Commonwealth, representing 200,000 to 230,000 sportsmen. They come from the individual counties all over the State of Pennsylvania: Allegheny, Philadelphia, oh, I could name any number. It would take me a couple hours to read them, but I would say at least 230,000.

Now, on behalf of 1,600,000 licensed hunting and fishing enthusiasts who are unanimously for House bill 1258, and 68,000 licenses for boating, I appeal to, and I hope the members of the House will give further consideration to House bill 1258. Again I say I feel and I hope that the General Assembly will enact into law House bill 1258, because the majority of our people in the Commonwealth of Pennsylvania desire it. Thank you very much.

Mr. McCANN. Mr. Speaker, I evidently missed the situation here. I was under the impression that Mr. Jim, the Chairman, was going to handle the debate on each of the amendments. There are amendments, I understood,



by Mr. Auker, amendments by Mr. Yetter to be offered to the bill.

The SPEAKER pro tempore. The Chair recognized Mr. Jim on the debate on the bill.

Mr. McCANN. I am sorry, Mr. Speaker.

The SPEAKER pro tempore. The bill has been agreed to on third reading.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. JIM. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. PRENDERGAST and YETTER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 5 (Sec. 3), page 6, line 8, by inserting after "boat": "other than a manually propelled boat"

Amend Sec. 8 (Sec. 11), page 17, by inserting between lines 3 and 4:

"(f) Rules and regulations of the board shall not be applicable to manually propelled boats."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe, Mr. Yetter.

Mr. YETTER. Mr. Speaker, my amendments are very simple. They just take rowboats, manually propelled boats, canoes out of the regulations so they do not have to conform to all these regulations that might be imposed by the commission.

I see no reason why a rowboat or a canoe should be licensed or controlled by a lot of regulations.

Mr. JIM. Mr. Speaker, rowboats are excluded from the act except if they want to register them. If they want to register them they pay \$1. If they do not want to register them, they do not have to do anything. Therefore, in accordance with the statement I made just a while ago on the bill that we had here two years ago, I oppose these amendments.

Mr. EILBERG. Mr. Speaker, I would like to correct the gentleman from Westmoreland, Mr. Jim, in his remarks about rowboats. As he well knows, I have been intensely interested in this subject and I hold in my hand, and Mr. Jim can see it if he pleases, a fact sheet on boating distributed by the Pennsylvania Fish Commission, Harrisburg, Pennsylvania.

It says that rowboats are included. Many States find this popular with owners of rowboats as it gives them protection in floods.

So, Mr. Speaker, for the purpose of setting the record straight, the opinion of the Fish Commission, which is certainly advocating this bill, is that rowboats are included.

Mr. JIM. I would like to answer him, Mr. Speaker.

If you have, say, 10 boats in any waters of our Commonwealth, if you had five of them licensed and under regulations, then you would have five that could go up and down the waters in any way they saw fit. The same

thing would apply to the highways. If you had 10 cars on the highway and they were licensed, and then you had a horse and buggy and a horse with a hay wagon, they would not come under the motor vehicle code, yet they are under the motor vehicle code.

In the interest of safety and regulation, I oppose these amendments.

Mr. BRETH. Mr. Speaker, if the members will look at the bill they will see a statement in the bill which is apparently misunderstood—"Manually propelled boats may be licensed at the option of the owner."

The idea of permitting them to be licensed is to protect them because every boat that is licensed will get a number.

As far as blanketing them out, that is as ridiculous as trying to take these little kiddie cars running on the highways and saying they are not subject to the motor vehicle laws.

Anything that is on a lake, any kind of craft, certainly should come under safety regulations. If boats of any kind are under safety rules and regulations, is it not ridiculous to think that a rowboat out there or a canoe should not come under safety? We would be permitting a loophole that might cause terrific accidents and would eliminate a great number of this boating fraternity from safety regulations.

This particular amendment is not a good amendment and it should not be passed.

Mr. YETTER. Mr. Speaker, I have several letters from camps and from the Boy Scouts of America. They oppose this bill the way it is written. They teach safety in boats and canoes. They claim that you cannot legislate safety, you have to teach it. There is no reason why we have to regulate rowboats and canoes. True, the bill does not say that you have to license them, that is optional, but it does say that they would have to come under all the regulations that the Fish Commission would see fit to impose. I ask for a roll call on these amendments.

Mr. CURWOOD. To my colleague, Mr. Yetter, I would say this: Suppose there are six boys out in a rowboat in the middle of a lake and nobody, no enforcement officer of the Fish Commission or any other commission, could tell those boys to come in. They could say "Go to—so forth."

I feel that all these crafts, and that is what we are fighting so hard for, us fellows in the back-country districts that have these small 4-, 5-, 20-, or 100-acre lakes. We are trying to protect these people with rowboats, motor boats, and so forth. I think it is very unjust to put a bill in that would exempt anybody from any enforcement. Thank you very kindly.

The SPEAKER pro tempore. Does the gentleman from Philadelphia, Mr. Hartley, desire to be recognized?

Mr. HARTLEY. Mr. Speaker, I do agree 100 percent with him. We do need these regulations, but we have introduced the bill approved by the Navigation Commission, the Delaware River sportsmen, and all navigable waters are explored, and it is in Senate bill 210.

Mr. CURWOOD. Mr. Speaker, we are talking about the amendments. We are not going into the bill are we? We are on Van Yetter's amendments right now. Mr. Hartley is out of order.

Mr. HARTLEY. Are we talking about the amendments, Mr. Speaker?

The SPEAKER pro tempore. The Chair would advise

the gentleman from Philadelphia, we are now discussing the amendments offered by the gentleman from Monroe Mr. YETTER.

Mr. HARTLEY. All right, Mr. Speaker. I will wait.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. YETTER and JIM and were as follows:

#### YEAS—38

Adams,	Gibbons,	McDonald	Snare,
Anderson, J. H.	Gross,	O'Donnell, J. A.,	Tompkins,
Ashton,	Hartley,	Piper,	Ujobal,
Auker,	Holl,	Prendergast,	Wall,
Down,	Holman,	Reibman,	Wescott,
Eshback,	Johnson, R. P.,	Royer,	Willaredt,
Eshleman,	Keiser,	Rudisill,	Wood,
Fetterolf,	Kistler,	Rutherford,	Worley,
Fulmer,	Lee, A. M.,	Slack,	Yetter,
George,	Manbeck,		

#### NAYS—151

Anderson, S. A.,	Fry,	Leonard,	Riley,
Arlene,	Galley,	Limper,	Rovansek,
Bachman	Gallagher,	Long, Wm. Jas.,	Rubin,
Backenstoe,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibb,	Lutty,	Scarcelli,
Bonner,	Goldstein, J. H.,	Magee,	Schaaf,
Bower,	Goldstein, M. H.,	Markley,	Schuster,
Bowman,	Gramlich,	Marsh,	Seltzer,
Branca,	Gray,	Maxwell,	Shelton,
Breth,	Greenlee,	May,	Sherman,
Buchanan,	Gremminger,	McCandless,	Shupaik,
Bush,	Guesman,	McCann,	Simmons,
Capano,	Hamilton,	McCormack,	Stank,
Capitolo,	Hankins,	McDevitt,	Steckel,
Cauley,	Heavey,	McKeever,	Stimmel,
Cianfrani,	Heffner,	McLaughlin,	Stiteler,
Cioffi,	Helm,	McNally,	Stone,
Clarke,	Henzel,	Meholchick,	Strausser,
Comer,	Hocker,	Merry,	Sullivan, J. A.,
Cooley,	Holliday,	Miller,	Sullivan, T. F.,
Crossin,	Horst,	Mills,	Taylor,
Curwood,	Irvls,	Monroe,	Thompson,
Davis,	Isaacs,	Morley,	Tomasclik,
Dengler,	Jenkins,	Mullen,	Trusio,
Dennison,	Jim,	Munley,	Varner,
Donaldson,	Johnson, A. W.,	Musto,	Wargo,
Dougherty,	Jones,	Needham,	Weidner,
Doughten,	Kamyk,	O'Dell,	Welsh,
Edwards,	Kelly,	Odorisio,	Whittaker,
Elberg,	Kessler,	Ogilvie,	Willard,
Elvey,	King,	Parlante,	Williams, A. D.,
	Kooker,	Pashley,	Williams, E. S.,
Ewing,	Kornick,	Perry,	Wilt,
Farabaugh,	Korns,	Petrosky,	Wynd,
Fineman,	Kramer,	Polaski,	Zemmer,
Flynn,	Lamb,	Polen,	Zimmerman,
Floor,	Lawson,	Pursley,	Andrews,
Fox,	Lee, K. B.,	Rcnwick,	Speaker
Frascella,			

#### NOT VOTING—20

Boies,	Guthrie,	Lippincott,	O'Donnell, J. P.,
Bossert,	Haudensfield,	McInroy,	Price,
Filo,	Kernaghan,	Mihm,	Reidenbach,
Foerster,	Klein,	Murphy,	Verona,
Goodrich,	Knecht,	Murray,	Walsh,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. AUKER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 7 (Sec. 10), page 14, line 7, by inserting after "of" where it appears the first time: "or injury to"

Amend Sec. 7 (Sec. 10), page 14, line 7 and 8, by strik-

ing out "for a period in excess of seventy-two hours or more"

Amend Sec. 8 (Sec. 11), page 15, line 15, by inserting after "or" where it appears the third time: "to in any way operate any boat or any and all other devices and equipment used for water skiing or aquaplaning that will"

Amend Sec. 8 (Sec. 12), page 18, line 8, by striking out "should" and inserting: "must"

Amend Sec. 8 (Sec. 12), page 18, line 13, by striking out "a" and inserting: "the nearest available"

Amend Sec. 8 (Sec. 12), page 18, line 13, by inserting after "magistrate": "to the scene of the accident"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I ask the indulgence of the members of the House. I would like to preface my remarks briefly in offering these amendments.

I have read bill 1258 very carefully. I feel that these amendments are certainly going to make a stronger bill than we have here without the amendments. There is no question that we need a boating law in Pennsylvania. If my amendments are not accepted, then I shall vote against the bill.

I am not going to try to influence the members of the House one way or the other as to their vote, whether my amendments are accepted or defeated. However, I do say that the four amendments I am offering to different sections of the bill will make the bill a stronger bill. It does not make the bill as good a bill, even then, as I would like it to be, but I think it does make a much better bill of it.

Mr. Speaker, if the members who are vitally interested will turn to page 14, line 5, we have language that reads as follows:

"In the case of collision accident or other casualty involving a boat the operator thereof if the collision accident or other casualty results in the death or disabling of any person for a period in excess of seventy-two hours . . ."

Now, that language to me, "in excess of seventy-two hours" simply does not mean a thing. I cannot understand why it is in the bill, although the same language is in Senate bill 210, and I have read both bills. So, I am offering an amendment to take out "a period in excess of seventy-two hours" so it will not be in there. This is superfluous. I do not know why we would have the distinction "in excess of seventy-two hours." If a person is disabled, he is disabled, whether the injury lasts for 12 hours or 15 hours or 72 hours. From my knowledge in the practice of the law, it does not make sense.

I do not know how the gentlemen from the other side want to vote on these amendments. They may want to segregate the vote on each separate amendment. However, I would ask that the amendments be voted on in a unit, as a whole. However, if they want a division, I will agree to a division on it.

I would ask the gentleman from Westmoreland, Mr. Jim, whether or not he will accept a vote on the amendments as a whole?

Mr. JIM. Yes, Mr. Speaker, I will go along with that.



Mr. AUKER. I thank the gentleman.

On page 15, line 15, I insert in there language as follows: "To in any way operate any boat or any and all other devices and equipment used for water skiing or aquaplaning that will," and then so forth. I think that spells out to a greater degree the civil liability under this act, and that, after all, is one of the things that we are after in a boating law.

From page 18, line 4, I want to read this language because I think this is very important: "... enforcement personnel on the recommendation of the executive director the board may designate and empower any qualified person as an enforcement officer when the appointment of such person is in the best interests of service. Individuals appointed as enforcement personnel should be qualified . . ." I simply took out the word "should" there and put in the word "must." The word "should" to me does not mean anything. There are no teeth in it at all, but if we put the word "must" in, then we do put in that the enforcement personnel must be qualified personnel and not leave it to the discretion of any commission or anyone else.

Then to comply with the existing law that we have on game and fishing, I insert on page 18, line 13, wordage that will make it necessary that hearings on these violations under this act shall be taken before the nearest available magistrate. As the act reads now, it says "any magistrate." We have amendments under the game and fish law that says violations must be taken before the nearest available magistrate, and I think that just brings it in line with existing laws covering recreation facilities now.

Therefore, Mr. Speaker, I ask that the members of the House vote for these amendments. I do think that they make the bill a better bill. However, if the amendments fall then I would like to be recognized and I probably will ask to be recognized anyway one way or another for debate on the bill itself. I ask for a roll call.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Jim.

Mr. JIM. In answer to one of the questions of the gentleman from Blair County about the personnel, I have made a statement on that and I will repeat it for his own information. The commission presently has 60 trained uniformed officers and 250 deputies for education and regulations of the boating laws.

And as far as these amendments are concerned, as I stated before, if you will allow me to use these words, we have worked on this bill for three months and at no time did we move except with the attorney general's office. The bill itself was changed four different times. At the present time, with these amendments, I do not know what it will do to this bill. Therefore, I am going to oppose these amendments, all of them, whatever they are.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, there surely is a vital necessity for a boating law in Pennsylvania. There is no question about that. We all agree.

I am simply here trying to make a little better bill out of 1258. Now I have read Senate bill 210 also:

Mr. JIM. Mr. Speaker, he is talking about a bill that is over in the Senate.

The SPEAKER pro tempore. The Chair would advise

the gentleman that we are discussing only the amendments offered by the gentleman from Blair, Mr. Auker.

Mr. AUKER. If the gentleman will allow me to finish with my statement, probably he would not have made his objection. Just to say because I name another bill that I am not talking on the amendments is certainly jumping the gun. The gentleman has been trying to read my thoughts, and I do not think anyone up to this date has been able to read them altogether; some people might have been able to, but not everybody.

The SPEAKER pro tempore. The gentleman will confine his remarks to the matter before the House.

Mr. AUKER. I am simply saying, Mr. Speaker and members of the House, by offering these amendments I am trying to make a better bill.

I think that we could have a good boating bill if we take both bills and unite them. However, we do not have 210 over here, so I am forced to take what we have and try to make as good a bill out of it as we can. That is the reason I am offering these amendments. They do not cripple the bill; they do not hurt the bill in any way, shape or form; they make it a better bill than you now have. I am saying that to the gentleman sincerely. I am saying that to the members of the House. That is the reason I am offering these amendments and I ask the members of the House to vote for them.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, I appreciate the attitude of the gentleman from Cambria and I want to congratulate him.

The SPEAKER pro tempore. The gentleman is from Blair.

Mr. BRETH. Oh, he's from Blair now? I beg your pardon, Mr. Auker. I placed you in the wrong county, I do not know whether for better or for worse.

However, I would say this, members of the House, that the Fish Commission and the Department of Justice have spent long hours and a great deal of study in writing this bill and every conceivable problem of enforcement came up, and safety was discussed, and this particular bill, as Mr. Jim said, has been revised seven times and is now what the Justice Department considers a good, logical, enforcement bill. Therefore, I do not believe we should accept the amendments as offered by Mr. Auker.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. AUKER and JIM and were as follows:

#### YEAS—88

Adams,	Gibb,	Lee, A. M.,	Steckel,
Anderson, J. H.	Gibbons,	Lee, K. B.,	Stiteler,
Ashton,	Goldstein, J. H.,	Magee,	Strausser,
Auker,	Goodrich,	Manbeck,	Tompkins,
Blair,	Gramlich,	Markley,	Ujobai,
Bowman,	Gross,	Marsh,	Varner,
Buchanan,	Hartley,	May,	Wall,
Bush,	Heffner,	McCandless,	Weidner,
Davis,	Helm,	Merry,	Wescott,
Dennison,	Henzel,	Miller,	Whittaker,
Donaldson,	Hocker,	O'Dell,	Willard,
Down,	Holl,	Oglvie,	Willaredt,
Elvey,	Holliday,	Piper,	Williams, A. D.,
Eshback,	Holman,	Prendergast,	Williams, E. S.,
Eshleman,	Horst,	Pursley,	Wilt,
	Johnson, A. W.,	Reibman,	Wood,
	Johnson, R. P.,	Royer,	Worley,
Ewing,			

Farabaugh, Fetterolf, Foor, Fox, Fulmer, George,	Keiser, King, Kistler, Kooker, Korns,	Rudisill, Rutherford, Seltzer, Slack, Snare,	Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—99

Anderson, S. A., Arlene, Bachman Backenstoe, Boles, Bonner, Bower, Branch, Breth, Capano, Capitolo, Cauley, Clanfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dengler, Dougherty, Doughten, Edwards, Eilberg, Fineman, Flynn,	Frascella, Fry, Galley, Gallagher, Gelfand, Goldstein, M. H., Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Heavey, Irvis, Isaacs, Jenkins, Jim, Jones, Kamyk, Kelly, Kernaghan, Kessler, Kramer, Lamb, Lawson,	Leonard, Limper, Long, Wm. Jos., Lutty, Maxwell, McCann, McCormack, McDevitt, McDonald McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Munley, Musto, Needham, O'Donnell, J. A., O'Dorisio, Parlante, Pashley, Perry, Petrosky,	Polaski, Polen, Renwick, Riley, Rovasek, Rubin, Sakulsky, Scarcelll, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Stank, Stimmel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Wargo, Welsh,
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## NOT VOTING—22

Bossert, Cooley, Fllo, Foerster, Guthrie, Haudenshield,	Klein, Knecht, Kornick, Lippincott, Long, Wm. Jas., McInroy,	Mihm, Mullen, Murphy, Murray, O'Donnell, J. P.,	Price, Reidenbach, Trusio, Verona, Walsh,
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So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Hartley.

Mr. HARTLEY. Mr. Speaker, again I say the Justice Department and the Fish Commission have written a boat bill. It is just like getting a doctor to operate for you in court. I would like to read into the record a part of a letter received by a sportswriter who writes for one of the Philadelphia papers:

This bill is opposed by all organized boatmen in the State. The Delaware River Yachtmen's League is backing a totally different bill, Senate bill 210, which will take boating administration away from the Fish Commission. The Navigation Commission for the Delaware River and its Navigable Tributaries also has endorsed . . .

Mr. CURWOOD. Mr. Speaker, he is arguing another bill.

The SPEAKER pro tempore. Will the gentleman yield?

Mr. HARTLEY. I am reading a letter into the record, Mr. Speaker.

The SPEAKER pro tempore. Technically, I believe the gentleman from Luzerne is correct, but we are trying to be as lenient as we possibly can on this bill.

Mr. HARTLEY. This is a letter written by a sportswriter. I am reading the letter.

The SPEAKER pro tempore. The Chair will let the gentleman proceed.

Mr. HARTLEY. Senate bill 210 with certain amendments to which the sponsors are agreed.

"The boatmen of our state have fought for three years," and not three months—that is my comment—"to escape the domination of the Fish Commission, which doesn't understand boating and has chased most of us skippers out of Pennsylvania to our neighbor States. Of course, New Jersey, Maryland, Delaware and New York are happy to get our dollars." I am reading it as written here. "S-210 will accomplish this, by bringing boating back to our State and developing our great potential. But House bill 1258 is a political sell-out to the Fish Commission.

"I have three boats in New Jersey"—I am reading it from his letter—"two of which I would certainly use here in Pennsylvania if S-210 becomes effective. And I'm just one of 150,000 skippers that feel that way—30,000 of them right here on the Delaware River. Please help us to get the kind of administration of boating we can live with."

I would like to make a further comment. I heard some figures listed here and this was not mentioned. This is an estimated figure acquired through the Delaware Bureau of Census. We have \$1,613,900 estimated collections on the fuel tax alone on these boats. This is a figure that Mr. Jim did not mention.

Mr. Speaker, it took three years of negotiation with the departments up here, both Forestry and the Fish Commission, and they came up with some kind of an agreement after three years and this was Senate bill 210. I will say this, this bill was written in a hurry to overcome the power of Senate bill 210, and was written by people who do not understand boats, and they will not tell you who wrote it, neither the Justice Department nor the Fish Commission. Now just imagine that.

All I can say is, if you turn this bill down, certainly they will bring the other bill out. I thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, in order to eliminate some of the smoke from the heat and perhaps shed a little light, I would like to interrogate one of the sponsors of the bill. Perhaps Mr. Breth would be the most appropriate. I would ask him to bring a copy of the bill with him.

The SPEAKER pro tempore. Will the gentleman from Clearfield, Mr. Breth, permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

Mr. SCHAAF. Mr. Speaker, I would ask the gentleman if I am not correct in my understanding that this bill is an amendment to the Motor Boat Act of 1931?

Mr. BRETH. That is correct.

Mr. SCHAAF. Mr. Speaker, I would ask the gentleman if it is his position as one of the sponsors of this bill that the bill does conform to the Federal Boating Act?

Mr. BRETH. The Fish Commission has been informed that it does.

Mr. SCHAAF. Now Mr. Speaker, I would ask the gentleman to refer to the definitions starting on page 3 of the bill wherein "Board" as used in this bill means the Pennsylvania Fish Commission. Is that a correct understanding?

Mr. BRETH. Just where does the gentleman mean?

Mr. SCHAAF. I beg your pardon, Mr. Speaker. On page 3, line 18.

Mr. BRETH. Now that has been eliminated from the bill, the brackets are there.

Mr. SCHAAF. I beg your pardon, sir?



Mr. BRETH. On line 18 there is a bracket after the word "The" and another bracket on line 19 after "wealth," eliminating the "Board of Fish Commissioners of the Commonwealth" and inserting "Pennsylvania Fish Commission."

Mr. SCHAAF. In other words, when the word "Board" is used in this bill as active legislation, we mean the Pennsylvania Fish Commission? Is that correct?

Mr. BRETH. I would suggest wherever that occurs—

Mr. SCHAAF. Mr. Speaker, I would ask the gentleman on page—if you will bear with me one moment, please.

Mr. BRETH. I see a place on page 11 where it says the "Board."

Mr. SCHAAF. I see several places where the term "Board" is used, and to that I have no objection, but in the bill there is a reference to the word "Commission." Now what is meant by the word "Commission?" That word is not defined.

Mr. BRETH. I think, Mr. Speaker, the gentleman realizes that this is an amendment to the Boating Act which is also under the Fish Commission general authorization bill.

Mr. SCHAAF. Do I understand the gentleman to mean, then, that the word "Commission" means again the "Pennsylvania Fish Commission?"

Mr. BRETH. The title of the bill tells that it is the "Board of Fish Commissioners."

Mr. SCHAAF. The gentleman is not answering my question. Does the word "Commission"—

Mr. BRETH. Frankly, Mr. Speaker, I do not know what the gentleman is driving at.

Mr. SCHAAF. Well, Mr. Speaker, the bill—

Mr. BRETH. If I knew what the gentleman is driving at, I might have an answer.

Mr. SCHAAF. Well, I will explain. I will try to explain what I am getting at. The bill contains the language "Board," and the word "Board" is defined on page 3. The bill also contains the word "Commission," which is not defined on page 3. I am asking the gentleman if the word "Commission" means the Pennsylvania Fish Commission.

Mr. BRETH. Again, I say—I will take the gentleman back a little. In 1873 the original—

Mr. SCHAAF. That is not necessary—

Mr. BRETH. That is a broader base to take it in. Then, subsequently, it was amended and the Pennsylvania Fish Commission was set up. However, in various parts of the regular fish code the word "Board" is not used in there, but yet it did not affect any particular enforcement provisions of the act or the act itself. Now is that what you are driving at?

Mr. SCHAAF. Mr. Speaker, I will ask the gentleman to refer to line 7 on page 11.

Mr. BRETH. I see it.

Mr. SCHAAF. Could the gentleman tell the members of the House whether or not the word "commission" therein contained means the Fish Commission, if he knows?

Mr. BRETH. I would say it means the Fish Commission, the Board of Fish Commissioners, or whatever under the law—

Mr. SCHAAF. Then Mr. Speaker, would the gentleman agree that the word "commission" and the word "Board" in the bill mean one and the same thing?

Mr. BRETH. I cannot answer that question. I think that is open to interpretation.

Mr. SCHAAF. Open to interpretation? Thank you, Mr. Speaker.

Now, Mr. Speaker, I would ask the gentleman to turn to page 15 of the bill.

Mr. BRETH. I have it.

Mr. SCHAAF. Mr. Speaker, I would read and I am asking the indulgence of Mr. Breth and the members—

Mr. BRETH. Go ahead, please.

Mr. SCHAAF. Beginning on line 9, the operator's civil liability.

Mr. BRETH. Page 15?

Mr. SCHAAF. I beg your pardon, page 15, the beginning of line 6, the new matter that has been added to the legislation.

Am I correct in reading this that no person shall operate a vessel while intoxicated? Is that correct?

Mr. BRETH. Mr. Speaker, I do not know what the gentleman is driving at. He happens to be a member of the legal profession. Is he attempting to entangle me in the legal end of it? I think, Mr. Speaker, anybody who has a bill will read on line 6: "No person shall operate a vessel while intoxicated." To me that means what it says.

Mr. SCHAAF. Mr. Speaker, then I would ask the gentleman to refer to the previous page, page 14, beginning on line 16, section 11: "The board is hereby authorized and empowered to prescribe, promulgate and enforce . . ." Skipping subsection (a) and going over to subsection (a.1), it says: "No person shall operate a vessel while intoxicated."

Mr. Speaker, I would ask the gentleman if that is good English?

Mr. BRETH. Mr. Speaker, frankly, I would like to terminate this interrogation because, Mr. Speaker, the gentleman has not given me sufficient information in his questioning to know what he is driving at, and, unless I know what he is after, I cannot rightfully or personally answer a question.

Mr. SCHAAF. Mr. Speaker, I would regret very much if I lost the services of Mr. Breth, but I wish that he would consent to continue to be interrogated.

Mr. BRETH. Mr. Speaker, he has the right on this floor to get up, debate the bill and say anything he wants to about any provision in it, but when he wants to weave a web of misinterpretation, legal angles, legal phrases, or omissions in time, I think, Mr. Speaker, that I am being imposed upon, and as a matter of personal privilege I am going to refuse to be interrogated further, unless the gentleman lets me know what he is driving at.

Mr. SCHAAF. Mr. Speaker, perhaps the gentleman's remarks are well taken and I will try to be a little bit more specific and less technical, but I would like to continue to interrogate him.

Mr. BRETH. If the gentleman asks me questions that I can answer "yes" or "no" and know what I am answering, then I shall continue to answer questions.

Mr. SCHAAF. Mr. Speaker, I would ask the gentleman if I am correct in my understanding that the administration of this proposed boat law, which does, as you state, qualify under the Federal Motor Act, is the administration of this act under the Pennsylvania Fish Commission?

Mr. BRETH. Mr. Speaker, there again he asked me to

tell him if he is correct. How can I tell him whether he is correct or not? He knows whether he is correct.

Mr. SCHAAF. Mr. Speaker, I would then ask the gentleman if he is familiar with the qualifications for fish commissioners as set out in the Administrative Code of 1929, as amended.

Mr. BRETH. I certainly am.

Mr. SCHAAF. Am I correct, Mr. Speaker, and I will stand to be corrected if I am not correct, that the Administrative Code provides that members of the commission shall be persons well informed on the subject of conservation and restoration?

Mr. BRETH. Yes, it is.

Mr. SCHAAF. Now, does the gentleman know whether there are any prerequisites for membership on the Pennsylvania Fish Commission that there be an experience, or a knowledge, or a facility for boating in Pennsylvania?

Mr. BRETH. Mr. Speaker, that is inferred under the word "conservation." Conservation includes the water resources of the State, it includes water activity, and, therefore, a member of the Fish Commission should have some experience or some knowledge. It does not necessarily mean that all members must be versed in all phases of conservation.

Mr. SCHAAF. Mr. Speaker, do you consider that boating is within the definition of the word "conservation"?

Mr. BRETH. I certainly do. It is an activity.

Mr. SCHAAF. I want to understand that clearly. Mr. Speaker, I understand that this bill provides, and I believe I am correct, on page 14, the necessary general authority is given to the Pennsylvania Fish Commission to promulgate rules and regulations concerning boating and the operation of boats in Pennsylvania, is that correct?

Mr. BRETH. It is to date.

Mr. SCHAAF. Mr. Speaker, on the basis of a fish commissioner's knowledge of forestation and conservation, does the gentleman feel that they are best qualified to promulgate duties and regulations?

Mr. BRETH. Mr. Speaker, I certainly do. We have a man on the Pennsylvania Fish Commission by the name of John Grenoble. He operates and knows boats, navigation, boating problems from big yachts down to canoes. He is an outstanding sportsman, an outstanding fisherman and an outstanding boatman. We have other members on the Board of the Pennsylvania Fish Commission today who are entirely familiar with boating of all kinds.

Mr. SCHAAF. Mr. Speaker, I would ask the gentleman this: Does the Fish Commission intend to enforce boating in the Delaware River Basin?

Mr. BRETH. Mr. Speaker, I am glad the gentleman asked me that question, because that has been discussed for the three long years that I know dozens and dozens of meetings and discussions have been had on this problem, and the Fish Commission has issued a public statement and it is on record that if this particular boating bill passes, or any boating bill passes, that they will enter into an agreement with the Delaware Navigation Commission on the rules, regulations and *modus operandi*, if he wants a word I do not know anything about, enforcing the provisions of this act in that particular locality.

Mr. SCHAAF. Mr. Speaker, can the gentleman categorically inform me, if such is the case, whether or not the

Fish Commission is likewise ready and willing to enter into an agreement with the Pennsylvania Park and Harbor Commission of Erie concerning the administration of regulation of boating in the Erie area?

Mr. BRETH. Mr. Speaker, the director of the Pennsylvania Fish Commission who, by the way, is a very accomplished and experienced boatman himself and is familiar with all types of boating, has informed me and others that he is perfectly willing and so is the Board perfectly willing to enter into any agreements that are necessary and proper for the enforcement of the boating act.

Mr. SCHAAF. But the overall administration would nevertheless be under the jurisdiction of the Pennsylvania Fish Commission, even—hear me out, please—in the Delaware River Basin?

Mr. BRETH. Mr. Speaker, in response to this series of questions I would like to inform the gentleman and this House that this condition now exists that two years ago we passed a new fish code and it provided for an assistant director, an assistant executive director, in charge of boating.

The Pennsylvania Fish Commission, under the leadership of its executive director, Al Day, has scoured the country and is prepared to place as assistant director in charge of boating the most outstanding and experienced boatman in the United States. All phases of this act will then necessarily come under his jurisdiction.

Mr. SCHAAF. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I rise in opposition to this piece of legislation and I hope my remarks will not be taken as provincial. I seriously feel and strenuously feel that this is in its essence bad legislation, and I would like to take a few minutes to explain why.

Mr. Speaker, no one doubts the sincerity of the chairman of the Fisheries Committee, Mr. Jim. I have known Charley—and I like to refer to him that way—ever since I have been in this House. I know he is sincere and I know he is interested in the problem. Certainly, no one doubts the sincerity of Mr. Breth, the gentleman from Clearfield.

But, Mr. Speaker, despite our personal feelings to these gentlemen, we have an obligation as members of the House to pass in this House good, appropriate legislation.

Mr. Speaker, the reason for the Bonner Act is conditional recognition of the expansion of boating as a recreational facility, a recreational type thing through the years subsequent to World War II. No one has to be told, Mr. Speaker, about the increase in boating, the increase in water skiing, the increase in all types of the use of pleasure crafts. That is an accomplished fact. It is a geometric progression, Mr. Speaker, in cube roots. It keeps growing and growing and growing and getting larger and greater each year and, consequently, the necessity for intelligent legislation on this subject is evident.

In 1959 those of us who were here then fully and well remember the difficulty which we encountered in trying to reconcile the differences between the boating interests and the interests of the Fish Commission and those people who stand basically behind the Fish Commission, namely, the sportsmen of Pennsylvania operating through the Federation of Sportsmen's Clubs.

I say that we all should have learned a lesson in 1959 and the lesson should have been this, that if you want a



boat bill, if you want effective boating legislation which is going to serve the needs of all the people, then you are going to have to give in and you are going to have to pick.

Despite the change in approach, namely,, amending the 1931 act, and I contend, Mr. Speaker, and I might say parenthetically that the amendments are terrible. I do not know what is their origin, if they came out of the Justice Department, whether they came out of the Fish Commission, whether they came out of the Federation of Sportsmen's Clubs, or whether they came out of the Roadside Council, Mr. Speaker, they are bad amendments to the motor boat law. We have sentences in here with no subjects; we have sentences in here with no verbs; we have missing language; we have inconclusive language; and I might say, also, Mr. Speaker, parenthetically, I agree 100 percent with Mr. Auker. I agree 100 percent with Mr. Yetter. Their amendments were very proper, they were an effort to clear up the bill, and all the points they raised would have made it a better bill, but it still would not make it a good bill.

The attitude on the part of the Fish Commission is—and I have a great respect for the Fish Commission, Mr. Speaker—that they have been very kind to me, they have been very kind to my community. I have fishermen up there, and I would say that the incumbent executive director, Albert Day, has given me everything by way of cooperation and encouragement more than any predecessor in the Fish Commission, but, nevertheless, Mr. Speaker, I say in this case we have a situation where the tail of the dog is wagging the dog.

Mr. Speaker, we are the dogs. We in this General Assembly, in this House, are the dogs which should promote appropriate boating legislation. Mr. Speaker, we are the dog, if you will, which should not be wagged by the tail, which is the Fish Commission, or its alter ego, the Federation of Sportsmen's Clubs in Pennsylvania, and I hope I am not committing heresy here on the floor. I have a great respect for sportsmen, also, but I say you cannot be hardheaded in your approach. We cannot discharge that responsibility here in the House by passing an essentially poor bill over to the other House. That is not good legislation, that is not legislative responsibility, Mr. Speaker, and that is all I seek.

I say to the members here today—I do not want to prolong the agony—I say to the members here today that this is badly drafted legislation, whatever the source is, that this is badly conceived legislation and, finally, no lesson was learned in 1959. I know that most of us have been under some sort of pressure, some sort of urging from people at the grass-roots level, but I say to you here that when I went back into Erie County and discussed with the sportsmen of Erie County, who are component members of the Federation of Sportsmen's Clubs, what the specific problem was, they were not adamant. Mr. Jim says that the sportsmen are unanimously in favor of this bill. I think he is using poetic license, I think that it is all he is using.

Mr. Speaker, I ask the members to oppose this legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. Mr. Speaker, I rise to oppose this bill. The

electors whom I represent in this Commonwealth, a good part of them, are on tidewater in the Delaware River. As the previous speaker has said, I do not believe any lesson has been learned since 1959. The 1959 bill was somewhat similar and we put in an amendment to take the tidewater of the Delaware River out of the bill. The amendment was successful. In 1959, after we did that, an amendment was put in by the gentleman from Erie, Mr. Schaaf, to put the bill back in its original form and for a day he was successful in that amendment. I might say I am glad that the gentleman from Erie, Mr. Schaaf, has learned a lesson. Today he agrees with me.

We were successful in again eliminating the tidewater of the Delaware River from the effects of the bill in 1959, but the bill, however, was never passed. We have the Navigation Commission, we have the Coast Guard, we even control tidewater, some of it, in my jurisdiction by ordinances. We have been very successful. We have no fish in my part of the Delaware, we do not need fish wardens from that standpoint. I notice that there is another bill on the calendar to make the fish wardens water patrolmen. Maybe they will be back in two years, if they are successful in passing this legislation, and want to be called Junior Marines, I do not know. I have seen the letter that was referred to by the previous speaker concerning the fact an agreement might be entered into with the Navigation Commission. I have read that letter, and believe me, ladies and gentlemen of this House, I do not have much faith in it. I think we can possibly save a few jobs by defeating this bill, and God knows we have enough employees in this Commonwealth now. We have some 16,000 additional since 1960. I think the best thing this House can do is to defeat this measure. There is another measure in this General Assembly which, if enacted, would regulate boating much better than this one, and I urge the ladies and gentlemen on both sides of the House to vote this bill down.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. MCCORMACK. Mr. Speaker, I would just like to make a brief observation on this bill. It was recently said in the House, concerning another bill, that there has never been so much excitement since somebody tried to build a hotdog stand in somebody's district. I wanted to point out that two days ago we passed the GSA bill increasing the borrowing capacity by \$250,000,000 without a word of debate. It is very difficult to understand the heat generated as the result of a simple bill like this.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Rovanseck.

Mr. ROVANSEK. Mr. Speaker, just for the record I would like to insert the sentiments of a telegram that I have received regarding this important legislation on House bill 1258. Now, this is not wired by my organization. I happen to be a member of one of the sportsmen's organizations in my county and we have over 30 organizations affiliated with the county organizations, and, for the record, I read this telegram from the president of the organizations, and I happened to be in attendance at that time, when the members present went on the record requesting the support of House bill 1258. Therefore, I will insert this in the record.

Mr. ROVANSEK submitted the following telegram for the record:

Louis Rovanseck, House Office Bldg.  
Harrisburg, Penna.

Desperately need your support and influence  
in favor of House bill 1258 boating. Protect the  
workingman by passing HB 1258.

E. Hart President  
Cambria County Federation  
of Sportsmen  
Representing thirty clubs of  
Cambria County

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I am not with either bloc on this boating business. I am simply trying to help both sides to somehow resolve their differences and come up somehow, someplace, during this session of the legislature, which I think we should do by all means, with a good boating law that will accomplish the best job possible for all the various interests concerned. That includes a lot of people who are not boaters; and I am not a boater.

I want to say that the sportsmen in my county would much prefer to have the bill that is in the other House. I am going to vote against this bill, because I think without my amendments the bill is a poor bill.

I want to emphasize and back up all the remarks made by the gentleman from Erie, Mr. Schaaf. I believe that when this bill is defeated and I prophesy that it is going to be, then possibly the other bill from the other branch of this legislature will come over to this House and I implore both sides, if and when it does, to let that bill come out of committee, or take this bill in committee with them in conjunction with the other bill and iron out a good bill that will, possibly, not meet with the full approval of both blocs and both crowds, one fighting this particular bill and the other for this particular bill, but which will be acceptable. I do not think we are going to get anywhere that way. I think if you do not do that you are not going to have any boat bill in this session and that would be a shame, because it is high time we do have a good rounded out boating bill in Pennsylvania, because boating has become very large and is very widespread throughout the Commonwealth of Pennsylvania.

I am going to suggest, Mr. Speaker, I am going to vote against this bill, and I am only offering this as a constructive measure, that if and when it does go down, I do not think this bill will get out of the other branch of the legislature. They have a bill of their own. Personally, I like that bill much better. It is much broader; it spells out a lot of provisions much more clearly than this particular bill does. For instance, it has more pages in it. At one place it spells out in a much greater degree the legal responsibility of boating, which I like very much. Another place it provides for the regulation of boating races which this bill does not provide.

The only thing about the other bill that maybe some of the proponents of this bill do not like is the fact that it is a new bill, that it puts it under the Department of Forests and Waters. I have been fairly reliably informed—

The SPEAKER pro tempore. For what purpose does the gentleman from Luzerne, Mr. Curwood, rise?

Mr. CURWOOD. Mr. Speaker, my friend Mr. Auker, the gentleman from Blair, and I have a lot of respect for him, a terrific lot, for I think he is a very capable young man, but I feel that he is talking about another bill, Mr. Speaker, and he and I have already talked about his

amendments and he understands the situation very clearly, and now, doggone, he is wasting the time of the House. That is the way I feel about it.

The SPEAKER pro tempore. For what purpose does the gentleman from Erie, Mr. Schaaf, rise?

Mr. SCHAAF. Mr. Speaker, I think there is an effort being made here to keep certain things secret. I think the discussion of the gentleman from Blair is proper and I think that it would be enlightening to the members of the House. I do not think we have to be unduly technical about this. I might suggest, Mr. Speaker, this is within the scope of this legislation.

The SPEAKER pro tempore. The Chair would like to request the gentleman to confine his remarks to House bill 1258.

Mr. AUKER. Mr. Speaker, I am trying to do that, but in trying to make points you just cannot always specifically point to the particular bill. Impliedly, I am speaking on this particular bill, the principle behind this bill, and that is to provide a good boating law for Pennsylvania. That is what all my remarks are about.

Mr. Speaker, I understand that the Department of Forests and Waters is not relishing too much having the authority under the other bill. I am well aware, also, that the Fish Commission does have personnel that are experienced in boating and water patrol, and that is perfectly right, because these fishermen have a right to be protected from the boats. That is all wrapped up in this entire boating situation. The fishermen, the boatmen and the public-at-large are all wrapped up in one package.

It is entirely possible that if this bill goes down and the other bill comes over that certainly these two groups can somehow get together.

Possibly, if a group of legislators sit down and try to write out a bill and resolve the differences between these two bills and keep both crowds of laymen out, we can come up with a good bill. That is the suggestion I am making when this bill gets in the hands of the other branch of this legislature.

I would like to have the proponents of this bill keep that in mind. Believe me, we are trying to help both sides come up with a good boating bill, but if both sides are going to be hardheaded, you are not going to have a boating bill during this session of the legislature. I say that would be bad for all the people of Pennsylvania. It will be bad for the fishermen; it will be bad for the boatmen.

Now, Mr. Speaker, in contravention of this bill, I have been reliably informed that the Fish Commission will not accept the other bill, 1473 or 1478, whereby it provides for separate three-man board of boatmen that they will not accept any boatmen on their Fish Commission. That is hardheadedness, if that is true and that should not be so. That is just one of the things against this bill.

Mr. Speaker, I am voting against this bill with the hope that the other bill will come over, and, when it does, then perhaps a group of legislators who are vitally involved in this problem can sit down and resolve the differences between the two bills and come up with a good bill that will finally be passed. Let us learn by experience, which we apparently have not done so far from the 1957 and 1959 sessions.

Mr. EILBERG. Mr. Speaker, I agree entirely with the remarks of the gentleman from Blair, Mr. Auker, and



it seems that there ought to be some further comments made on the bill.

I realize the hour is late and everyone is anxious to get to lunch, but certainly everyone must agree that there must be a full discussion on a bill of this kind.

The advocates of the bill have indicated they have gotten the support of the Justice Department and other departments in the preparation of the bill. Let us consider that point.

Let me say, Mr. Speaker, that I have taken the trouble to inquire in the Governor's office with respect to the attitude toward House bill 1258, and I would say to the House that the attitude is strictly one of "hands-off." It has been clearly demonstrated to me that whatever the House does will be considered at such time as any legislation comes to the attention of the Governor, so that any indication to the contrary, there is no endorsement. This is not an administration bill.

Mr. Speaker, on page 8 of the bill the license fees are set forth and they vary in amounts. The Fish Commission feels that these fees are necessary, but nowhere in the extensive work that I have done on this subject has there been any justification for the fees that have been set.

They have said, the Fish Commission people have said, "Well, we do not want to make the fees lower as has been advocated by the boat people because the boat people can afford them."

But, Mr. Speaker, what is the Fish Commission going to do with all this money?

The bill provides on page 9 that if a boat is licensed in some other state that boat need not be licensed in Pennsylvania. In other words, you, as the owner of a boat in Pennsylvania, may license your boat in New Jersey or New York, and, Mr. Speaker, you may be inclined to do so because the fees over there are substantially lower than are proposed in House bill 1258.

I ask the question: Do we want to help drive our boaters out of Pennsylvania?

Certainly, one of the most important features of the bill, as far as I am concerned, has to do with the Navigation Commission of the Delaware River.

Mr. Speaker, the Navigation Commission has been functioning for 200 years and has been doing an admirable job with a very minimum expense to the Commonwealth. We have down there in the Delaware Basin, not only the Navigation Commission, we have the United States Coast Guard, the United States Army Corps of Engineers, the New Jersey Conservation Authority. Mr. Speaker, are we going to place the Fish Commission as a fifth agency in the Delaware Basin area?

I will call your attention to this fact: If the Fish Commission comes into the Delaware River Basin, we will have the awkward situation of the Fish Commission regulating the pleasure boats and the Navigation Commission regulating commercial shipping. Does it make any sense to have two groups of enforcement officers?

Mr. Speaker, the image has been created that fish wardens are nothing but very astute police officers. Certainly, from what I have heard, there is nothing to indicate anything to the contrary. We want people enforcing this bill, this law, if it is to be enacted, who are sympathetic to the boat people and not antagonistic.

Let me add that this bill would place boating clearly

and simply under the Fish Commission, and yet, if we look at our surrounding States, if we look at New York, if we look at New Jersey and some of the other surrounding States, we find that their programs are very successful, very successful, and are under experienced boating personnel under separate boat boards. So I say, Mr. Speaker, let us look at the experience around us before we move quickly.

I would add that there is no demonstration that the Fish Commission and its enforcement personnel are capable of performing or looking into such matters as rescues under severe conditions, rules of the road on the various waters. I say that we need a new attitude, a new approach, and the way is not through the Fish Commission.

I have been so deeply concerned about this particular matter that I have taken the trouble to conduct a series of conferences, including the Fish Commission people, members of the legislature, boat people, people from the Navigation Commission of the Delaware River Basin, in an effort to resolve this problem. The boat people first said, we want a separate boat board. We convinced them that this was not possible. They then said, well, give us equal representation on the Fish Commission, four and four. We convinced them that they could not have that. Finally, a member of this House who has spoken in favor of this bill suggested at one of our conferences, all right, let us give them three members on the Fish Commission, eight and three. Certainly, the boat people could not then control the Fish Commission. We were very near an agreement, Mr. Speaker, but the negotiations fell at that point because there was some indication that the Governor's office was opposed to the enlargement of the Fish Commission.

The Fish Commission is an independent body that is not answerable to the State government. I say to you that we are placing too much authority in an independent area. If we were to regulate boating under a department of the State government, we could have better control over that department.

I am concerned with the effect of this bill on the economy of Pennsylvania. Last year Pennsylvania received \$1,631,000 in marine fuel taxes. I predict that with the passage of this bill that figure will go down, because boaters would tend to be driven out of Pennsylvania.

Let me say that if we were to pass a more suitable bill, attractive to boaters, we would have more people coming to Pennsylvania to spend their vacation here and we would have more Pennsylvanians interested in boating having their vacations here in Pennsylvania, and, of course, quite incidentally, the Commonwealth would benefit by the increase in taxes. Not only would the Commonwealth benefit by the increase in taxes, but it would mean more employment for Pennsylvanians at a time when we need more employment.

Let me conclude by saying that I have in my hand, Mr. Speaker, and I am now displaying the publication of the Fish Commission, a publication called "The Pennsylvania Angler." This is for the month of June 1961, and contains some 26 pages.

Mr. Speaker, I have looked through this entire publication, the last publication of the Fish Commission, "The Pennsylvania Angler," which is supposed to represent the boating people and I find one page devoted to boating

—one page out of the whole book. Do we need any more expression of the attitude on the part of the Fish Commission? Let us vote this bill down.

Mr. WILLARD. Mr. Speaker, I would very briefly like to interrogate the gentleman from Westmoreland, Mr. Jim.

The SPEAKER pro tempore. Will the gentleman from Westmoreland, Mr. Jim, permit himself to be interrogated?

Mr. JIM. I shall, Mr. Speaker.

Mr. WILLARD. Mr. Speaker, just one question: I would like to ask the gentleman from Westmoreland what his most optimistic estimate of revenue is that can be derived from this bill if passed.

Mr. JIM. Mr. Speaker, the figure I have for last year is \$145,000. What this will bring in if enacted into law at the present time I do not know.

Mr. WILLARD. I thank the gentleman.

Mr. Speaker, I would like to speak briefly for the bill.

Mr. Speaker, I am between the devil and the deep blue sea. I belong to the Pleasure Boater's Association and I also belong to the Sportmen's Association. I have been in very close contact for the last several weeks with both groups in my area. At one time they were so close to coming up with a compromise bill that I thought their differences would be resolved and they would come up with a good bill. Right now they are as far apart as the poles.

The reason for my interrogation of the gentleman from Westmoreland is on revenue.

I have listened today with very keen interest to the debate in this House. One thing I believe has not been stressed enough is the amount of revenue. In 1959 we had House bill 1178 and I was a co-sponsor. That bill was amended in committee and amended on the floor of this House. It made it such a bad bill that even some of the sponsors could not vote for it but we passed it over to the Senate. Consequently, we lost that revenue for two years.

Revenue in my book is very important. If we could possibly conceive that we would get a half-million dollars or more out of this act I would be willing to accept it. I would be willing to go along and establish a separate boating commission the same as we have in our Fish and our Game Commissions. But the revenue is not there. We have the personnel set up in the Fish Commission to handle this matter. They have been doing it. We have competent people to administer. I believe that with this anticipated revenue, and my estimate is slightly higher than that of the gentleman from Westmoreland, I think that the possible revenue out of this act with the graduated fees up to \$12 would get us about \$240,000, but what can you do with a commission on \$240,000? We have the Fish Commission personnel all set up. They have been enforcing boating regulations for the last 30 years. They get a possible \$150,000 revenue from licensing motors. I think that is the crucial point of this bill, and I think that if House bill 1258 does not pass we are going to be in the same boat as we were two years ago and we are going to lose that additional revenue and we need it very badly.

I agree with Charlie Auker on his amendments. I think they are very good amendments. In fact, one of his amendments I have had in committee and tried to get into the bill in committee. I think his attitude on those amend-

ments—and I supported those amendments because I believe in them—but I think, ladies and gentlemen of this House, that we should pass 1258 and do it now, because I think if we do not we are not going to have a boat bill and we need that revenue. The Fish Commission has the personnel and everything to enforce the act. They will spend that money entirely for boating for channel marking deadheads, docks, land acquisition and that is a very important part. We have to have land acquisition to get into our waters or they are no good to us.

I will conclude my remarks by asking all the members to vote for 1258.

Mr. DOUGHERTY. Mr. Speaker, I rise to oppose this bill. As far as fish and fisheries and sports and sportsmen, I think they should take care of themselves.

Can any member of this House conceive of the Fish Commission controlling boating on the Delaware River, something they know nothing about?

This bill was drafted without consultation or approval of any recognized boating organization within Pennsylvania or anywhere.

House bill 1258 seeks to extend and perpetuate authority of an unqualified Fish Commission over the activities of a portion of the public which it has harrassed and attacked.

It pays lip service to the needs of operator education and adequate safe boating facilities, but fails to provide the means.

House bill 1258 requires boat license applicants to give in their applications unreasonable and inappropriate information not required in other States. For example, "seating or other capacity" and "gross weight." These show a lack of understanding and have no bearing on license numbers issued under the Federal Boating Act. Capacity of a given boat depends upon variable conditions, including weather.

House bill 1258 sets up an inequitable scale of fees which will drive larger boats into documentation, or numbering in neighboring States which have better facilities and require only \$2 a year.

House bill 1258 vests piloting and seamanship regulatory authority in an agency which has no experience in either field.

House bill 1258 fails to spell out the qualifications of personnel who will enforce the Fish Commission's regulations over boating, despite the fact that such personnel would have to be skilled boatsmen in order to render any real service on the water. The basic course of training for beginners, offered by the Coast Guard Auxiliary in eight lessons, does not qualify a novice for such service.

Mr. Speaker, would you care to replace by the Fish Commission—House bill 1258 places inexperienced Fish Commission personnel on the Delaware River which already is regulated by the Navigation Commission, the Coast Guard, the Army Engineers and the State of New Jersey. In view of the heavy shipping traffic and Navy activity on the river, this is neither safe nor practical.

House bill 1258 fails to create a separate boating fund, or provide guarantee that revenues derived from boating will be spent wisely upon boating.

Failure of the Fish Commission to serve boating interests in proportion to the \$1 per cylinder fees from motorboats for three decades has alienated the boating public. It has driven thousands of boating families to



neighboring States to spend vacation dollars that could have been spent in Pennsylvania. Nothing in House bill 1258 indicates that this trend will be reversed.

The Fish Commission has alienated the boatmen by regarding pleasure boating as a menace. No law can be effectively enforced at any cost without the support and cooperation of those it seeks to regulate.

Boating has grown too big to be placed under an agency that must divide its attention between boating, propagation of fish, and regulation of fishermen. Both boating administration and boating patrolmen should devote themselves full time to boating.

Mr. Speaker, I do not believe there is a member of this House who lives any closer to that big waterway than I do. I live only a few blocks from it, and until my hospitalization in Septemeber I spent every working day along that riverfront. That is where I earn my living.

I have noticed how the Coast Guard, patrol that place. I have talked to them personally on occasions when they would tie up to the dock and I am telling you, without fear of contradiction, that anybody who wants to put this thing under the Fish Commission just does not know the right time. I thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, I yield to the gentleman from Venango, Mr. Gramlich. I believe he wants to read a telegram.

The SPEAKER pro tempore. The gentleman from Clearfield yields to the gentleman from Venango.

Mr. GRAMLICH. Mr. Speaker, I do not wish to prolong this debate. Heaven knows it has been too long now, but I cannot let this go by without keeping the record straight.

I believe one speaker, I believe it was Mr. Schaaf, said that all the sportsmen in northwestern Pennsylvania were against this boat bill, 1258. I am for it 100 percent even though it may not be 100 percent correct.

However, I want to say to him that they are not all against it for I hold in my hand a telegram, and it reads as follows:

"Northwest Division"—this is of the Sportsmen's Club—"Northwest Division suggests HB 1258 House approval. Vote soon. Your support appreciated. Division boating chairman, H. S. Gates." That comes from Sharon, Pennsylvania, and I believe that is in northwestern Pennsylvania.

That is all I have at this time other than I hope we will all vote for 1258.

Mr. BRETH. Mr. Speaker, the gentleman from Erie apparently has something on his mind that he did not get off a while ago.

Mr. SCHAAF. Mr. Speaker, if the gentleman would yield momentarily?

The SPEAKER pro tempore. Will the gentleman from Clearfield yield to the gentleman from Erie, Mr. Schaaf?

Mr. BRETH. I shall, Mr. Speaker.

Mr. SCHAAF. He is very kind, Mr. Speaker.

I just want the record to show clearly that I simply stated that all the sportsmen in my area were not in favor of 1258. I did not say that all were opposed to 1258.

Mr. BRETH. Mr. Speaker, in listening to some of the opponents of this particular bill you would imagine that the Fish Commission and the Fisheries Committee of this

House and the sponsors of this bill had entered into a coalition to strike down the big boating interests of Pennsylvania. Nothing could be farther from the truth. The total intent of 1258 is to get a boating bill in this particular session of the legislature. You all know how this was originally set up under Leader, and a boating commission was set up, and it is down now to the present time after hours and hours and hours.

The point to remember in voting for or against 1258 is very simple. Eighty-five percent of the boat owners are little fellows with boats under 16 feet, and the predominant, overwhelming majority of them are fisherman. Less than three percent are so-called big boaters. Twelve percent are in the intermediary class.

I want to say to you that every statement made as to trying to do away with or subjugate the big boating interests is wrong. The Fish Commission is prepared to appoint an executive director. They are prepared to appoint an advisory board consisting of big boaters and intermediary boaters. They are prepared to give the Delaware Navigation Commission, by specific agreement, control of the boating on the Delaware River Basin. They are prepared to go all out to satisfy these interests, but as one of the sponsors of this bill said a minute ago, we in Pennsylvania must, at this time, protect that little boater. In my own town of Clearfield we had one fatality on the river which could have been prevented by the enforcement of this act, and I assure you it would have been enforced. It is now. We must keep in mind the safety of this boating public which is mushrooming in numbers. We must protect the interests of the small fisherman and small boater.

Pennsylvania is not surrounded by big waters. We are an inland State. Most of our boaters are going to be little fellows, fellows in your own back yard. We are not going to have big boats on Lake Erie, on the Delaware, and various places. We must give them a bill that the Fish Commission can enforce and has the facilities to administer it.

I appeal to you at this particular time. Do not be swayed by the argument of the small percentage of big boaters. Let us do something for the little fellow and pass 1258.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pike, Mr. Eshback.

Mr. ESHBACK. Mr. Speaker, I would like to ask one of the sponsors of the bill just one question.

The SPEAKER pro tempore. Will one of the sponsors of the bill permit himself to be interrogated?

The gentleman from Clearfield, Mr. Breth.

Mr. BRETH. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. ESHBACK. Mr. Speaker, I understand that it is optional whether you license a rowboat or not, but is it not true that if this bill is passed in its present form it will give the Fish Commission the power to regulate every boat and every canoe in this Commonwealth?

Mr. BRETH. Mr. Speaker, I imagine that is true, simply from the standpoint of safety. If my child goes out in a rowboat with some other kids, and they do, I want the provisions of this enforced to the letter on any boat that is out there.

Mr. ESHBACK. I thank the gentleman.

Mr. Speaker, there are hundreds of farms in Pennsylvania that have so-called farm ponds. These farmers

perhaps will have a rowboat or canoe in those ponds. If this bill is passed in its present form, they can insist that every one of those boats has a license on it, as I understand this bill. They can even insist that there are lights put on these boats. I do not agree with this bill in its present form. I think that the amendments proposed should have been accepted but, after all, they were voted down.

The SPEAKER pro tempore. For what purpose does the gentleman from Clearfield rise?

Mr. BRETH, as a matter of information I would like to tell the gentleman that farm ponds do not come under this bill.

Mr. ESHBACK. Thank you, Mr. Speaker. It is not included in the bill? Would you cite the page for me?

Mr. BRETH. Mr. Speaker, this bill concerns only the inland waters and not the farm ponds. They are not under the provisions of this bill.

Mr. ESHBACK. Inland waters, you say?

Mr. BRETH. Inland waters.

Mr. ESHBACK. Well, farm ponds are inland waters.

Mr. BRETH. They are personally controlled waters and not subject to this bill.

Mr. ESHBACK. Thank you, Mr. Speaker.

Mr. Speaker, that is not my interpretation of the bill. I would like to add one more statement. The Fish Commission has been trying to enforce the regulations of boats and boating in Pennsylvania. I live in a county that borders on Wayne, and between those two counties we have one of the largest bodies of water in eastern Pennsylvania. I can say this, that the only thing the Fish Commission has done to the present time is to fine these people and drive them out of our area. There has not been a buoy or a sign of warning placed on that lake. There has not been a tree removed from that lake, where they were cut back in 1926, 1927 by Pennsylvania Power and Light who constructed the dam to form this lake. Now, how do we have any assurance that once this bill becomes law that they are going to act any differently in the future than they have in the past?

This bill, in its present form, I am against and I hope that everyone on both sides of the House votes this bill down until certain measures are included in this bill to make it more attractive to the boating interest.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mercer, Mr. Willard.

Mr. WILLARD. Mr. Speaker, just one statement to answer my friend, Mr. Dougherty, from Philadelphia: I cannot possibly conceive anyone owning a 40-foot boat objecting to paying \$12 to run that boat.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, on the subject of licensing of rowboats and canoes, I have a letter in my hand from a man who operates a summer camp and I want to read a very small part of it:

We are very much concerned with the kind of rules and regulations to be proposed as well as the method of enforcement. We know, in the past, the Fish Commission has proposed that every boat and canoe have a life preserver for each occupant. All summer camps use the modern Red Cross method in teaching the handling of watercraft, and there is really no need for this type of regulation. It is unnecessary, and in the case of a non-

profit camp, quite expensive. We know that both on boating and canoeing safety cannot be regulated; it can only be taught.

Mr. Speaker, the gentleman from Clearfield, Mr. Breth, has said and said again that the Fish Commission has good intentions so far as the Navigation Commission is concerned. That is very, very nice, but what assurance do we have?

Let me read to the gentleman and to the members of the House, from page 16, lines 15 and 16 of the bill, which read as follows: "No political body or subdivision of this Commonwealth shall regulate or otherwise legislate for any of the subjects dealt with in this act." I ask you, is the Fish Commission, if this bill passes, going to contradict and contravene the provisions of this very bill?

Mr. Speaker, further, after listening to the discussion very carefully, it seems to me that not only is the Fish Commission involved, but possibly the Department of Forests and Waters, certainly the Navigation Commission, possibly other government agencies.

#### MOTION TO RECOMMIT

Mr. EILBERG. Under the circumstances, I think this bill should receive further study and I, therefore, move that it be recommitted to the Committee on State Government which will consider the various agencies involved.

On the question,

Will the House agree to the motion?

The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, to pass the motion would be disastrous. It would abrogate and prove useless and futile. Three years, and as I said, hours and hours of constant labor and discussions have been had on this particular measure. Let us not send it back to committee. If you want to kill it, kill it, but let us for heaven's sake not abrogate the amount of time and effort that has been put into bringing this bill to this position now. Let us vote it, but for heaven's sake, do not send it back to committee.

Mr. FETTEROLF. Mr. Speaker, I ask for a roll call on the motion.

The SPEAKER pro tempore. For what purpose does the gentleman from Lehigh, Mr. Stimmel, rise. Does the gentleman desire to speak on the motion to recommit? The gentleman is in order and will proceed.

Mr. STIMMEL. Mr. Speaker, if I understood that motion correctly it was to recommit to the Committee on State Government?

The SPEAKER pro tempore. That is the motion before this House.

Mr. STIMMEL. Then I appeal to members of the House in the sense of fair play, this is not proper. I think this is saying that the committee that had this bill last session and this session is incompetent, and there are a lot of sincere, dedicated, conscientious people who are going to solve this problem, but you are saying in effect that they cannot do it. Why send it to another committee? If you must send it to a committee, let us send it back where it belongs, to the fish committee and let them solve the problems on the basis of the knowledge they have gained on these interrogations and the discussion on the bill.



The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I would be willing to amend my motion to recommit it to the same committee, the Committee on Fisheries.

The SPEAKER pro tempore. The bill came from fisheries. The Chair accepts the amendment.

The Chair recognizes the gentleman from Mercer, Mr. Willard.

Mr. WILLARD. Mr. Speaker, I oppose this motion to recommit. If we recommit this bill I think it will die. We need a boat bill and we need it very badly. We do not want to lose that anticipated revenue of \$240,000 for the next two years, so I hereby oppose this motion to recommit.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, in line with my observations previously, this is the opportunity for this House to give this bill the appropriate study it should have and which it has not received. I call attention of the members to the fact that this bill bears the original printer's number. It has never been touched by an amendment nor an alteration. It has been jammed through.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I have sat in this House for a couple of hours now and listened to the debate on this bill, and I certainly think we ought to vote on the bill, that it should not be recommitted to the same committee. It is going to come right out again and we are going to go through this all over again. If you are not going to recommit it to another committee, we can kill it permanently. I say you ought to vote on it today.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Just one statement, Mr. Speaker, I think sufficient discussion has been had on this bill, so much so that I think this bill merits a public hearing, and for that reason, I concur that we ought to recommit it, so the gentleman in charge can have a public hearing and see what actually should be done.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Curwood.

Mr. CURWOOD. All I want to say, Mr. Speaker, is that the big boaters are trying to kill this bill. I say let us be fair and vote the bill today.

The SPEAKER pro tempore. The question before the House is to recommit to the Committee on Fisheries.

The Chair recognizes the gentleman from Monroe, Mr. Yetter.

Mr. YETTER. Mr. Speaker, I want to support the motion to recommit this bill. I am on the committee that it came from. True, I have missed a couple of the meetings, but I have tried to talk to the chairman of the committee about this bill and he says, "We are not going to talk about it; we are not going to accept any amendments, no changes, no nothing."

I think that it should be recommitted and we should have a chance to be heard on the thing.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. EILBERG and FETTEROLF and were as follows:

## YEAS—54

Anderson, J. H.	Fulmer,	Lee, A. M.,	Reibman,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rudisill,
Auker,	Gelfand,	Limper,	Scarcelli,
Blair,	Gibbons,	Miller,	Schaaf,
Boles,	Greenlee,	Monroe,	Shelton,
Bowman,	Gremminger,	Morley,	Sherman,
Cauley,	Hankins,	O'Dell,	Snare,
Dennison,	Hartley,	Ogilvie,	Tompkins,
Dougherty,	Heavey,	Parlante,	Willaredt,
Doughten,	Holl,	Perry,	Williams, A. D.,
Eilberg,	Isaacs,	Petrosky,	Worley,
Eshback,	Kelly,	Polaski,	Wynd,
Fetterolf,	Kooker,	Prendergast,	Yetter,
Fineman,	Lawson,		

## NAYS—130

Adams,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Arlene,	Goldstein, M. H.,	Manbeck,	Schuster,
Ashton,	Goodrich,	Markley,	Shupnik,
Bachman,	Gramlich,	Marsh,	Simmons,
Backenstoe,	Gray,	Maxwell,	Slack,
Bonner,	Gross,	May,	Stank,
Bower,	Guesman,	McCandless,	Steckel,
Branca,	Hamilton,	McCann,	Stimmel,
Breth,	Heffner,	McCormack,	Stiteler,
Buchanan,	Helm,	McDevitt,	Stone,
Bush,	Henzel,	McDonald,	Strausser,
Capano,	Hocker,	McKeever,	Sullivan, J. A.,
Cloffi,	Holliday,	McLaughlin,	Sullivan, T. F.,
Clarke,	Holman,	McNally,	Taylor,
Cooley,	Horst,	Meholchick,	Thompson,
Crossin,	Irvis,	Merry,	Tomasick,
Curwood,	Jenkins,	Mills,	Trusio,
Davis,	Jim,	Mullen,	Ujobal,
Dengler,	Johnson, A. W.,	Munley,	Varner,
Donaldson,	Johnson, R. P.,	Murphy,	Wall,
Edwards,	Jones,	Musto,	Wargo,
Elvey,	Kamyk,	Needham,	Weidner,
Eshleman,	Keiser,	O'Donnell, J. A.,	Welsh,
	Kernaghan,	Odoriso,	Wescott,
	Kessler,	Pashley,	Whittaker,
Ewing,	King,	Piper,	Willard,
Farabaugh,	Kistler,	Polen,	Williams, E. S.,
Flynn,	Kornick,	Pursley,	Wilt,
Foor,	Korns,	Renwick,	Wood,
Fox,	Kramer,	Riley,	Zember,
Fry,	Lamb,	Rovansek,	Zimmerman,
Galley,	Leonard,	Royer,	Andrews,
George,	Gibb,	Long, Wm. Jas.,	Rutherford,
			Speaker

## NOT VOTING—25

Bossert,	Frascella,	Lutty,	Price,
Capitolo,	Guthrie,	Magee,	Reidenbach,
Cianfrani,	Haudenshield,	McInroy,	Rubin,
Comer,	Klein,	Mihm,	Seltzer,
Down,	Knecht,	Murray,	Verona,
Filo,	Lippincott,	O'Donnell, J. P.,	Walsh,
Foerster,			

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—113

Adams,	George,	Markley,	Shupnik,
Anderson, J. H.	Gibb,	Marsh,	Simmons,
Bachman,	Goldstein, J. H.,	Maxwell,	Snare,
Backenstoe,	Goldstein, M. H.,	McCandless,	Stank,
Boles,	Goodrich,	McCann,	Steckel,
Bonner,	Gramlich,	McDonald,	Stimmel,
Bowman,	Hamilton,	McLaughlin,	Stiteler,
Breth,	Heffner,	McNally,	Stone,
Buchanan,	Helm,	Meholchick,	Strausser,
Bush,	Hocker,	Merry,	Sullivan, T. F.,
Capano,	Holman,	Mills,	Thompson,
Cloffi,	Horst,	Munley,	Tomasick,
Clarke,	Irvis,	Musto,	Trusio,
Cooley,	Jenkins,	Needham,	Ujobal,
	Jim,	O'Donnell, J. A.,	Varner,

Crossin, Curwood, Davis, Donaldson, Down, Elvey, Eshleman,	Johnson, A. W., Kamyk, Kessler, King, Kistler, Kornick, Korns, Kramer, Lamb, Lee, K. B., Leonard, Long, Wm. Jas., Long, Wm. Jos., Manbeck,	Petrosky, Piper, Polen, Prendergast, Pursley, Reibman, Renwick, Rovasek, Royer, Rutherford, Sakulsky, Schuster, Seltzer,	Wall, Wargo, Weidner, Wescott, Whittaker, Willard, Williams, E. S., Wilt, Wood, Wynd, Zember, Zimmerman, Andrews, Speaker
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## NAYS—75

Anderson, S. A., Arlene, Ashton, Auker, Blair, Branca, Capitolo, Cauley, Cianfrani, Dengler, Dennison, Dougherty, Doughten, Ellberg, Eshback, Fetterolf, Fineman, Frascella, Fulmer,	Galley, Gallagher, Gelfand, Gibbons, Gray, Greenlee, Gremminger, Gross, Guesman, Hankins, Hartley, Heavey, Henzel, Holl, Holliday, Isaacs, Johnson, R. P., Jones, Kelser,	Kelly, Kernaghan, Kooker, Lawson, Lee, A. M., Limper, May, McCormack, McDevitt, McKeever, Miller, Monroe, Morley, Mullen, Murphy, O'Dell, Odorisio, Jones, Parlante,	Pashley, Perry, Riley, Rubin, Rudisill, Scarcelli, Schaaaf, Shelton, Sherman, Slack, Sullivan, J. A., Taylor, Tompkins, Welsh, Willaredt, Williams, A. D., Worley, Yetter,
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## NOT VOTING—21

Bossert, Comer, Edwards, Filo, Foerster, Guthrie,	Haudenshield, Klein, Knecht, Lippincott, Lutty,	Magee, McInroy, Mihm, Murray, O'Donnell, J. P.,	Polaski, Price, Reidenbach, Verona, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

### REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) re: McConnellsburg Anniversary.

Mr. McCANN asked and obtained unanimous consent for the immediate consideration of the resolution.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 6, 1961.

Fulton County has long been renowned as the only county in Pennsylvania without a railroad or county home.

The history of the county and its county seat, McConnellsburg, is a proud record of whole hearted participation by the citizenry in the great events of this Nation. Settlement of the wilderness during colonial times, suffering from savage attacks by marauding bands of Indian raiders, participation in the Revolutionary War, War of 1812, Spanish-American War, Civil War, and the two

great World Wars by the men of McConnellsburg and the remainder of Fulton County is a long record of sacrifice and heroism by true Americans.

Although Fulton County is without a railroad, its wide and well maintained roads and highways have brought it more and more into the pulsating and vital economic life of this Nation. The Lincoln Highway, which is the "Main Street of the Nation" passes through McConnellsburg, and the fruits of good transportation will make this municipality with the splendid historic past, a flowering and fruitful seat of economic productivity in the future.

As McConnellsburg celebrates the one hundred seventy-fifth anniversary of its founding during the week of June 24th, 1961, the residents of this community are to be commended for carrying on the noble traditions of progress, enlightenment, frugality, and all other attributes of true Americanism handed down to them by previous residents of this municipality; therefore, be it

Resolved, That this House of Representatives congratulates McConnellsburg and its residents on the one hundred seventy-fifth anniversary of the founding of this fine municipality and wishes it continued growth and the attainment of the status of a truly great metropolis; and, be it further

Resolved, That a copy of this resolution be forwarded to the Mayor of McConnellsburg.

### RESOLUTION INTRODUCED AND REFERRED

By Messrs. PURSLEY, BOWER and MAY.

RESOLUTION No. 78.

In the House of Representatives, June 8, 1961.

The construction of a dam near the junction of the North and West Branches of the Susquehanna River adjacent to and in conjunction with Shikellamy State Park would provide recreational facilities for an estimated 350,000 citizens of our Commonwealth, not including many thousands of tourists who would thus be attracted to our State.

The swimming, fishing and boating which such a dam would make possible would provide adequate recreational facilities at a minimum expense in an area where such facilities are sorely needed; therefore be it

Resolved, That the House of Representatives hereby recommends that a dam be constructed near the junction of the North and West Branches of the Susquehanna River adjacent to Shikellamy State Park; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor and to the Secretary of Forests and Waters.

Referred to the Committee on Rules.

### DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, I am going to ask for a recess of one hour for a 30-minute break for lunch and a 30-minute break for caucus. We will eat first. I ask that all the members bring to the caucus with them their calendars.

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, we would like to have a short Republican caucus at 2 o'clock, in other words, in 35 minutes. So that will give you 35 minutes to have your lunch and we will have a short caucus. Bring your calendars.

Mr. McCANN. The Democratic caucus, Mr. Speaker, will start promptly at 2 o'clock and we will try to reconvene the House at 2:30, having the first roll call a few minutes after that.



## REPORTS FROM COMMITTEE

Mr. TRUSIO from the Committee on Townships, reported as committed, Senate bill No. 401, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled, "The Second Class Township Code," authorizing increase in the number of meetings for which supervisors may be paid without the prior approval of the auditors; further providing for the attendance of supervisors or employees at road meetings and conventions; imposing duties on township secretaries; changing the time which may be expended by auditors in the completion of audits; authorizing managers to attend meetings of county associations of township officers; authorizing supervisors to exercise general powers; further providing for the parties who may protest a change in zoning; and providing for review of township ordinances and regulations adversely affecting public utility service.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1599, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled, "An act relating to the retirement of State employees, amending, revising, consolidating and changing the laws relating thereto," defining superannuation retirement age for retirement of enforcement personnel of the Pennsylvania Liquor Control Board as members of Class C.

Mr. POLEN from the Committee on Appropriations, reported as committed, House bill No. 1600, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), known as the "Liquor Code," providing for an increase in application, filing and transfer fees and for the annual transfer of certain moneys from the State Stores Fund to the State Employees' Retirement Fund.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 401, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled, "The Second Class Township Code," authorizing increase in the number of meetings for which supervisors may be paid without the prior approval of the auditors; further providing for the attendance of supervisors or employees at road meetings and conventions; imposing duties on township secretaries; changing the time which may be expended by auditors in the completion of audits; authorizing managers to attend meetings of county associations of township officers; authorizing supervisors to exercise general powers; further providing for the parties who may protest a change in zoning and providing for review of township ordinances and regulations adversely affecting public utility service.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1599, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled, "An act relating to the retirement of State employees, amending, revising, consolidating and changing the laws relating thereto," defining superannuation retirement age for retirement of enforcement personnel of the Pennsylvania Liquor Control Board as members of Class C.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1600, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), known as the "Liquor Code," providing for an increase in application, filing and transfer fees and for the annual transfer of certain moneys from the State Stores Fund to the State Employees' Retirement Fund.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, I would like the reports on House bills 1599 and 1600 read for the first time and then to be placed on the special retirement calendar with the other retirement bills.

The SPEAKER pro tempore. The Chair thanks the gentleman.

## RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of one hour.

The Chair hears no objection, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

## BILLS INTRODUCED AND REFERRED

By Messrs. GAILEY, HAUDENSHIELD, Mrs.

MARKLEY (By Request) and Mr. McCANN.

HOUSE BILL No. 1713.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), granting powers to and imposing duties upon the State Council of Education, granting and imposing certain powers to and duties upon the Department of Public Instruction, and requiring a biennial report to the General Assembly.

Referred to the Committee on Education.

By Messrs. GAILEY, ZEMBER, Mrs. MARKLEY

(By Request) and Mr. McCANN.

HOUSE BILL No. 1714.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the maximum amounts payable on account of instruction expenses.

Referred to the Committee on Education.

By Messrs. TOMPKINS and A. W. JOHNSON

HOUSE BILL No. 1715.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating payments from the State School Fund of Pennsylvania to pay part of the cost of repairs and/or alterations of local public school buildings necessary to satisfy fire and safety standards and requirements; and making appropriations.

Referred to the Committee on Education.

By Messrs. GAILEY, ZEMBER, Mrs. MARKLEY

(By Request) and Mr. McCANN.

HOUSE BILL No. 1716.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the term

of office of treasurers of school districts, providing for the collection of taxes, establishing the office of superintendent of schools and assistants and the manner of their election," providing for the reorganization of school districts, creating a commission, abolishing county boards of school directors and certain offices, discontinuing certain district boards of school directors and district offices, providing for the election of school boards in reorganized school districts, levying certain taxes in reorganized school districts, providing for the debts and assets of existing school districts and making an appropriation.

Referred to the Committee on Education.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. JIM asked and obtained permission for the Committee on Fisheries to meet during the session of the House.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 445, entitled:

An Act amending the act of June 4, 1943 (P. L. 883), entitled, "An act authorizing and directing the Department of Highways to erect \* \* \* a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County; and to provide the necessary approaches and connections with State highways \* \* \*," making the bridge a free bridge \* \* \* and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, this bill has a bipartisan sponsorship. It is a bill which will take away the tolls on the bridge over the Allegheny River in the Borough of Tarentum, in Allegheny County, to a point in Westmoreland County.

At the present time with the income of the tolls on this bridge and the cost of collections, and so forth, it would take a considerable number of years before this debt could be paid off. The money comes from no fund, inasmuch as the highway and bridge authority fund funded the bonds, and, of course, it would not take any of the money out of the license fund that is available at the present time. I recommend the favorable approval of this bill, because this is the only toll bridge left in the State of Pennsylvania maintained by the highway department.

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, may I interrogate the gentleman from Westmoreland?

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Did I understand the gentleman to say that this bridge has been built?

Mr. PETROSKY. It has.

Mr. A. W. JOHNSON. When was it first opened to the public?

Mr. PETROSKY. I believe it was 1951.

Mr. A. W. JOHNSON. In 1951. Do you know how much the bridge cost?

Mr. PETROSKY. Mr. Speaker, I had the figures and I turned them over to my colleague, Mr. Sakulsky, and he is not in his seat. If I give the gentleman the approximate cost, would that be sufficient?

Mr. A. W. JOHNSON. Yes.

Mr. PETROSKY. The approximate cost was almost \$5 million.

Mr. A. W. JOHNSON. Five million?

Mr. PETROSKY. That is right.

Mr. A. W. JOHNSON. How much is due on the bridge now?

Mr. PETROSKY. Substantially over \$3 million.

Mr. A. W. JOHNSON. Then, from 1951 to 1961 approximately \$2 million was paid by tolls? Is that right?

Mr. PETROSKY. I think it is somewhere near \$1.5 million.

Mr. A. W. JOHNSON. How much is the toll on the bridge at the present time?

Mr. PETROSKY. I believe it is 20 cents.

Mr. A. W. JOHNSON. So if this bill passes, it would immediately take about \$3 million out of the motor license fund?

Mr. PETROSKY. It will not take any money out of the motor license fund.

Mr. A. W. JOHNSON. Where would the money come from?

Mr. PETROSKY. The highway and bridge authority.

Mr. A. W. JOHNSON. In other words, the toll bridge bonds would be substituted with bonds of the highway and bridge authority, is that correct, and there would be no tolls?

Mr. PETROSKY. That is correct. I may say to the gentleman that when this bill originally was put through, we had considerable economic activity, industrial economic activity in this valley. This includes the steel towns of Tarentum, Brackenridge and Natrona, and the glass towns of Glassmere, Creighton, and so on; also the area in Westmoreland County known as Leechburg, with the Allegheny Ludlum steel plants, and so on. But since this has become a considerably distressed area, we have sponsored this bill at the request of industry and the people in that area because of the dropping of the tolls that are collected and because of the need for free access from one area to the other for rehabilitating this area by industrial redevelopment. This was the prime moving factor behind the bill.

Mr. A. W. JOHNSON. May I ask a further question: Are the tolls that are coming in now not enough to amortize the toll bridge bonds as they come due?

Mr. PETROSKY. Yes, but just meeting it and that is about all.

Mr. A. W. JOHNSON. Another question: Was not the intention of the bonding power of the highway and bridge authority to build new highways and new bridges for school buses, and so forth, rather than paying for something that has already been built and that bonds have been issued for?

Mr. PETROSKY. This is true. However, I do not think we can find fault where we have a situation of a rapidly



deteriorating economy and, if such action on our part will help to correct that situation and this is one of things that will do it, I do not think it would be wrong to use that money to do such a thing.

Mr. A. W. JOHNSON. I thank the gentleman, Mr. Speaker.

Mr. Speaker, I am not going to ask our Republican side to take a position one way or the other about it. All I want to do is to have the members realize that by freeing this bridge of tolls we will be borrowing the money under the highway and bridge authority and that means \$3 million that you will not have to build other highways or bridges with. It is pretty much up to the discretion of the House as to what they want to do.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, we members who are sponsors of this bill are asking the House to go along with us. There is a dire need to eliminate the tolls in this area, as I have indicated before, a great economic area now becoming distressed. We know that this will help the situation considerably, and I think if the gentlemen of the House would but look at the program sheets of the Department of Highways in relation to the additional moneys that were passed for the highway department in this session of the General Assembly, they will find that there is not any considerable amount whatsoever set up for programming in Westmoreland County. Not that I say this is a valid reason for voting for House bill 445, but the valid reason is that these depressed areas can be aided tremendously and it would be an additional incentive for us to rehabilitate the area in industrial redevelopment. For that reason I am asking my colleagues on both sides of the House to vote favorably on House bill 445.

Mr. AUKER. Mr. Speaker, I would like briefly to interrogate the gentleman from Westmoreland, Mr. Petrosky.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. AUKER. I would ask the gentleman if over \$3 million, about \$3.5 million, worth of bonds will have to be paid on this bridge? Is this correct?

Mr. PETROSKY. That is correct.

Mr. AUKER. How much interest do those bonds bear?

Mr. PETROSKY. I do not have that information, I am sorry to tell the gentleman.

Mr. AUKER. Probably 3 or 3½?

Mr. PETROSKY. Approximately that.

Mr. AUKER. Where is the interest going to come from to pay on this \$3.5 million in bonds since it will not be any longer coming out of tolls?

Mr. PETROSKY. It would come out of the amount of money in tolls that have been collected to date. This would possibly take care of that. I indicated that to the gentleman from McKean when I said that the tolls coming in to date have just barely taken care of the situation and would, of course, be adequate to take care of the item suggested by the gentleman.

Mr. AUKER. I do not quite understand the gentleman. I understood the gentleman in his previous answers to interrogation to say that tolls coming in up to the present time were just about sufficient to meet the interest rate

and to amortize the bonds as they came due. Is that the statement that was made?

Mr. PETROSKY. I said there was slightly over the amount that was necessary to carry the bonds. I suppose that amount is sufficient to take care of them. Incidentally, you know, we are just paying it back to ourselves, actually.

Mr. AUKER. What I was trying to get at, Mr. Speaker, is where the interest is going to come from in the future to pay this rate on \$3.5 million worth of bonds if it is not going to be payable out of tolls? There will not be any income from the bridge. The interest of the bonds—not counting the amortization of \$3.5 million that it is going to take from other projects in the highway and bridge authority, there is still interest to be paid on these bonds until they are fully amortized. Now, where is this interest going to come from?

Mr. PETROSKY. I say to the gentleman that in the reserve of the sinking fund where these tolls go into, my understanding is there is a sufficient amount of money to take care of that without any cost to any other fund, to the highway fund or the highway and bridge fund.

Mr. AUKER. Three percent, Mr. Speaker, of \$3.5 million would be approximately what, \$10,000 a year?

Mr. PETROSKY. That is right.

Mr. AUKER. And some of these bonds have 20 years yet to run. How much money is in this sinking fund if it is going to take care of all this interest on these bonds up to the date of maturity? It seems to me there would have to be a good sum of money in that sinking fund.

Mr. PETROSKY. I would suggest to the gentleman that the approximate cost of that would be about \$90,000 for the nine years that those bonds have to run and they would be paid off with the interest.

Mr. AUKER. The people here tell me it would take \$105,000 a year to pay the interest on the bonds, and they are going to run for a number of years yet. It would seem to me to be asking somebody who is not concerned with this bridge to bear an awfully heavy burden.

That will close the interrogation. I thank the gentleman.

Mr. Speaker, I can very well realize the remarks of the gentleman as to the distressed areas, coming from one myself, I can fully appreciate it, but at the same time the members of this House and the Senate at that time voted in good faith for a bridge which they thought would not cost the citizens of the Commonwealth one penny, but would be paid off in full by the users of the bridge. Now it seems to me that we are not keeping faith with those people who voted for that bridge at that time by asking that these tolls be taken away from the bridge. Therefore, I feel that we should keep faith with those people. I feel that we have a moral obligation to keep faith with the people who voted at that time for a bridge that would pay for itself and not have a later generation come along and have to pay for it.

Therefore, I think we ought to vote this bill down. I think it is a bad precedent.

Mr. PETROSKY. Mr. Speaker, I do not want to prolong this debate, but I do want to make this one observation:

It seems to me, Mr. Speaker, that at one time the only way that the Representatives from this area with a bipartisan sponsorship could get a bridge built in their

area that was needed by those people and the industries was to get a toll bridge built.

We, too, from that area find that there is being bridge upon bridge built, a great number of bridges at a more excessive cost than this, without having them built as toll bridges. We think it is unfair to the people in that area. We have 180,000 population in the Allegheny and Westmoreland side of that bridge and we do not think it is fair for them to shoulder this obligation when other areas in the State have had \$5, \$8, \$12, yes, and \$15 million bridges built without there being a toll on those bridges.

We ask the membership of the House to support our position and act favorably upon this measure.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Hocker.

Mr. HOCKER. Mr. Speaker, could I interrogate Mr. Petrosky?

The SPEAKER. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be further interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. HOCKER. Mr. Speaker, I have no quarrel with what you are trying to do. I think the problem is a just one. However, I agree with Mr. Auken in respect to this 30-year bond deal on it. Would you be satisfied to amend this bill to take it out of the highway fund and pay the bridge off and forget about it?

Mr. PETROSKY. Mr. Speaker, although I do not have in my hands the technicalities involved in relation to the question Mr. Hocker raised, I have upon good authority from the highway department the fact that this will not cost the fund any money whatsoever. I do not have the mechanics of it to give to you, but this is true. However, the highway fund will not be burdened by any cost in relation to the bonded interest, and so on, in this particular measure.

Mr. HOCKER. Mr. Speaker, Mr. Petrosky has not answered my question. My question was, would he be willing to accept amendments to his bill, and I agree thoroughly with what he is trying to do to help his area, in lieu of 30-year bonds of the bridge and highway department. Would he be willing to amend his bill to take the \$3 million out of the highway department, out of the gas tax, and pay the thing off and not burden the people of the Commonwealth with 30 years of interest on a \$3.5 million loan?

Mr. PETROSKY. My understanding from my colleague is that this is the way it is going to be done under this bill.

Mr. HOCKER. Mr. Speaker, that is not true in respect to the answer that the gentleman gave Mr. Auken, or the answer that he gave the minority leader. The answer he gave them was that it would be bought by the highway and bridge authority, not by the highway department.

Mr. PETROSKY. I said that the highway and bridge authority originally sold the bonds when they wanted to build the bridges.

Mr. HOCKER. Now you are telling me that for this \$3 million, or \$3.5 million, they will not reissue bonds, but they will take that money out of the highway department and pay the bridge off?

Mr. PETROSKY. This was the advice that I received. I have not got a copy of the bill before me, it was a very early printer's number.

Mr. HOCKER. Mr. Speaker, to save a little time, I will say one more thing and then sit down.

If that is true, if you are going to take the money out of the highway budget and pay this off without burdening the people of this Commonwealth with a 30-year bond issue, I will go for the bill.

However, in my opinion, I am sick and tired of this 30-year deal. The only persons it helps are the bankers. If you can guarantee me that you will take this out of the highway department and buy this bridge and the taxpayers of this Commonwealth will not be burdened with that interest cost, I will vote for the bill.

Mr. PETROSKY. Mr. Speaker, I now have a copy of the bill before me. On page 3 of the bill:

Any moneys advanced by the Commonwealth the Federal Government or any agency thereof or advanced or paid by any county which have not heretofore been paid shall be paid out of the Motor License Fund. As much of the moneys in the Motor License Fund as are necessary therefor are hereby appropriated to the Department of Highways for this purpose.

Mr. HOCKER. I agree with you wholeheartedly. I will vote for the bill.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, in the course of this debate it came to my mind that Montgomery County for some years has been seeking a bridge which would cost \$3 million.

Recently I was told by the Secretary of Highways that the construction budget for 1961-1962 is complete and that there are no funds available.

Do I understand that the \$3 million needed in your legislation is contingent upon the passage of this bill? In other words, then the funds will be provided providing this bill passes the House and Senate?

Mr. PETROSKY. What was the question of the gentleman? I am sorry. I was reading the bill and I did not know you were addressing the question to me.

Mr. FETTEROLF. Mr. Petrosky, the money which is needed to settle the bridge issue in your area, has that been provided for in the 1961-1962 budget?

Mr. PETROSKY. Yes, the money has been set aside, contingent upon the passage of this bill.

Mr. FETTEROLF. It has been set aside contingent upon the passage of this bill, is that right?

Mr. PETROSKY. That is correct, sir.

Mr. FETTEROLF. That is all I want to know.

Mr. WILT. Mr. Speaker, first, I want to apologize to the Republican caucus for not being able to attend their caucus this afternoon.

This bridge happens to be in the district that Mr. Donaldson, Mr. Gibb, and my former colleague, Mr. Agnew, represent. There is no question but that this is a distressed area. I think that the people in that part of the district should be complimented for not coming to this House of Representatives earlier and asking to have this toll taken off.

I want to say I know there have been many bridges built in this State that have cost a lot more than these people are asking for now who ask to be relieved of this toll. I want to say to you that the people now are not using this bridge. They are bypassing this bridge and driv-



ing down below to the New Kensington bridge to keep from paying the toll that is being charged.

If this bridge is going to continue to keep the toll on it, it will not be paid in the next 50 years, and I think that these people are due for some relief and I ask that my colleagues on this side of the House vote for this bill.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—174

Adams,	Fry,	Lee, A. M.,	Reidenbach,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Renwick,
Arlene,	Galley,	Leonard,	Riley,
Auker,	Gallagher,	Limper,	Rovansek,
Bachman,	Gelfand,	Long, Wm. Jas.,	Royer,
Backenstoe,	George,	Long, Wm. Jos.,	Rudisill,
Blair,	Gibb,	Lutty,	Rutherford,
Boles,	Gibbons,	Magee,	Sakulsky,
Bonner,	Goldstein, J. H.,	Manbeck,	Scarcell,
Bower,	Goldstein, M. H.,	Markley,	Schaaf,
Bowman,	Goodrich,	Marsh,	Schuster,
Branca,	Gramlich,	Maxwell,	Seltzer,
Breth,	Gray,	May,	Shelton,
Buchanan,	Greenlee,	McCandless,	Sherman,
Bush,	Gremminger,	McCann,	Shupnik,
Capano,	Hankins,	McCormack,	Simmons,
Capitolo,	Hartley,	McDevitt,	Snare,
Cauley,	Heavey,	McDonald,	Stank,
Cianfrani,	Heffner,	McKeever,	Steckel,
Cioffi,	Helm,	McLaughlin,	Stiteler,
Clarke,	Henzel,	McNally,	Stone,
Comer,	Hocker,	Meholchick,	Sullivan, J. A.,
Cooley,	Holl,	Merry,	Sullivan, T. F.,
Crossin,	Holliday,	Miller,	Taylor,
Curwood,	Holman,	Mills,	Thompson,
Davis,	Horst,	Monroe,	Tomasick,
Dengler,	Irvis,	Morley,	Ujobai,
Dennison,	Isaacs,	Mullen,	Varner,
Donaldson,	Jim,	Munley,	Wall,
Doughten,	Johnson, R. P.,	Murphy,	Wargo,
Down,	Jones,	Musto,	Weidner,
Edwards,	Kamyk,	Needham,	Welsh,
Ellberg,	Keiser,	O'Donnell, J. A.,	Wescott,
Elvey,	Kelly,	Odorisio,	Willard,
Eshback,	Kernaghan,	Ogilvie,	Willardt,
Eshleman,	Kessler,	Parlante,	Williams, A. D.,
	King,	Pashley,	Williams, E. S.,
	Kistler,	Petrosky,	Wilt,
	Kooker,	Piper,	Wynd,
	Kornick,	Polaski,	Yetter,
	Korns,	Polen,	Zemmer,
	Kramer,	Prendergast,	Zimmerman,
	Lamb,	Pursley,	Andrews,
	Lawson,	Reibman,	Speaker

## NAYS—10

Anderson, J. H.	Gross,	Slack,	Wood,
Ashton,	Hamilton,	Tompkins,	Worley,
Foor,	O'Dell,		

## NOT VOTING—25

Bossert,	Jenkins,	Mihm,	Stimmel,
Dougherty,	Johnson, A. W.,	Murray,	Strausser,
Filo,	Klein,	O'Donnell, J. P.,	Trusio,
Foerster,	Knecht,	Perry,	Verona,
Guesman,	Lippincott,	Price,	Walsh,
Guthrie,	McInroy,	Rubin,	Whittaker,
Haudenschild,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 537, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing boards of school directors to appropriate moneys for payment of the costs of athletic equipment and uniforms used by members of school bands or athletes in extra curricular, intramural or interscholastic activities events or competitive games.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

## YEAS—163

Anderson, J. H.	Galley,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rubin,
Bachman,	George,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Gibb,	Lutty,	Sakulsky,
Blair,	Gibbons,	Manbeck,	Scarcell,
Boles,	Goldstein, J. H.,	Markley,	Schaaf,
Bonner,	Goldstein, M. H.,	Marsh,	Schuster,
Bower,	Goodrich,	Maxwell,	Seltzer,
Branca,	Gramlich,	McCandless,	Shelton,
Breth,	Gray,	McCann,	Sherman,
Buchanan,	Greenlee,	McDevitt,	Shupnik,
Bush,	Gremminger,	McDonald,	Simmons,
Capano,	Hamilton,	McKeever,	Slack,
Capitolo,	Hankins,	McLaughlin,	Snare,
Cauley,	Hartley,	McNally,	Stank,
Cianfrani,	Heavey,	Meholchick,	Steckel,
Cioffi,	Heffner,	Merry,	Stiteler,
Clarke,	Helm,	Miller,	Stone,
Comer,	Henzel,	Mills,	Sullivan, J. A.,
Cooley,	Holl,	Monroe,	Sullivan, T. F.,
Crossin,	Holliday,	Morley,	Taylor,
Curwood,	Horst,	Mullen,	Thompson,
Davis,	Irvis,	Munley,	Tomasick,
Dengler,	Jim,	Murphy,	Tompkins,
Dennison,	Johnson, A. W.,	Musto,	Ujobai,
Donaldson,	Johnson, R. P.,	Needham,	Wall,
Doughten,	Jones,	O'Donnell, J. A.,	Wargo,
Down,	Kamyk,	Odorisio,	Weidner,
Edwards,	Keiser,	Pashley,	Welsh,
Ellberg,	Kelly,	Perry,	Wescott,
Elvey,	Kernaghan,	Petrosky,	Willard,
	Kessler,	Piper,	Willardt,
	King,	Polaski,	Williams, A. D.,
	Kooker,	Polen,	Williams, E. S.,
	Kornick,	Prendergast,	Wilt,
	Korns,	Pursley,	Worley,
	Foor,	Reibman,	Wynd,
	Lawson,	Reidenbach,	Yetter,
	Fry,	Renwick,	Zemmer,
	Fulmer,	Riley,	Zimmerman,

## NAYS—17

Ashton,	Fox,	Isaacs,	Ogilvie,
Auker,	Gross,	Kistler,	Rutherford,
Bowman,	Hocker,	McCormack,	Varner,
Davis,	Holman,	O'Dell,	Wood,
Eshleman,			

## NOT VOTING—29

Adams,	Haudenschild,	May,	Stimmel,
Bossert,	Jenkins,	McInroy,	Strausser,
Dougherty,	Klein,	Mihm,	Trusio,
Eshback,	Knecht,	Murray,	Verona,
Filo,	Kramer,	O'Donnell, J. P.,	Walsh,
Foerster,	Lippincott,	Parlante,	Whittaker,
Guesman,	Magee,	Price,	Andrews,
Guthrie,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. For what purpose does the gentleman from Berks rise?

Mr. ADAMS. I wish to be recorded as voting "aye" for that bill.

The SPEAKER. The gentleman will be so recorded.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 810, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the employment of professional and temporary professional employees of county boards of school directors; regulating the employment, dismissal, suspension, and demotion of such employees and providing for their rights and obligations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—186

Adams,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.	Galley,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rubin,
Ashton,	George,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibb,	Lutty,	Rutherford,
Bachman	Gibbons,	Magee,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Blair,	Goldstein, M. H.,	Markley,	Schaaf,
Boies,	Goodrich,	Marsh,	Schuster,
Bonner,	Gramlich,	Maxwell,	Seltzer,
Bower,	Gray,	May,	Shelton,
Bowman,	Greenlee,	McCandless,	Sherman,
Branca,	Gremminger,	McCann,	Shupnik,
Breth,	Gross,	McCormack,	Simmons,
Buchanan,	Hamilton,	McDevitt,	Slack,
Bush,	Hankins,	McDonald,	Snare,
Capano,	Hartley,	McKeever,	Stank,
Capitolo,	Heavey,	McLaughlin,	Steckel,
Cauley,	Heffner,	McNally,	Stiteler,
Cianfrani,	Helm,	Meholchick,	Stone,
Cioffi,	Henzel,	Merry,	Sullivan, J. A.,
Clarke,	Hocker,	Miller,	Sullivan, T. F.,
Comer,	Holl,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,
Crossin,	Holman,	Morley,	Tomascik,
Curwood,	Horst,	Mullen,	Tompkins,
Davis,	Irviss,	Munley,	Trusio,
Dengler,	Isaacs,	Murphy,	Ujobai,
Dennison,	Jim,	Musto,	Varner,
Donaldson,	Johnson, A. W.,	Needham,	Wall,
Doughten,	Johnson, R. P.,	O'Dell,	Wargo,
Down,	Jones,	O'Donnell, J. A.,	Weldner,
Edwards,	Kamyk,	Odorisio,	Welsh,
Ellberg,	Kelser,	Ogilvie,	Wescott,
Elvey,	Kelly,	Parlante,	Willard,
Eshleman,	Kernaghan,	Pashley,	Willaredt,
	Kessler,	Perry,	Williams, A. D.,
	King,	Petrosky,	Williams, E. S.,
	Kistler,	Piper,	Wilt,
	Kooker,	Polaski,	Wood,
	Kornick,	Polen,	Worley,
	Korns,	Prendergast,	Wynd,
	Kramer,	Pursley,	Yetter,
	Lamb,	Reibman,	Zember,
	Lawson,	Reidenbach,	Zimmerman,
	Lee, A. M.,	Renwick,	Andrews,
			Speaker

#### NAYS—1

Zimmerman,

#### NOT VOTING—22

Bossert,	Guthrie,	McInroy,	Stimmel,
Dougherty,	Haudenshield,	Mihm,	Strausser,
Eshback,	Jenkins,	Murray,	Verona,
Flo,	Klein,	O'Donnell, J. P.,	Walsh,
Foerster,	Knecht,	Price,	Whittaker,
Guesman,	Lippincott,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1111, entitled:

An Act amending the "Child Labor Law" approved May 13, 1915 (P. L. 286), further prescribing work in which minors may engage; providing for the issuance of special permits for minors engaging in the entertainment and related fields; changing provisions relating to working hours, employment certificates, regulations; prescribing penalties and providing a short title.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—182

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Rovansek,
Arlene,	Galley,	Leonard,	Royer,
Ashton,	Gallagher,	Limper,	Rubin,
Auker,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Bachman	George,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibb,	Lutty,	Sakulsky,
Blair,	Gibbons,	Manbeck,	Scarcelli,
Boies,	Goldstein, J. H.,	Markley,	Schaaf,
Bonner,	Goldstein, M. H.,	Marsh,	Schuster,
Bower,	Goodrich,	Maxwell,	Seltzer,
Bowman,	Gramlich,	May,	Shelton,
Branca,	Gray,	McCandless,	Sherman,
Breth,	Greenlee,	McCann,	Shupnik,
Buchanan,	Gremminger,	McCormack,	Simmons,
Bush,	Gross,	McDevitt,	Slack,
Capano,	Hamilton,	McDonald,	Snare,
Capitolo,	Hankins,	McKeever,	Stank,
Cauley,	Hartley,	McLaughlin,	Steckel,
Cianfrani,	Heavey,	McNally,	Stone,
Cioffi,	Heffner,	Meholchick,	Sullivan, J. A.,
Clarke,	Helm,	Merry,	Sullivan, T. F.,
Comer,	Henzel,	Miller,	Taylor,
Cooley,	Hocker,	Mills,	Thompson,
Crossin,	Holl,	Monroe,	Tomascik,
Curwood,	Holliday,	Morley,	Tompkins,
Davis,	Holman,	Mullen,	Trusio,
Dengler,	Horst,	Munley,	Ujobai,
Dennison,	Irviss,	Murphy,	Varner,
Donaldson,	Isaacs,	Musto,	Wall,
Doughten,	Jim,	Needham,	Wargo,
Down,	Johnson, A. W.,	O'Dell,	Weldner,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Ellberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Willard,
Eshback,	Kelser,	Parlante,	Willaredt,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
	Kernaghan,	Perry,	Williams, E. S.,
	Kessler,	Petrosky,	Wilt,
	Kistler,	Piper,	Wood,
	Kooker,	Polaski,	Worley,
	Kornick,	Prendergast,	Wynd,
	Korns,	Pursley,	Yetter,
	Kramer,	Reibman,	Zember,
	Lamb,	Reidenbach,	Zimmerman,
	Lawson,	Renwick,	Andrews,
			Speaker

#### NAYS—3

Anderson, J. H. King, Stiteler,

#### NOT VOTING—24

Bossert,	Haudenshield,	McInroy,	Stimmel,
Dougherty,	Jenkins,	Mihm,	Strausser,
Flo,	Klein,	Murray,	Trusio,
Foerster,	Knecht,	O'Donnell, J. P.,	Verona,
Guesman,	Lippincott,	Polen,	Walsh,
Guthrie,	Magee,	Price,	Whittaker,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1212, entitled:

An Act amending the act of July 5, 1917 (P. L. 693), entitled 'An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children \* \* \*' providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—184

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Galley,	Leonard,	Royer,
Arlene,	Gallagher,	Limper,	Rubin,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Blair,	Goldstein, M. H.,	Marsh,	Schaaf,
Boles,	Goodrich,	Maxwell,	Schuster,
Bonner,	Gramlich,	May,	Seltzer,
Bower,	Gray,	McCandless,	Shelton,
Bowman,	Greenlee,	McCann,	Sherman,
Branca,	Gremminger,	McCormack,	Shupnik,
Breth,	Gross,	McDevitt,	Simmons,
Buchanan,	Hamilton,	McDonald	Slack,
Bush,	Hankins,	McKeever,	Snare,
Capano,	Hartley,	McLaughlin,	Stank,
Capitolo,	Heavey,	McNally,	Steckel,
Cauley,	Heffner,	Meholchick,	Stiteler,
Cianfrani,	Helm,	Merry,	Stone,
Cioffi,	Henzel,	Miller,	Sullivan, J. A.,
Clarke,	Hocker,	Mills,	Sullivan, T. F.,
Comer,	Holl,	Monroe,	Taylor,
Cooley,	Holliday,	Morley,	Thompson,
Crossin,	Holman,	Mullen,	Tomasck,
Curwood,	Horst,	Munley,	Tompkins,
Davis,	Irvis,	Murphy,	Ujobal,
Dengler,	Isaacs,	Musto,	Varner,
Dennison,	Jim,	Needham,	Wall,
Donaldson,	Johnson, A. W.,	O'Dell,	Wargo,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Down,	Jones,	Odorisio,	Welsh,
Edwards,	Kamyk,	Ogilvie,	Wescott,
Ellberg,	Kelser,	Parlante,	Willard,
Elvey,	Kelly,	Pashley,	Willaredt,
Eshback,	Kernaghan,	Perry,	Williams, A. D.,
Eshleman,	Kessler,	Petrosky,	Williams, E. S.,
	King,	Piper,	Wilt,
	Kistler,	Polaski,	Wood,
Ewing,	Kooker,	Polen,	Worley,
Farabaugh,	Kornick,	Prendergast,	Wynd,
Fetterolf,	Korns,	Pursley,	Yetter,
Fineman,	Korns,	Reidman,	Zember,
Flynn,	Kramer,	Reidenbach,	Zimmerman,
Foor,	Lamb,	Renwick,	Andrews,
Fox,	Lawson,		Speaker
Frascella,			

#### NAYS—0

#### NOT VOTING—25

Bossert,	Haudenschild,	Markley,	Stimmel,
Dougherty,	Jenkins,	McInroy,	Strausser,
Filo,	Klein,	Mihm,	Trusio,
Foerster,	Knecht,	Murray,	Verona,
George,	Lippincott,	O'Donnell, J. P.,	Walsh,
Guesman,	Magee,	Price,	Whittaker,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1257, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing the title of fish warden to water patrol officer.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—147

Adams,	Frascella,	Limper,	Reidenbach,
Anderson, J. H.	Fry,	Long, Wm. Jas.,	Renwick,
Anderson, S. A.,	Fulmer,	Long, Wm. Jos.,	Riley,
Arlene,	Galley,	Lutty,	Rovansek,
Auker,	Gibb,	Manbeck,	Royer,
Bachman	Goldstein, J. H.,	Markley,	Rubin,
Backenstoe,	Goldstein, M. H.,	Marsh,	Rudisill,
Blair,	Gramlich,	Maxwell,	Sakulsky,
Boles,	Gray,	May,	Scarcelli,
Bonner,	Bower,	McCandless,	Schaaf,
Bowman,	Bowman,	McCann,	Schuster,
Branca,	Breth,	McCormack,	Seltzer,
Breth,	Buchanan,	McDevitt,	Shelton,
Bush,	Bush,	McDonald	Shupnik,
Capano,	Capano,	McKeever,	Simmons,
Capitolo,	Capitolo,	McLaughlin,	Snare,
Cauley,	Cauley,	McNally,	Stank,
Cianfrani,	Cioffi,	Meholchick,	Steckel,
Cioffi,	Clarke,	Merry,	Stone,
Clarke,	Holliday,	Miller,	Sullivan, T. F.,
Comer,	Holman,	Mills,	Taylor,
Cooley,	Irvis,	Mullen,	Thompson,
Crossin,	Jim,	Munley,	Ujobal,
Curwood,	Johnson, A. W.,	Murphy,	Varner,
Davis,	Jones,	Musto,	Wall,
Dengler,	Kamyk,	Needham,	Wargo,
Dennison,	Kelser,	O'Dell,	Weidner,
Donaldson,	Kelly,	O'Donnell, J. A.,	Welsh,
Doughten,	Kessler,	Parlante,	Willard,
Down,	Kistler,	Perry,	Willaredt,
Edwards,	Kornick,	Petrosky,	Williams, E. S.,
Ellberg,	Korns,	Piper,	Wilt,
Elvey,	Kramer,	Polaski,	Wynd,
Eshback,	Lamb,	Polen,	Yetter,
Eshleman,	Lawson,	Prendergast,	Zember,
	Lee, K. B.,	Pursley,	Zimmerman,
	Leonard,	Reidman,	Andrews,
			Speaker

#### NAYS—33

Ashton,	Gibbons,	Lee, A. M.,	Slack,
Cianfrani,	Goodrich,	Monroe,	Stiteler,
Davis,	Gross,	Morley,	Sullivan, J. A.,
Doughten,	Hartley,	Odorisio,	Tompkins,
Eshleman,	Isaacs,	Ogilvie,	Wescott,
Fetterolf,	Johnson, R. P.,	Pashley,	Williams, A. D.,
Fineman,	King,	Rutherford,	Wood,
Flynn,	Kooker,	Sherman,	Worley,
Foor,			
Fox,			
Gelfand,			

#### NOT VOTING—29

Blair,	Guthrie,	Lippincott,	Stimmel,
Bossert,	Haudenschild,	Magee,	Strausser,
Cooley,	Horst,	McInroy,	Tomasck,
Dougherty,	Jenkins,	Mihm,	Trusio,
Filo,	Kernaghan,	Murray,	Verona,
Foerster,	Klein,	O'Donnell, J. P.,	Walsh,
George,	Knecht,	Price,	Whittaker,
Guesman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1293, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487), changing provisions for proof of citizenship for certain persons previously registered.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—180

Adams,	Galley,	Limper,	Rovansek,
Anderson, J. H.,	Gallagher,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gelfand,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibb,	Lutty,	Rudisill,
Ashton,	Gibbons,	Manbeck,	Rutherford,
Auker,	Goldstein, J. H.,	Markley,	Sakulsky,
Bachman	Goldstein, M. H.,	Marsh,	Scarcelli,
Backenstoe,	Gramlich,	Maxwell,	Schaaf,
Boles,	Gray,	May,	Schuster,
Bonner,	Greenlee,	McCandless,	Seltzer,
Bower,	Gremminger,	McCann,	Shelton,
Bowman,	Gross,	McCormack,	Sherman,
Branca,	Hamilton,	McDevitt,	Shupnik,
Breth,	Hankins,	McDonald	Simmons,
Buchanan,	Hartley,	McKeever,	Slack,
Bush,	Heavey,	McLaughlin,	Snare,
Capano,	Heffner,	McNally,	Stank,
Capitolo,	Helm,	Meholchick,	Steckel,
Cauley,	Henzel,	Merry,	Stiteler,
Cianfrani,	Hocker,	Miller,	Stone,
Cioffi,	Holl,	Mills,	Sullivan, J. A.,
Clarke,	Holliday,	Monroe,	Sullivan, T. F.,
Comer,	Holman,	Morley,	Taylor,
Crossin,	Irvis,	Mullen,	Thompson,
Curwood,	Isaacs,	Munley,	Tomasck,
Davis,	Jim,	Murphy,	Tompkins,
Dengler,	Johnson, A. W.,	Musto,	Ujobal,
Donaldson,	Johnson, R. P.,	Needham,	Varner,
Doughten,	Jones,	O'Dell,	Wall,
Down,	Kamyk,	O'Donnell, J. A.,	Wargo,
Edwards,	Kelser,	Odorisio,	Weidner,
Ellberg,	Kelly,	Ogilvie,	Welsh,
Elvey,	Kernaghan,	Parlante,	Wescott,
Eshback,	Kessler,	Pashley,	Willard,
Eshleman,	King,	Perry,	Willaredt,
	Kistler,	Petrosky,	Williams, A. D.,
Ewing,	Kooker,	Piper,	Williams, E. S.,
Farabaugh,	Kornick,	Polaski,	Wilt,
Fetterolf,	Korns,	Polen,	Wood,
Fineman,	Kramer,	Prendergast,	Worley,
Flynn,	Lamb,	Pursley,	Wynd,
Foor,	Lawson,	Pursley,	Yetter,
Fox,	Lee, A. M.,	Reibman,	Zember,
Frascella,	Lee, K. B.,	Reidenbach,	Zimmerman,
Fry,	Leonard,	Renwick,	Andrews,
Fulmer,		Riley,	Speaker

#### NAYS—1

Goodrich,

#### NOT VOTING—28

Blair,	George,	Knecht,	Price,
Bossert,	Guesman,	Lippincott,	Stimmel,
Cooley,	Guthrie,	Magee,	Strausser,
Dennison,	Haudenshield,	McInroy,	Trusio,
Dougherty,	Horst,	Mihm,	Verona,
Filo,	Jenkins,	Murray,	Walsh,
Foerster,	Klein,	O'Donnell, J. P.,	Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1294, entitled:

An Act amending the "Meat and Meat Food Products Law" approved May 28, 1915 (P. L. 587), excepting from licensing requirements those persons dealing in or handling certain canned meat which does not require refrigeration.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—179

Adams,	Galley,	Limper,	Rovansek,
Anderson, J. H.,	Gallagher,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gelfand,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibb,	Lutty,	Rudisill,
Ashton,	Gibbons,	Magee,	Rutherford,
Auker,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Bachman	Goldstein, M. H.,	Markley,	Scarcelli,
Backenstoe,	Goodrich,	Marsh,	Schaaf,
Boles,	Gramlich,	May,	Schuster,
Bonner,	Gray,	McCandless,	Seltzer,
Bower,	Greenlee,	McCann,	Shelton,
Bowman,	Gremminger,	McCormack,	Sherman,
Branca,	Gross,	McDevitt,	Shupnik,
Breth,	Hamilton,	McDonald	Simmons,
Buchanan,	Hankins,	McKeever,	Slack,
Bush,	Hartley,	McLaughlin,	Snare,
Capano,	Heavey,	McNally,	Stank,
Capitolo,	Heffner,	Meholchick,	Steckel,
Cauley,	Helm,	Merry,	Stiteler,
Cianfrani,	Henzel,	Miller,	Stone,
Cioffi,	Hocker,	Mills,	Sullivan, J. A.,
Clarke,	Holl,	Monroe,	Sullivan, T. F.,
Comer,	Holliday,	Morley,	Taylor,
Crossin,	Holman,	Mullen,	Thompson,
Curwood,	Irvis,	Munley,	Tomasck,
Davis,	Isaacs,	Murphy,	Tompkins,
Dengler,	Jim,	Musto,	Ujobal,
Donaldson,	Johnson, A. W.,	Needham,	Varner,
Doughten,	Johnson, R. P.,	O'Dell,	Wall,
Down,	Jones,	O'Donnell, J. A.,	Wargo,
Edwards,	Kamyk,	Odorisio,	Weidner,
Ellberg,	Kelser,	Ogilvie,	Welsh,
Elvey,	Kernaghan,	Parlante,	Wescott,
Eshback,	Kessler,	Pashley,	Willard,
Eshleman,	King,	Perry,	Willaredt,
	Kistler,	Petrosky,	Williams, A. D.,
Ewing,	Kooker,	Piper,	Williams, E. S.,
Farabaugh,	Kornick,	Polaski,	Wilt,
Fetterolf,	Korns,	Polen,	Wood,
Fineman,	Kramer,	Prendergast,	Worley,
Flynn,	Lamb,	Pursley,	Wynd,
Foor,	Lawson,	Pursley,	Yetter,
Fox,	Lee, A. M.,	Reibman,	Zember,
Frascella,	Lee, K. B.,	Reidenbach,	Zimmerman,
Fry,	Leonard,	Renwick,	Andrews,
		Riley,	Speaker

#### NAYS—0

#### NOT VOTING—30

Blair,	George,	Knecht,	Price,
Bossert,	Guesman,	Lippincott,	Stimmel,
Cooley,	Guthrie,	Maxwell,	Strausser,
Dennison,	Haudenshield,	McInroy,	Trusio,
Dougherty,	Horst,	Mihm,	Verona,
Filo,	Jenkins,	Murray,	Walsh,
Foerster,	Kelly,	O'Donnell, J. P.,	Whittaker,
Fulmer,	Klein,		



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1297, entitled:

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An act appropriating the moneys in The State Stores Fund" providing for additional kinds of insurance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—183

Adams,	Fry,	Lawson,	Renwick,
Anderson, J. H.	Fulmer,	Lee, A. M.	Riley,
Anderson, S. A.,	Galley,	Lee, K. B.,	Rovansek,
Arlene,	Gallagher,	Leonard,	Royer,
Ashton,	Gelfand,	Limper,	Rubin,
Auker,	George,	Long, Wm. Jos.,	Rudisill,
Bachman	Gibb,	Lutty,	Rutherford,
Backenstoe,	Gibbons,	Magee,	Sakulsky,
Boles,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Bonner,	Goldstein, M. H.,	Markley,	Schaaf,
Bower,	Goodrich,	Marsh,	Schuster,
Bowman,	Gramlich,	Maxwell,	Seltzer,
Branca,	Gray,	May,	Shelton,
Breth,	Greenlee,	McCandless,	Sherman,
Buchanan,	Gremminger,	McCann,	Shupnik,
Bush,	Gross,	McCormack,	Simmons,
Capano,	Hamilton,	McDevitt,	Snare,
Capitolo,	Hankins,	McDonald,	Stadel,
Cauley,	Hartley,	McKeever,	Stiteler,
Cianfrani,	Heavey,	McLaughlin,	Stone,
Cioffi,	Heffner,	McNally,	Strausser,
Clarke,	Helm,	Meholchick,	Sullivan, J. A.,
Comer,	Henzel,	Merry,	Sullivan, T. F.,
Cooley,	Hocker,	Miller,	Taylor,
Crossin,	Holl,	Mills,	Thompson,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tompkins,
Dengler,	Horst,	Mullen,	Tomasick,
Dennison,	Irviss,	Munley,	Ujobai,
Donaldson,	Isaacs,	Murphy,	Varner,
Doughten,	Jim,	Musto,	Wall,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Ellberg,	Jones,	Odorisio,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Willaredt,
	Kernaghan,	Perry,	Williams, A. D.,
	Kessler,	Retrosky,	Williams, E. S.,
	King,	Piper,	Wilt,
	Kistler,	Polaski,	Wood,
	Kooker,	Polen,	Worley,
	Kornick,	Prendergast,	Wynd,
	Korns,	Pursley,	Yetter,
	Kramer,	Reibman,	Zember,
	Lamb,	Reidenbach,	Zimmerman,
			Andrews,

Speaker

#### NAYS—1

Worley,

#### NOT VOTING—25

Blair,	Haudenshield,	McInroy,	Stank,
Bossert,	Jenkins,	Mihm,	Stimmel,
Dougherty,	Klein,	Murray,	Trusio,
Filo,	Knecht,	Needham,	Verona,
Foerster,	Lippincott,	O'Donnell, J. P.,	Walsh,
Guesman,	Long, Wm. Jas.,	Price,	Whittaker,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1337, entitled:

An Act amending the "Wills Act of 1947," approved April 24, 1947 (P. L. 89), providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—184

Adams,	Galley,	Limper,	Rovansek,
Anderson, J. H.	Gallagher,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Geland,	Long, Wm. Jos.,	Rubin,
Arlene,	George,	Lutty,	Rudisill,
Ashton,	Rovansek,	Magee,	Rutherford,
Auker,	Gibb,	Manbeck,	Sakulsky,
Bachman	Gibbons,	Markley,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Marsh,	Schaaf,
Banner,	Goldstein, M. H.,	Marshall,	Schuster,
Bower,	Goodrich,	May,	Seltzer,
Bowman,	Gamilica,	McCandless,	Shelton,
Branca,	Gray,	McCann,	Sherman,
Breth,	Greenlee,	McCormack,	Shupnik,
Buchanan,	Gremminger,	McDevitt,	Simmons,
Bush,	Gross,	McDonald,	Slack,
Capano,	Hankins,	McKeever,	Snare,
Capitolo,	Hartley,	McLaughlin,	Stank,
Cauley,	Heavey,	McNally,	Steckel,
Cianfrani,	Heffner,	Meholchick,	Stiteler,
Cioffi,	Helm,	Merry,	Stone,
Clarke,	Henzel,	Miller,	Strausser,
Comer,	Hocker,	Mills,	Sullivan, J. A.,
Cooley,	Holl,	Monroe,	Sullivan, T. F.,
Crossin,	Holman,	Morley,	Taylor,
Curwood,	Horst,	Mullen,	Thompson,
Davis,	Irviss,	Munley,	Tomasick,
Dengler,	Isaacs,	Murphy,	Tompkins,
Dennison,	Jim,	Musto,	Ujobai,
Donaldson,	Johnson, A. W.,	Needham,	Varner,
Doughten,	Johnson, R. P.,	O'Dell,	Wall,
Down,	Jones,	O'Donnell, J. A.,	Wargo,
Edwards,	Kamyk,	Odorisio,	Weidner,
Ellberg,	Keiser,	Ogilvie,	Welsh,
Elvey,	Kelly,	Parlante,	Wescott,
Eshback,	Kernaghan,	Pashley,	Willard,
Eshleman,	Kessler,	Perry,	Willaredt,
	King,	Peurosky,	Williams, A. D.,
	Kistler,	Piper,	Williams, E. S.,
	Kooker,	Polaski,	Wilt,
	Kornick,	Polen,	Wood,
	Korns,	Prendergast,	Worley,
	Lamb,	Pursley,	Wynd,
	Lawson,	Reibman,	Yetter,
	Lee, A. M.,	Reidenbach,	Zember,
	Lee, A. D.,	Renwick,	Zimmerman,
	Leonard,	Riley,	Andrews,

Speaker

#### NAYS—1

Kramer,

#### NOT VOTING—24

Blair,	Guesman,	Knecht,	Price,
Boles,	Guthrie,	Lippincott,	Stimmel,
Bossert,	Haudenshield,	McInroy,	Trusio,
Dougherty,	Holliday,	Mihm,	Verona,
Filo,	Jenkins,	Murray,	Walsh,
Foerster,	Klein,	O'Donnell, J. P.,	Whittaker,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1338, entitled:

An Act amending the "Estates Act of 1927" approved April 24, 1947 (P. L. 100), providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—186

Adams,	Fulmer,	Leonard,	Royer,
Anderson, J. H.	Galley,	Limper,	Rubin,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Rudisill,
Arlene,	Gelfand,	Long, Wm. Jos.,	Rutherford,
Ashton,	George,	Lutty,	Sakulsky,
Auker,	Gibb,	Magee,	Scarcelli,
Bachman	Gibbons,	Manbeck,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Markley,	Schuster,
Boles,	Goldstein, M. H.,	Marsh,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Shelton,
Bower,	Gramlich,	May,	Sherman,
Bowman,	Gray,	McCandless,	Shupnik,
Branca,	Greenlee,	McCann,	Simmons,
Breth,	Gremminger,	McDevitt,	Slack,
Buchanan,	Gross,	McDonald,	Snare,
Bush,	Hamilton,	McNally,	Stank,
Capano,	Hankins,	McNally,	Steckel,
Capitolo,	Hartley,	McLaughlin,	Stiteler,
Causey,	Heavey,	McNally,	Stone,
Cianfrani,	Heffner,	Meholchick,	Strausser,
Cioffi,	Helm,	Merry,	Sullivan, J. A.,
Clarke,	Henzel,	Miller,	Sullivan, T. F.,
Comer,	Hocker,	Mills,	Taylor,
Cooley,	Holl,	Monroe,	Thompson,
Crossin,	Holliday,	Morley,	Tomascik,
Curwood,	Holman,	Mullen,	Tompkins,
Davis,	Horst,	Munley,	Trusio,
Dengler,	Irvis,	Murphy,	Ujobai,
Dennison,	Isaacs,	Musto,	Varnier,
Donaldson,	Jim,	Needham,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Wargo,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Edwards,	Jones,	Ogilvie,	Welsh,
Ellberg,	Kamyk,	Parlante,	Wescott,
Elvey,	Kelser,	Pashley,	Willard,
Eshback,	Kelly,	Perry,	Willaredt,
Eshleman,	Kernaghan,	Petrosky,	Williams, A. D.,
	Kessler,	Piper,	Williams, E. S.,
	King,	Polaski,	Wilt,
	Kistler,	Polen,	Wood,
	Kooker,	Prendergast,	Worley,
	Kornick,	Pursley,	Wynd,
	Korns,	Reibman,	Yetter,
	Lamb,	Reidenbach,	Zember,
	Lawson,	Renwick,	Zimmerman,
	Lee, A. M.,	Riley,	Andrews,
	Lee, K. B.,	Rovansek,	Speaker

#### NAYS—1

Kramer,

#### NOT VOTING—22

Blair,	Guthrie,	McInroy,	Price,
Bossert,	Haudenschild,	Mihm,	Stimmel,
Dougherty,	Jenkins,	Murray,	Verona,
Filo,	Klein,	O'Donnell, J. P.,	Walsh,
Foerster,	Knecht,	Odoristo,	Whittaker,
Guesman,	Lippincott,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1344, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), regulating the furnishing of public property for use as polling places.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—184

Adams,	Galley,	Leonard,	Royer,
Anderson, J. H.	Gallagher,	Limper,	Rubin,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Arlene,	George,	Long, Wm. Jos.,	Rutherford,
Ashton,	Gibb,	Lutty,	Sakulsky,
Bachman	Gibbons,	Magee,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schaaf,
Blair,	Goldstein, M. H.,	Markley,	Schuster,
Bonner,	Goodrich,	Marsh,	Seltzer,
Bower,	Gramlich,	Maxwell,	Shelton,
Bowman,	Gray,	McCandless,	Sherman,
Branca,	Greenlee,	McCann,	Shupnik,
Breth,	Gremminger,	McDevitt,	Simmons,
Buchanan,	Gross,	McDonald,	Slack,
Bush,	Hamilton,	McNally,	Snare,
Capano,	Hankins,	McNally,	Stank,
Capitolo,	Hartley,	McNally,	Steckel,
Causey,	Heavey,	Meholchick,	Stiteler,
Cianfrani,	Heffner,	Merry,	Stone,
Cioffi,	Helm,	Miller,	Strausser,
Clarke,	Henzel,	Mills,	Sullivan, J. A.,
Comer,	Hocker,	Monroe,	Sullivan, T. F.,
Cooley,	Holl,	Morley,	Taylor,
Crossin,	Holliday,	Mullen,	Thompson,
Curwood,	Holman,	Munley,	Tomascik,
Davis,	Horst,	Murphy,	Tompkins,
Dengler,	Irvis,	Musto,	Trusio,
Dennison,	Isaacs,	Needham,	Ujobai,
Donaldson,	Jim,	O'Dell,	Varnier,
Doughten,	Johnson, A. W.,	O'Donnell, J. A.,	Wall,
Down,	Johnson, R. P.,	Ogilvie,	Wargo,
Edwards,	Jones,	Parlante,	Weidner,
Ellberg,	Kamyk,	Pashley,	Welsh,
Elvey,	Kelser,	Perry,	Wescott,
Eshback,	Kelly,	Petrosky,	Willard,
Eshleman,	Kernaghan,	Piper,	Willaredt,
	Kessler,	Polaski,	Williams, A. D.,
	King,	Polen,	Williams, E. S.,
	Kistler,	Prendergast,	Wilt,
	Kooker,	Pursley,	Wood,
	Korns,	Reibman,	Worley,
	Kramer,	Reidenbach,	Wynd,
	Lamb,	Renwick,	Yetter,
	Lawson,	Riley,	Zember,
	Lee, A. M.,	Rovansek,	Zimmerman,
	Lee, K. B.,		Andrews,
Fry,			Speaker

#### NAYS—0

#### NOT VOTING—25

Auker,	Guthrie,	Lippincott,	Odoristo,
Boiss,	Haudenschild,	McCormack,	Price,
Bossert,	Jenkins,	McInroy,	Stimmel,
Dougherty,	Klein,	Mihm,	Verona,
Filo,	Knecht,	Murray,	Walsh,
Foerster,	Kornick,	O'Donnell, J. P.,	Whittaker,
Guesman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.



Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1346, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating procedures with respect to general return sheets and tally papers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—183

Adams,	Fry,	Lee, A. M.,	Renwick,
Anderson, J. H.	Fulmer,	Lee, K. B.,	Riley,
Anderson, S. A.,	Galley,	Leonard,	Rovansek,
Arlene,	Gallagher,	Limper,	Rubin,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Auker,	George,	Long, Wm. Jos.,	Rutherford,
Bachman	Gibb,	Lutty,	Sakulsky,
Backenstoe,	Gibbons,	Magee,	Scarcell,
Blair,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bonner,	Goldstein, M. H.,	Markley,	Schuster,
Bower,	Goodrich,	Marsh,	Seltzer,
Bowman,	Gramlich,	Maxwell,	Shelton,
Branca,	Gray,	May,	Sherman,
Breth,	Greenlee,	McCandless,	Shupnik,
Buchanan,	Gremminger,	McCann,	Simmons,
Bush,	Gross,	McCormack,	Slack,
Capano,	Hamilton,	McDevitt,	Snare,
Capitolo,	Hankins,	McDonald,	Stank,
Cauley,	Hartley,	McKeever,	Steckel,
Cianfrani,	Heavey,	McLaughlin,	Stiteler,
Cioffi,	Heffner,	McNally,	Stone,
Clarke,	Helm,	Meholchick,	Strausser,
Comer,	Henzel,	Merry,	Sullivan, J. A.,
Cooley,	Hocker,	Miller,	Sullivan, T. F.,
Crossin,	Holl,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irviss,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Ujobai,
Doughten,	Jim,	Musto,	Varnier,
Down,	Johnson, A. W.,	Needham,	Wargo,
Edwards,	Johnson, R. P.,	O'Dell,	Weidner,
Eilberg,	Jones,	O'Donnell, J. A.,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Willaredt,
	Kernaghan,	Perry,	Williams, A. D.,
	Kessler,	Petrosky,	Williams, E. S.,
	King,	Piper,	Wilt,
	Kistler,	Polaski,	Wood,
	Kooker,	Polen,	Wynd,
	Korns,	Prendergast,	Yetter,
	Kramer,	Pursley,	Zember,
	Lamb,	Reibman,	Zimmerman,
	Lawson,	Reidenbach,	Andrews,
			Speaker

#### NAYS—1

Worley,

#### NOT VOTING—25

Boies,	Haudenshield,	McInroy,	Royer,
Bossert,	Jenkins,	Mihm,	Stimmel,
Dougherty,	Klein,	Murray,	Verona,
Filo,	Knecht,	O'Donnell, J. P.,	Wall,
Foerster,	Kornick,	Odorisio,	Walsh,
Guesman,	Lippincott,	Price,	Whittaker,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1347, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the advertising of election proclamations and providing for advertising of a primary election proclamation in counties of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—175

Adams,	Frascella,	Lamb,	Reibman,
Anderson, J. H.	Fry,	Lawson,	Reidenbach,
Anderson, S. A.,	Fulmer,	Lee, A. M.,	Renwick,
Arlene,	Galley,	Lee, K. B.,	Riley,
Ashton,	Gallagher,	Leonard,	Rovansek,
Auker,	Gelfand,	Limper,	Rubin,
Bachman	George,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Gibb,	Lutty,	Rutherford,
Blair,	Gibbons,	Magee,	Sakulsky,
Bonner,	Goldstein, J. H.,	Manbeck,	Scarcell,
Bower,	Goldstein, M. H.,	Markley,	Schaaf,
Bowman,	Goodrich,	Marsh,	Schuster,
Branca,	Gramlich,	Maxwell,	Seltzer,
Breth,	Gray,	May,	Shelton,
Buchanan,	Greenlee,	McCandless,	Sherman,
Bush,	Gremminger,	McCann,	Slack,
Capano,	Gross,	McCormack,	Snare,
Capitolo,	Hankins,	McDonald,	Stank,
Cauley,	Hartley,	McKeever,	Steckel,
Cianfrani,	Heavey,	McLaughlin,	Stiteler,
Cioffi,	Heffner,	McNally,	Strausser,
Clarke,	Helm,	Meholchick,	Sullivan, J. A.,
Comer,	Henzel,	Merry,	Sullivan, T. F.,
Cooley,	Hocker,	Miller,	Taylor,
Crossin,	Holl,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irviss,	Murphy,	Ujobai,
Donaldson,	Isaacs,	Murphy,	Varnier,
Doughten,	Jim,	Musto,	Wargo,
Down,	Johnson, A. W.,	Needham,	Weidner,
Edwards,	Johnson, R. P.,	O'Dell,	Welsh,
Eilberg,	Jones,	O'Donnell, J. A.,	Willard,
Elvey,	Kamyk,	Ogilvie,	Willaredt,
Eshback,	Keiser,	Parlante,	Williams, A. D.,
Eshleman,	Kelly,	Pashley,	Williams, E. S.,
	Kernaghan,	Perry,	Wilt,
	Kessler,	Petrosky,	Wood,
	King,	Piper,	Wynd,
	Kistler,	Polaski,	Yetter,
	Kooker,	Polen,	Zember,
	Korns,	Prendergast,	Zimmerman,
	Kramer,	Pursley,	Andrews,
			Speaker

#### NAYS—2

McDevitt,

Worley,

#### NOT VOTING—32

Boies,	Haudenshield,	Mihm,	Stimmel,
Bossert,	Jenkins,	Murray,	Stone,
Dougherty,	Klein,	O'Donnell, J. P.,	Verona,
Filo,	Knecht,	Odorisio,	Wall,
Foerster,	Kornick,	Price,	Walsh,
Guesman,	Lippincott,	Royer,	Wescott,
Guthrie,	Long, Wm. Jas.,	Shupnik,	Whittaker,
Hamilton,	McInroy,	Simmons,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, the the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1350, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the preservation of records.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—182

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.,	Fulmer,	Leonard,	Rovansek,
Anderson, S. A.,	Galley,	Limper,	Royer,
Arlene,	Gallagher,	Long, Wm. Jas.,	Rubin,
Ashton,	Gelfand,	Long, Wm. Jos.,	Rudisill,
Auker,	George,	Lutty,	Rutherford,
Bachman,	Gibb,	Magee,	Sakulsky,
Backenstoe,	Gibbons,	Manbeck,	Scarcell,
Blair,	Goldstein, J. H.,	Markley,	Schaaaf,
Bonner,	Goldstein, M. H.,	Marsh,	Schuster,
Bower,	Goodrich,	Maxwell,	Seltzer,
Bowman,	Gramlich,	May,	Shelton,
Branca,	Gray,	McCandless,	Sherman,
Breth,	Greenlee,	McCann,	Simmons,
Bush,	Gremminger,	McCormack,	Slack,
Buchanan,	Gross,	McDevitt,	Snare,
Capano,	Hamilton,	McDonald,	Stank,
Capitolo,	Hankins,	McKeever,	Steckel,
Cauley,	Hartley,	McLaughlin,	Stiteler,
Cianfrani,	Heavey,	McNally,	Stone,
Cioffi,	Heffner,	Meholchick,	Strausser,
Clarke,	Helm,	Merry,	Sullivan, J. A.,
Comer,	Henzel,	Miller,	Sullivan, T. F.,
Cooley,	Hocker,	Mills,	Taylor,
Crossin,	Holl,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascl,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Ujobai,
Donaldson,	Isaacs,	Musto,	Varnar,
Doughten,	Jim,	Needham,	Wall,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weldner,
Eilberg,	Jones,	Ogilvie,	Welsh,
Elvey,	Keiser,	Parlante,	Wescott,
Eshback,	Kelly,	Pashley,	Willard,
Eshleman,	Kernaghan,	Perry,	Willardt,
	Kessler,	Petrosky,	Williams, A. D.,
	King,	Piper,	Williams, E. S.,
	Kistler,	Polaski,	Wilt,
	Kooker,	Polen,	Wood,
	Kornick,	Prendergast,	Worley,
	Korns,	Pursley,	Wynd,
	Kramer,	Reibman,	Zember,
	Lamb,	Reidenbach,	Andrews,
	Lawson,	Renwick,	Speaker

#### NAYS—1

Worley,

#### NOT VOTING—26

Boles,	Haudenshield,	McInroy,	Shupnik,
Bossert,	Jenkins,	Mihm,	Stimmel,
Dougherty,	Kamyk,	Murray,	Verona,
Filo,	Klein,	O'Donnell, J. P.,	Walsh,
Foerster,	Knecht,	Odorisio,	Whittaker,
Guesman,	Lee, K. B.,	Price,	Zimmerman,
Guthrie,	Lippincott,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. Will the gentleman from Beaver please

come to the desk? The Chair will ask him to preside for a few minutes.

Mr. HAMILTON IN THE CHAIR

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1353, entitled:

An Act amending "The Permanent Registration Act for Boroughs Towns and Townships" regulating the furnishing of space in school buildings for use as a place of registration.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—176

Adams,	Fulmer,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Galley,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gallagher,	Leonard,	Rovansek,
Arlene,	Gelfand,	Limper,	Royer,
Auker,	George,	Long, Wm. Jas.,	Rubin,
Bachman,	Gibb,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Gibbons,	Lutty,	Rutherford,
Blair,	Goldstein, J. H.,	Magee,	Sakulsky,
Bonner,	Goldstein, M. H.,	Manbeck,	Scarcell,
Bower,	Goodrich,	Markley,	Schaaaf,
Bowman,	Gramlich,	Marsh,	Schuster,
Branca,	Gray,	Maxwell,	Seltzer,
Breth,	Greenlee,	May,	Shelton,
Buchanan,	Gremminger,	McCandless,	Sherman,
Bush,	Gross,	McCann,	Simmons,
Capano,	Hamilton,	McCormack,	Snare,
Capitolo,	Hankins,	McDevitt,	Stank,
Cauley,	Hartley,	McDonald,	Steckel,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Heffner,	McLaughlin,	Strausser,
Clarke,	Helm,	McNally,	Sullivan, J. A.,
Comer,	Henzel,	Meholchick,	Sullivan, T. F.,
Cooley,	Hocker,	Merry,	Taylor,
Crossin,	Holl,	Miller,	Thompson,
Curwood,	Holliday,	Mills,	Tomascl,
Davis,	Holman,	Monroe,	Tompkins,
Dengler,	Horst,	Morley,	Trusio,
Dennison,	Irvis,	Mullen,	Ujobai,
Doughten,	Isaacs,	Munley,	Varnar,
Down,	Jim,	Murphy,	Weldner,
Edwards,	Johnson, R. P.,	Musto,	Wall,
Eilberg,	Jones,	Needham,	Wargo,
Elvey,	Kamyk,	O'Donnell, J. A.,	Welsh,
Eshback,	Keiser,	Ogilvie,	Wescott,
Eshleman,	Kelly,	Pashley,	Willard,
	Kernaghan,	Perry,	Willardt,
	Kessler,	Petrosky,	Williams, A. D.,
	King,	Piper,	Williams, E. S.,
	Kistler,	Polaski,	Wilt,
	Kornick,	Polen,	Wood,
	Korns,	Prendergast,	Worley,
	Kramer,	Pursley,	Wynd,
	Lamb,	Reibman,	Zember,
	Lawson,	Reidenbach,	Zimmerman,
	Fry,		

#### NAYS—4

Ashton,	Kooker,	Slack,	Stiteler,
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#### NOT VOTING—29

Poles,	Haudenshield,	Mihm,	Shupnik,
Bossert,	Jenkins,	Murray,	Stimmel,
Donaldson,	Johnson, A. W.,	O'Dell,	Verona,
Dougherty,	Klein,	O'Donnell, J. P.,	Walsh,
Filo,	Knecht,	Odorisio,	Whittaker,
Foerster,	Lippincott,	Parlante,	Yetter,
Guesman,	McInroy,	Price,	Andrews,
Guthrie,			Speaker



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1407, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the affidavit of the circulator of a nomination petition.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—142

Adams,	Gallagher,	Long, Wm. Jas.,	Reidenbach,
Anderson, J. H.,	Gelfand,	Long, Wm. Jos.,	Renwick,
Anderson, S. A.,	Gibb,	Lutty,	Riley,
Arlene,	Gibbons,	Magee,	Rovansek,
Auker,	Goldstein, M. H.,	Manbeck,	Royer,
Bachman,	Gramlich,	Markley,	Rubin,
Bonner,	Gray,	Marsh,	Sakulsky,
Branca,	Greenlee,	Maxwell,	Scarcelli,
Buchanan,	Gremminger,	McCandless,	Schaaf,
Capano,	Gross,	McCann,	Schuster,
Capitolo,	Hamilton,	McCormack,	Shelton,
Cauley,	Hankins,	McDevitt,	Sherman,
Cianfrani,	Hartley,	McDonald,	Simmons,
Cioffi,	Heavey,	McKeever,	Stank,
Clarke,	Helm,	McLaughlin,	Stimmel,
Comer,	Henzel,	McNally,	Stone,
Crossin,	Holliday,	Meholchick,	Sullivan, J. A.,
Curwood,	Holman,	Merry,	Sullivan, T. F.,
Davis,	Horst,	Miller,	Taylor,
Dengler,	Irviss,	Mills,	Thompson,
Dennison,	Isaacs,	Monroe,	Tomasick,
Doughten,	Jim,	Morley,	Trusio,
Down,	Johnson, R. P.,	Mullen,	Varner,
Edwards,	Jones,	Munley,	Weidner,
Elberg,	Kamyk,	Murphy,	Wargo,
Elvey,	Kelser,	Musto,	Welsh,
Eshback,	Kelly,	Needham,	Willard,
Eshleman,	Kistler,	O'Donnell, J. A.,	Williams, A. D.,
	Kornick,	Parlante,	Williams, E. S.,
	Kramer,	Pashley,	Wilt,
	Lamb,	Perry,	Wood,
	Lawson,	Petrosky,	Worley,
	Lee, A. M.,	Polaski,	Wynd,
	Lee, K. B.,	Polen,	Yetter,
	Leonard,	Prendergast,	Zember,
	Limper,	Reibman,	

#### NAYS—39

Ashton,	Fulmer,	Kooker,	Steckel,
Backenstoe,	Goldstein, J. H.,	May,	Stiteler,
Blair,	Goodrich,	O'Dell,	Strausser,
Bower,	Heffner,	Ogilvie,	Tompkins,
Bowman,	Hocker,	Piper,	Ujobai,
Bush,	Holl,	Pursley,	Wall,
Donaldson,	Johnson, A. W.,	Rutherford,	Wescott,
Ewing,	Kernaghan,	Seltzer,	Willard,
Fetterolf,	Kessler,	Slack,	Zimmerman,
For,	King,	Snare,	

#### NOT VOTING—28

Boies,	George,	Korns,	Price,
Bossert,	Guesman,	Lippincott,	Rudisill,
Breth,	Guthrie,	McInroy,	Shupnik,
Cooley,	Haudenshield,	Mihm,	Verona,
Dougherty,	Hankins,	Murray,	Walsh,
Filo,	Klein,	O'Donnell, J. P.,	Whittaker,
Foerster,	Knecht,	Odoriso,	Andrews,

Speaker

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1443, entitled:

An Act repealing section 1210 of "The Administrative Code of 1929," relating to the powers and duties of the Department of Internal Affairs in respect to the Pennsylvania System of Coordinates.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—179

Adams,	Frascella,	Lamb,	Riley,
Anderson, J. H. Fry,	Lawson,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Royer,
Arlene,	Galley,	Leonard,	Rubin,
Ashton,	Gallagher,	Limper,	Rudisill,
Auker,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Bachman,	George,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gibb,	Lutty,	Scarcelli,
Blair,	Gibbons,	Manbeck,	Schaaf,
Bonner,	Goldstein, J. H.,	Markley,	Schuster,
Bower,	Goldstein, M. H.,	Marsh,	Seltzer,
Bowman,	Goodrich,	Maxwell,	Shelton,
Branca,	Gramlich,	May,	Sherman,
Breth,	Gray,	McCandless,	Simmons,
Buchanan,	Greenlee,	McCormack,	Slack,
Bush,	Gremminger,	McDevitt,	Snare,
Capano,	Gross,	McDonald,	Stank,
Capitolo,	Hamilton,	McKeever,	Steckel,
Cauley,	Hankins,	McLaughlin,	Stiteler,
Cianfrani,	Hartley,	Meholchick,	Stone,
Cioffi,	Heavey,	Merry,	Sullivan, J. A.,
Clarke,	Heffner,	Miller,	Sullivan, T. F.,
Comer,	Helm,	Mills,	Taylor,
Cooley,	Henzel,	Monroe,	Thompson,
Crossin,	Hocker,	Morley,	Tomasick,
Curwood,	Holl,	Mullen,	Tompkins,
Davis,	Holman,	Munley,	Trusio,
Dengler,	Horst,	Murphy,	Ujobai,
Dennison,	Irviss,	Musto,	Varner,
Donaldson,	Isaacs,	Needham,	Wall,
Doughten,	Jim,	O'Donnell, J. A.,	Wargo,
Down,	Johnson, A. W.,	Ogilvie,	Weidner,
Edwards,	Johnson, R. P.,	Parlante,	Welsh,
Elberg,	Jones,	Pashley,	Wescott,
Elvey,	Kamyk,	Perry,	Willard,
Eshback,	Kelser,	Petrosky,	Willaredt,
Eshleman,	Kernaghan,	Piper,	Williams, A. D.,
	Kessler,	Polaski,	Williams, E. S.,
	King,	Polen,	Wilt,
	Kistler,	Prendergast,	Wood,
	Kooker,	Pursley,	Worley,
	Kornick,	Rutherford,	Wynd,
	Korns,	Reibman,	Yetter,
	Kramer,	Renwick,	Zember,
			Zimmerman,

#### NAYS—1

O'Dell,

#### NOT VOTING—29

Boies,	Holliday,	McInroy,	Shupnik,
Bossert,	Jenkins,	McNally,	Stimmel,
Dougherty,	Klein,	Mihm,	Strausser,
Filo,	Knecht,	Murray,	Verona,
Foerster,	Lippincott,	O'Donnell, J. P.,	Walsh,
Guesman,	Magee,	Odoriso,	Whittaker,
Guthrie,	McCann,	Price,	Andrews,
Haudenshield,			Speaker

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1460, entitled:

An Act authorizing the judge of the court of common pleas of any county of the third fourth fifth sixth seventh or eighth class to direct that recorded maps plats or plans be reproduced requiring the recorder of deeds to preserve originals of maps plats or plans so reproduced and providing for payment of costs by the county.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—182

Adams,	Fry,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Royer,
Anderson, S. A.,	Galley,	Leonard,	Rubin,
Arlene,	Gallagher,	Limper,	Rudisill,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Auker,	George,	Lutty,	Scarcelli,
Bachman,	Gibb,	Magee,	Schaaf,
Backenstoe,	Gibbons,	Manbeck,	Schuster,
Blair,	Goldstein, J. H.,	Markley,	Seltzer,
Bonner,	Goldstein, M. H.,	Marsh,	Shelton,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	May,	Shupnik,
Branca,	Gray,	McCandless,	Simmons,
Breth,	Greenlee,	McCann,	Slack,
Buchanan,	Gremminger,	McCormack,	Snare,
Bush,	Gross,	McDevitt,	Stank,
Capano,	Hamilton,	McDonald,	Steckel,
Capitolo,	Hankins,	McKeever,	Stiteler,
Cauley,	Hartley,	McLaughlin,	Stone,
Cianfrani,	Heavey,	McNally,	Strausser,
Cioffi,	Heffner,	Meholchick,	Sullivan, J. A.,
Clarke,	Helm,	Merry,	Sullivan, T. F.,
Comer,	Henzel,	Miller,	Taylor,
Cooley,	Hocker,	Mills,	Thompson,
Crossin,	Holl,	Monroe,	Tomaschk,
Curwood,	Holiday,	Morley,	Tompkins,
Davis,	Holman,	Mullen,	Trusio,
Dengler,	Irvs,	Munley,	Ujobai,
Dennison,	Isaacs,	Murphy,	Varner,
Donaldson,	Jim,	Musto,	Wall,
Doughten,	Johnson, A. W.,	Needham,	Wargo,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Edwards,	Jones,	Ogllive,	Welsh,
Ellberg,	Kamyk,	Parlante,	Wescott,
Elvey,	Kelser,	Pashley,	Willard,
Eshback,	Kelly,	Perry,	Willaredt,
Eshleman,	Kernaghan,	Petrosky,	Williams, A. D.,
	Kessler,	Piper,	Williams, E. S.,
	King,	Polaski,	Wilt,
	Kistler,	Polen,	Wood,
	Kooker,	Prendergast,	Worley,
	Kornick,	Pursley,	Wynd,
	Korns,	Reibman,	Yetter,
	Kramer,	Reldenbach,	Zember,
	Lamb,	Renwick,	Zimmerman,
	Lawson,	Riley,	

#### NAYS—1

O'Dell,

#### NOT VOTING—26

Boles,	Haudenshield,	McInroy,	Sakulsky,
Bossert,	Horst,	Mihm,	Stimmel,
Dougherty,	Jenkins,	Murray,	Verona,
Filo,	Klein,	O'Donnell, J. P.,	Walsh,
Foerster,	Knecht,	Odorisio,	Whittaker,
Guesman,	Lippincott,	Price,	Andrews,
Guthrie,	Long, Wm. Jos.,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1542, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.565 acres more or less of land situate in Smithfield Township, Huntingdon County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—175

Adams,	Frascella,	Lamb,	Riley,
Anderson, J. H.,	Fulmer,	Lawson,	Rovansek,
Anderson, S. A.,	Galley,	Lee, A. M.,	Royer,
Arlene,	Gallagher,	Lee, K. B.,	Rubin,
Ashton,	George,	Leonard,	Rudisill,
Auker,	Gibb,	Limper,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jas.,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Lutty,	Schaaf,
Blair,	Goldstein, M. H.,	Magee,	Schuster,
Bonner,	Goodrich,	Marsh,	Shelton,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Gray,	May,	Shupnik,
Branca,	Greenlee,	McCandless,	Simmons,
Buchanan,	Gremminger,	McCann,	Slack,
Bush,	Gross,	McDevitt,	Snare,
Capano,	Hamilton,	McKeever,	Stank,
Capitolo,	Hankins,	McLaughlin,	Stiteler,
Cauley,	Hartley,	McNally,	Stone,
Cianfrani,	Heavey,	Meholchick,	Sullivan, J. A.,
Cioffi,	Heffner,	Merry,	Sullivan, T. F.,
Clarke,	Helm,	Miller,	Taylor,
Comer,	Henzel,	Mills,	Thompson,
Cooley,	Hocker,	Monroe,	Tomaschk,
Crossin,	Holl,	Morley,	Tompkins,
Curwood,	Holiday,	Mullen,	Trusio,
Davis,	Holman,	Munley,	Ujobai,
Dengler,	Horst,	Murphy,	Varner,
Dennison,	Irvs,	Musto,	Wall,
Donaldson,	Isaacs,	Needham,	Wargo,
Doughten,	Jim,	O'Dell,	Weidner,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Welsh,
Edwards,	Johnson, R. P.,	Ogllive,	Wescott,
Ellberg,	Jones,	Parlante,	Willard,
Elvey,	Kamyk,	Pashley,	Willaredt,
Eshback,	Kelser,	Perry,	Williams, A. D.,
Eshleman,	Kelly,	Petrosky,	Williams, E. S.,
	Kernaghan,	Piper,	Wilt,
	Kessler,	Polaski,	Wood,
	King,	Polen,	Worley,
	Kistler,	Prendergast,	Wynd,
	Kooker,	Pursley,	Yetter,
	Kornick,	Reibman,	Zember,
	Korns,	Reldenbach,	Zimmerman,
	Kramer,	Renwick,	

#### NAYS—2

Manbeck,

Seltzer,

#### NOT VOTING—32

Boles,	Guesman,	Markley,	Price,
Bossert,	Guthrie,	McCormack,	Steckel,
Breth,	Haudenshield,	McDonald,	Stimmel,
Dougherty,	Jenkins,	McInroy,	Strausser,
Filo,	Klein,	Mihm,	Verona,
Foerster,	Knecht,	Murray,	Walsh,
Fry,	Lippincott,	O'Donnell, J. P.,	Whittaker,
Gelfand,	Long, Wm. Jos.,	Odorisio,	Andrews,
			Speaker



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1545, entitled:

An Act authorizing the transfer of real property in the City of Scranton, Lackawanna County from the Department of Highways to the Department of Public Welfare for use of Clarks Summit State Hospital.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—179

Adams,	Frascella,	Lawson,	Royer,
Anderson, J. H.,	Fry,	Lee, A. M.,	Rubin,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Rudisill,
Arlene,	Galley,	Leonard,	Rutherford,
Ashton,	Gallagher,	Limper,	Sakulsky,
Auker,	Gelfand,	Long, Wm. Jas.,	Scarcelli,
Bachman,	George,	Lutty,	Schaaf,
Backenstoe,	Gibb,	Manbeck,	Schuster,
Blair,	Gibbons,	Markley,	Seltzer,
Bonner,	Goldstein, J. H.,	Marsh,	Shelton,
Bower,	Goldstein, M. H.,	Maxwell,	Sherman,
Bowman,	Gramlich,	May,	Shupnik,
Branca,	Gray,	McCandless,	Simmons,
Breth,	Greenlee,	McCann,	Slack,
Buchanan,	Gremminger,	McCormack,	Snare,
Bush,	Gross,	McDevitt,	Stank,
Capano,	Hamilton,	McKeever,	Steckel,
Capitolo,	Hankins,	McLaughlin,	Stiteler,
Cauley,	Hartley,	McNally,	Stone,
Cianfrani,	Heavey,	Meholchick,	Sullivan, J. A.,
Cioffi,	Heffner,	Merry,	Sullivan, T. F.,
Clarke,	Helm,	Miller,	Taylor,
Comer,	Henzel,	Mills,	Thompson,
Cooley,	Hocker,	Monroe,	Tomascik,
Crossin,	Holl,	Morley,	Tompkins,
Curwood,	Holliday,	Mullen,	Trusio,
Davis,	Horst,	Munley,	Ujobai,
Dengler,	Irvis,	Murphy,	Varner,
Dennison,	Isaacs,	Musto,	Wall,
Donaldson,	Jim,	Needham,	Wargo,
Doughten,	Johnson, A. W.,	O'Dell,	Weidner,
Down,	Johnson, R. P.,	Ogillve,	Welsh,
Edwards,	Jones,	Parlante,	Wescott,
Ellberg,	Kamyk,	Pashley,	Willard,
Elvey,	Kelser,	Perry,	Willaredt,
<b>Eshback,</b>	Kelly,	Petrosky,	Williams, A. D.,
Eshleman,	Kernaghan,	Piper,	Williams, E. S.,
	Kessler,	Polaski,	Wilt,
	King,	Polen,	Wood,
Ewing,	Kistler,	Pursley,	Worley,
Farabaugh,	Kooker,	Reibman,	Wynd,
Fetterolf,	Kornick,	Reidenbach,	Yetter,
Fineman,	Korns,	Renwick,	Zember,
Flynn,	Kramer,	Riley,	Zimmerman,
Foor,	Lamb,	Rovansek,	Andrews,
Fox,			Speaker

#### NAYS—1

Goodrich,

#### NOT VOTING—29

Boles,	Holman,	McDonald,	Prendergast,
Bossert,	Jenkins,	McInroy,	Price,
Dougherty,	Klein,	Mihm,	Stimmel,
Filo,	Knecht,	Murray,	Strausser,
Foerster,	Lippincott,	O'Donnell, J. A.,	Verona,
Guesman,	Long, Wm. Jos.,	O'Donnell, J. P.,	Walsh,
Guthrie,	Magee,	Odorisio,	Whittaker,
Haudensheid,			

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1562, entitled:

An Act authorizing the Commonwealth of Pennsylvania through the Department of Commerce and the Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment authorizing the Pennsylvania Industrial Development Authority to participate with any Federal agency in the financing of industrial development projects in redevelopment areas \* \* \*.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—175

Adams,	Fry,	Lamb,	Royer,
Anderson, J. H.,	Fulmer,	Lawson,	Rubin,
Anderson, S. A.,	Galley,	Lee, A. M.,	Rudisill,
Arlene,	Gallagher,	Lee, K. B.,	Rutherford,
Ashton,	Gelfand,	Leonard,	Sakulsky,
Auker,	George,	Long, Wm. Jas.,	Scarcelli,
Bachman,	Gibb,	Lutty,	Schaaf,
Backenstoe,	Gibbons,	Magee,	Schuster,
Blair,	Goldstein, J. H.,	Manbeck,	Seltzer,
Bower,	Goldstein, M. H.,	Markley,	Shelton,
Bowman,	Goodrich,	Marsh,	Sherman,
Branca,	Gramlich,	Maxwell,	Shupnik,
Breth,	Gray,	May,	Simmons,
Buchanan,	Greenlee,	McCandless,	Slack,
Bush,	Gremminger,	McCann,	Snare,
Capano,	Gross,	McDevitt,	Stank,
Capitolo,	Hamilton,	McKeever,	Steckel,
Cauley,	Hankins,	McLaughlin,	Stiteler,
Cianfrani,	Hartley,	McNally,	Stone,
Cioffi,	Heavey,	Meholchick,	Strausser,
Clarke,	Heffner,	Merry,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holl,	Morley,	Tomascik,
Davis,	Holliday,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Donaldson,	Irvis,	Murphy,	Ujobai,
Doughten,	Isaacs,	Needham,	Varner,
Down,	Jim,	O'Donnell, J. A.,	Wall,
Edwards,	Johnson, A. W.,	Ogillve,	Wargo,
Ellberg,	Johnson, R. P.,	Parlante,	Weidner,
Elvey,	Jones,	Pashley,	Wescott,
<b>Eshback,</b>	Kamyk,	Perry,	Willard,
Eshleman,	Kelser,	Petrosky,	Willaredt,
	Kelly,	Piper,	Williams, A. D.,
	Kernaghan,	Polaski,	Williams, E. S.,
	Kessler,	Polen,	Wood,
Ewing,	King,	Pursley,	Worley,
Farabaugh,	Kistler,	Reibman,	Wynd,
Fetterolf,	Kooker,	Reidenbach,	Yetter,
Fineman,	Kornick,	Renwick,	Zember,
Flynn,	Korns,	Riley,	Zimmerman,
Foor,	Kramer,	Rovansek,	Andrews,
Fox,			Speaker

#### NAYS—1

O'Dell,

#### NOT VOTING—33

Boles,	Haudensheid,	McCormack,	Prendergast,
Bonner,	Holman,	McDonald,	Price,
Bossert,	Jenkins,	McInroy,	Stimmel,

Dennison, Dougherty, Filo, Foerster, Guesman, Guthrie,	Klein, Knecht, Limper, Lippincott, Long, Wm. Jos.,	Mihm, Murray, Musto, O'Donnell, J. P., Odorisio,	Verona, Walsh, Welsh, Whittaker, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceeded to the third reading and consideration of Senate bill No. 553, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to grant to Upper St Clair Township Allegheny County its successor or assign a right of way for the purpose of constructing installing and maintaining a sanitary sewer system over property of the Commonwealth of Pennsylvania known as the Mayview State Hospital Property.

And said bill having been read at length third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—179

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Eshleman,  Ewing, Farabaugh, Fetterolf, Fineman, Flynn, Foor, Fox,	Frascella, Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Horst, Iris, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelly, Kernaghan, Kessler, Kistler, Kooker, Kornick, Korns, Kramer, Lawson, Lee, A. M.,	Lee, K. B., Leonard, Limper, Long, Wm. Jas., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanssek, Royer,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelll, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujbal, Varnier, Wall, Wargo, Weldner, Welsh, Wescott, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

#### NOT VOTING—30

Boles, Bossert, Dougherty, Filo, Foerster, Guesman, Guthrie, Haudenshield,	Holman, Jenkins, Kaiser, King, Klein, Knecht, Lamb, Lippincott,	Long, Wm. Jos., McDonald, McInroy, Mihm, Murray, O'Donnell, J. A., O'Donnell, J. P.,	Odorisio, Prendergast, Price, Stimmel, Verona, Walsh, Whittaker,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the clerk return the same to the Senate with information that the house has passed the same with amendments in which the concurrence of the Senate is requested.

#### RESOLUTION CONGRATULATIONS

Messrs. FRASCELLA, COMER, LIMPER, HEAVEY, McCANN, DENGLER and A. W. JOHNSON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 8, 1961.

All of us here in the House of Representatives are proud of one of our pages who graduated with honors last night from Bishop McDevitt High School in Harrisburg. The page, Joseph Carl Wambach, along with his honors received the highest muscial award the school could present.

Dr. Dengler, our colleague from Delaware, will certainly know this boy and is equally proud of him because when Dr. Dengler conducted the 1961 Pennsylvania District Chorus Joseph Carl Wambach was one of the members.

We feel that this young man, and the others in his class are indicative of the greatness of the Class of 1961 in all of our Pennsylvania schools and we are proud of all of our young people.

In congratulating this young man, we congratulate all the young people in this Commonwealth. We hope all of them will go on to higher education and we are happy to cite to all of you that Page Wambach has been accepted at Georgetown University with the intent of studying law, political science and history.

We are sure that his employment in this House of Representatives has helped to make Mr. Wambach the fine young man that he is; therefore be it

Resolved, That the House of Representatives congratulate Joseph Carl Wambach, one of our distinguished pages, upon his graduating with honors from Bishop McDevitt High School; and be it further.

Resolved, That a copy of this resolution be presented to him.

#### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I would like to ask the members who have bills that have agreed to amendments to stay and we will proceed to amend them. There will be no other roll calls in today's session. The House will reconvene on Monday at 3 o'clock fast time.

#### SACRED HEART SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. We would like to announce that we have in the House today students from the Sacred Heart School, Braddock, Pennsylvania, under the direction of Sister Mary Helen. There are sixty-seven in this group from Allegheny County. They are here as guests of Messrs. Murray and Kamyk from Allegheny County.



## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 88, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third fourth fifty six seventh and eighth classes amending revising consolidating and changing the laws relating thereto" abolishing county institution districts in counties of the fourth fifth and sixth classes transferring their property powers duties and obligations to counties prescribing certain further duties of county commissioners with regard to persons in foster homes and as to children and youth and regulating payments for care.

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I have that the vote by which this bill passed second reading be reconsidered.

Mr. Stone. Mr. Speaker, I second the motion.

The motion was agreed to.

The first to fifth sections inclusive were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. STONE offered the following amendments:

Amend Sec. 6 (Sec. 2164), page 10, line 6, by striking out "the" and inserting: The

Amend Sec. 6 (Sec. 2164), page 10, line 7, by inserting after "for" where it appears the first time such

Amend Sec. 6 (Sec. 2164), page 10, lines 7 and 8, by striking out "for the persons over" in line 7, and all of line 8.

Amend Sec. 6 (Sec. 2164), page 10, line 9, by striking out "of" and inserting: or

Amend Sec. 6 (Sec. 2164), page 10, lines 11 to 13, by striking out "the county shall not exercise supervision or control over the" in line 11, all of lines 12 and 13, and inserting: over eighteen years of age

Amend Sec. 6 (Sec. 2164), page 10, line 15, by inserting after "his" where it appears the second time available

Amend Sec. 6 (Sec. 2164), page 10, lines 16 and 17, by striking out both of said lines.

Amend Sec. 6 (Sec. 2164) page 14, line 19, by striking out "county commissioners the" and inserting: County Commissioners for Assistance.—The

Amend Sec. 6 (Sec. 2174), page 14, line 20, by striking out "department of public welfare" and inserting: Department of Public Welfare as such county commissioners pay for assistance

Amend Sec. 6 (Sec. 2174) page 15, line 2, by striking out "assistance to patients in institutions" and inserting: medical assistance for the aged on behalf of patients receiving public nursing home care in a county medical institution

Amend Sec. 6 (Sec. 2174), page 15, line 8, by striking out "public assistance law" the department of public welfare" and inserting: "Public Assistance Law" the Department of Public Welfare

Amend Sec. 6, page 15, by inserting between lines 10 and 11: Section 2174.1 Limitation of Authority Respecting Public Assistance Recipients.—The county commissioners shall not exercise supervision or control over the finances or services other than medical or remedial care provided as assistance to or on behalf of dependents who are recipients of assistance under the "Public Assistance Law."

The seventh, eighth and ninth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 201,

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care.

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. STONE offered the following amendments.

Amend Sec. 4 (Sec. 410), page 5, line 12, by striking out "no local authority shall" and inserting: the local authorities shall not

Amend Sec. 4 (Sec. 410) page 5, lines 13 and 14, by striking out "other than clothing and incidentals"

Amend Sec. 4 (Sec. 411), page 5, line 18, by inserting after "Authorities" where it appears the first time: for Assistance

Amend Sec. 4 (Sec. 411), page 5, line 19, by inserting after "Welfare" as such local authorities payment for assistance

Amend Sec. 4 (Sec. 411) page 5, line 20, page 6, line 1, by striking out "assistance to patients in institutions" and inserting: medical assistance for the aged on behalf of patients receiving public nursing home care in a medical institution of their county institution district.

Amend Sec. 4 (Sec. 411), page 6, line 6, by inserting after "month" and by the proportionate share of refunds for such assistance.

Amend Sec. 4 (Sec. 412), page 6, lines 10 and 11, by striking out "of authority respecting public assistance recipients the" and inserting: of Authority Respecting Public Assistance Recipients.—The

They were agreed to.

The section was agreed to as amended.

The fifth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1077, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), authorizing superintendents to exercise discretion by and with the advice of certain other physicians or surgeons with respect to the performance of surgery on certain patients.

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FINEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 922), page 2, line 8, by inserting after "issue" nor next of kin

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 911, entitled:

A Supplement to the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry \* \* \* exempting certain persons from the provisions of this act and providing penalties" concerning minimum wages providing for a minimum wage for employes in the Commonwealth \* \* \* defining the powers and duties of the Department of Labor and Industry.

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FINEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 3, page 4, line 5 by striking out "bone fide" and inserting: bona fide

Amend Sec. 3, page 4, line 15 by inserting after "such" as

Amended Sec. 3, page 5, by inserting between lines 2 and 3:

(e) Employed or working as a taxicab driver for a taxi firm (i) operating in a city, borough, town or township of less than fifteen thousand population according to the latest official United States census, and (ii) holding a certificate of public convenience to transport as a common carrier persons upon call or demand from the Pennsylvania Public Utility Commission, which driver receives the majority of his income as a taxi driver from gratuities and commissions on receipts.

Amend Sec. 5, page 7, line 3 by striking out "provides" and inserting: provided

Amend Section 5, page 8, by adding between lines 8 and 9 a new subsection (e) to read:

(e) Employes shall be entitled to employe learners at not less than eighty-five cents (\$.85) an hour in accordance with rules and regulations of the department on definitions of learner proportion of learners to total employment and length of service.

Amend Section 5, page 8, by adding before line 9 a new subsection (f) to read:

(f) The provisions of subsections (b) (c) and (e) of this section and of subsection (b) of section 17 may be modified under the procedures set forth in subsection (a) of section 6 of this act

Amend Sec. 6, page 9, line 3 by inserting after "and" to recommend

Amend Sec. 15, page 20, line 17 by inserting after "ten" (10)

Amend Sec. 15, page 20, line 18 by inserting after "thirty" (30)

Amend Sec. 15, page 21, line 5 by striking out "in any day"

Amend Sec. 17, page 23, line 8 by inserting after "operation" of

Amend Sec. 17, page 23, line 9 by inserting after "with" this act or

Amend Section 17 (b), page 23, line 15, by adding at the end thereof any such allowances shall be applied to male adults as well as to women and minors during the said twelve (12) month period

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 103, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" creating the crime of fatality by motor vehicles or tractors making it illegal to cause the death of another by motor vehicle or tractor and providing penalties.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study and clarification.

The motion was agreed to.

#### TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 203, printer's No. 1339, on page 34 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 216, printer's No. 1861, on page 35 of today's calendar, bills on final passage postponed.

#### BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

#### REPORTS FROM COMMITTEE

Mr. IRVIS from the Committee on Education, reported as amended, House bill No. 1201, entitled:



An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for reimbursement by the Commonwealth to school districts for the employment of school nurses.

Mr. ZIMMERMAN from the Committee on Fisheries, reported as amended, Senate bill No. 114, entitled:

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959" removing the requirement that fisherman be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

### BILLS INTRODUCED AND REFERRED

By Mrs. REIBMAN, Mr. POLEN, Mrs. HENZEL  
and Mr. HELM. HOUSE BILL No. 1717.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the termination of payments by the Commonwealth on account of closed schools.

Referred to the Committee on Education.

By Messrs. LAMB, MURRAY, WALSH  
and DONALDSON. HOUSE BILL No. 1718.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing permissible accumulation of sick leave and increasing amount of leave for death in the family in certain cases.

Referred to the Committee on Education.

By Messrs. DENGLE and  
SHUPNIK. HOUSE BILL No. 1719.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), permitting the payment of additional adjusted compensation to certain employees upon their retirement.

Referred to the Committee on Education.

By Mr. K. B. LEE. HOUSE BILL No. 1720.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for forfeiture of funds by school districts or county boards of school directors for employing any person in a supervisory capacity who has not been certified for such position.

Referred to the Committee on Education.

By Messrs. WHITTAKER, BOIES, MAXWELL  
and KING. HOUSE BILL No. 1721.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for reimbursement by the Commonwealth to School districts for the employment of dental hygienists.

Referred to the Committee on Education.

By Messrs. MURPHY, STRAUSSER, SELTZER  
and Mrs. REIBMAN. HOUSE BILL No. 1722.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for reimbursement to certain school districts for the costs of pupil transportation undertaken to avoid hazardous conditions, and imposing duties on the Pennsylvania State Police.

Referred to the Committee on Education.

By Mr. POLEN.

HOUSE BILL No. 1723.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), requiring territory annexed to a borough to become part of the borough school district and providing for apportionment of indebtedness.

Referred to the Committee on Education.

By Mr. POLEN. HOUSE BILL No. 1724.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), making county treasurers agents of the Commonwealth for the purpose of issuing certain licenses and increasing the fee.

Referred to the Committee on Rules.

### RESOLUTION INTRODUCED AND REFERRED

By Mr. HOLMAN. RESOLUTION No. 79.

In the House of Representatives, June 8, 1961.

Numerous painful and serious injuries have resulted from the use of rotary lawn mowers. Many of these injuries could have been prevented if such mowers were required to possess certain safety features, such as adequate shields to prevent injury by the blades themselves or by missiles propelled by the blades. Signs on such mowers warning of the dangers involved in the operation or cleaning thereof would also aid in the prevention of these unnecessary injuries; therefore be it

Resolved, That in order to protect the citizens of this Commonwealth from injury from the use of rotary lawn mowers the Joint State Government Commission be directed to study and investigate, in cooperation with such departments or other agencies of the Commonwealth as it may deem advisable, what safeguards and standards should be met by the manufacturers of rotary lawn mowers before the sale of such mowers is permitted in the State of Pennsylvania; and be it further

Resolved, That the Joint State Government Commission report to the 1963 Session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

### INTERROGATION

Mr. McCANN asked and obtained unanimous consent to interrogate the minority leader.

Mr. McCANN. Mr. Speaker, is the minority leader in any position to inform the House, for the purpose of the record, what his action may be, or contemplated to be, on the non-preferred appropriation bills that will be in a position to be voted upon in this House in the session next week.

Mr. A. W. JOHNSON. Yes, Mr. Speaker, for the purpose of the record, about one month ago the House Republican Caucus in discussing the question of reapportionment, a fair and reasonable Congressional reapportionment bill, passed a motion in our caucus that we would not give votes for the non-preferred appropriation bill until there would be a fair and reasonable reapportionment plan put forth.

The other day I asked Mr. Polen to give me an indication of when the non-preferred appropriation money would be paid to the recipients, and I believe his statement showed that they would be payable not earlier than September 1, and, I believe, because of the fact

that we are on a 13-month basis that they would not be payable until September 30th, and the first quarter would be four months instead of three months.

Today in my caucus I referred to the previous motion passed by the caucus a month ago. I stated at our caucus that the bills are on third reading on Monday and that on Monday we would proceed to again have a roll call to reaffirm our position one way or the other on the bills. So, for me to say what the caucus will do on Monday, I cannot say at this point. However, I believe that we will be firm.

We have had Representative Leroy Weidner put in a reapportionment plan today; it went in this afternoon. In other words, we as Republicans could not very well take a stand against these non-preferred appropriation bills unless there was some type of reapportionment plan that had been put in. This plan has been put in by Leroy Weidner himself, as his idea. Whether that will be the Republican plan that we will stand on, I cannot say, but he considers it himself personally, a pretty fair and reasonable reapportionment plan. Therefore, I will, following our caucus on Monday, give you a definite statement as to whether you will get enough votes on our side so that you will get a two-thirds vote on these bills.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman further. I understand that there was a reapportionment bill being introduced today. Is this a congressional reapportionment bill?

Mr. A. W. JOHNSON. This is a congressional reapportionment bill and our vote on these non-preferred appropriation bills only extends to a fair and reasonable Congressional reapportionment plan.

Mr. McCANN. Mr. Speaker, will the minority leader inform me if Mr. Weidner is not one of the official members of the committee appointed by his party to be a part of the bipartisan committee on reapportionment?

Mr. A. W. JOHNSON. That is correct. But, the bill that Mr. Weidner put in today is his own personal bill and is not the work of his committee.

Mr. McCANN. One more point. If this reapportionment bill was introduced today, does this in any way meet with the approval of the three-member congressional committee of the Republican members appointed, following the conference that we had with Mr. Bloom, the Republican State Chairman, Mr. Morse, the Democratic State Chairman, or, is this bill strictly drawn by Mr. Weidner and has no other implications?

Mr. A. W. JOHNSON. That is correct. This bill, as I stated, will be known as the Weidner Plan. It is his own idea, it does not have the blessing of the Republican State Committee, nor the three congressmen, nor the rest of his committee. This is his own plan. However, I believe that so far as we Republicans are concerned, there is then a bill in committee sponsored by a Republican.

Mr. McCANN. Could I ask the gentleman one more question in this field so I will be clear? This bill, I believe, is drawn on 27 congressional seats for the Commonwealth of Pennsylvania. Is that correct?

Mr. A. W. JOHNSON. I believe that it provides for the loss of three congressmen; yes.

Mr. McCANN. I would like to ask the minority leader if he has any knowledge of the so-called Alaska-Hawaii congressional bill which we have been waiting on, if it should pass in Congress—and there is a possibility—

which, of the number of additional seats that would be given to Congress, the Commonwealth of Pennsylvania would only lose two seats instead of three, and such a bill is agreed to and every congressman in the Commonwealth of Pennsylvania, Republican and Democratic, is voting to support it in the committee in the Congress of the United States. Are you aware of that?

Mr. A. W. JOHNSON. We are aware of it, but our unofficial word this week is that because only New York, Pennsylvania and Massachusetts would be favored by the bill, that is to say, the three congressmen would then be parcelled out one to each of those three States, the rest of the 47 States are not particularly interested, and, from the information that we have received from Washington, we understand that the plan has no chance of passage, and it looks as though we are going to have to proceed to provide for the loss of three congressmen in Pennsylvania.

Mr. McCANN. Would the gentleman, Mr. Speaker, care to inform me from what source of information he has received that particular item, because that is extremely important?

Mr. A. W. JOHNSON. In answer to that question, I hope, maybe by next week, to give you a verified source of that.

Mr. McCANN. Then, Mr. Speaker, is it at this point also that the Republican Party will attempt to support the congressional reapportionment bill that is now in committee, that you have introduced, or would you follow the procedure that was outlined in the meeting quite some time ago as to priority and procedure of reapportionment? If you recall that procedure, it would be number one, congressional reapportionment first, that the two committees would be appointed in Washington of Republican and Democratic congressmen. They would, in turn, present their reapportionment, and the Democratic State Chairman and the Republican State Chairman would immediately proceed to Washington and have their meetings. They, in turn, appointed three congressmen in each party, their own respective parties, as the official committee and that that committee was to report back here to the respective State chairmen, Republican and Democratic, to the joint committee as to their recommendations of congressional reapportionment. Do you, at this point, say that you are deviating from that procedure which was established, or do you care to divulge what procedure you will follow because this is important in the coming week's meetings?

Mr. A. W. JOHNSON. I was in on those meetings and I know that away back in April we thought we would have this ironed out by the first of May, I believe was the target date. The congressmen down there have been twiddling their thumbs. They are the ones who are creating this impasse. They should have had that bill passed long ago or they should have told us long ago that it is not going to pass. Many legislatures want to adjourn, sine die, but they cannot solve this problem. It looks like we are going to have to do it as Republicans and Democrats and without the benefit of any congressmen because they are not taking care of the job.

Therefore, if we are going to do it, there are three or four tenets that we feel are paramount. Number one, we think that if we are going to reapportion we should preserve existing county lines as far as possible. Secondly,



we think that we should lose one Democratic congressman and one Republican congressman and have one district where it would be evenly divided and it would be touch and go, whether it would be a Democrat or Republican.

Thirdly, we would adopt a policy that we should not cross county lines in carving out districts.

Fourthly, we would take into consideration and expect that one congressman be taken out of the city of Philadelphia.

With those four tenets we would sit down at the bargaining table with your people, and with your seven or eight plans and our seven or eight plans, we would come up with, I believe, a fair and reasonable plan favorable to both sides. This business of our congressmen saying the way they want it, every congressman in Pennsylvania has a different plan. It looks like this General Assembly is going to have to sit down together and come up with a bill without the benefit of anybody else. It will have to be Roy Weidner, Joe Holliday and Mae Kernaghan on our side, and your committee and the Senators that have been chosen, and perhaps you and I, with our six or seven plans and your six or seven plans we ought to get about our business and eliminate three congressman. That is what we are going to have to do, in my opinion.

Mr. McCANN. Of course, Mr. Speaker, I am deeply interested in the gentleman's plans, but I was planning on calling very soon another meeting of that entire committee because of the time and the date of this session and I wanted to be sure of this congressional reapportionment bill that you have offered today, because I want you to know that unless it is your congressional reapportionment bill that your committee, your congressman, your Republican State Chairman also are agreeing to, I cannot quite follow the fair, equitable reapportionment of the congressional districts. It was agreed that that would be number one. We did agree that number two would be Senate reapportionment, although there was objection to discussing the Senate. Number three would be the House, that the Senate reapportionment. The congressional reapportionment would originate in the House. The Senate reapportionment would originate in the Senate and the House reapportionment would originate in the House. I wanted to be sure, Mr. Speaker, following this bill introduction today, that I was clear, Mr. Johnson, as to the actual official status of that bill when the Speaker refers it to the Reapportionment Committee.

Mr. A. W. JOHNSON. All right. Now, from what I have said to you what do you consider the bill to be?

Mr. McCANN. Mr. Leroy Weidner, a member from Berks County, his own bill, with no one else agreeing that it has any merit except Mr. Weidner.

Mr. A. W. JOHNSON. That is correct. But it does this one thing. It is his personal bill, but it does strengthen

the hand on this side of the House. If we are going to stand up and say that we are not going to move the non-preferred appropriation bills, if you come back to us and say "where is your plan?" we can say there is a plan that is in right now that has been put in by a Republican. It does, in a measure, strengthen our hand, but I cannot say that will be the final plan because, to repeat, the plan will be worked out by you and me, Joe Holliday, Roy Weidner, Mr. Fineman, Mr. Eilberg, and the people whom you have on that committee, and the Senators. I think you will find that by Monday morning we will have word from Washington that we are going to lose three congressmen. I believe that will be the word. I have it unofficially. I do not have it verified, I am sorry to say.

Mr. McCANN. Could I ask the gentleman one other question on another subject?

Are you interested in any way in holding up the non-preferred appropriations for a fair and equitable reapportionment of any of the other bodies of the General Assembly, Senate or House?

I believe your opening statement said, congressional only, is that correct?

Mr. A. W. JOHNSON. That is the thing that is paramount today. We do not want to run our congressman at-large, although there are a lot of people who say it would not be too bad an idea. We have a pistol at our heads, you might say, so far as congressional reapportionment is concerned, but we do not so far as House and Senate. I do not think there would be any objection to sitting down with a fair and reasonable House and Senate. But the overtones on that I believe are different. I mean, that is so clear as to population and so forth that I cannot see any chances of unreasonable gerrymandering or anything on those two types of reapportionment.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

I also would like to apologize at this point. I interrogated Mr. Johnson after we had released all the members, but I would like to say so the record will show that I was not aware of the introduction of a congressional reapportionment bill until just a few minutes ago. I was under the impression it was a House reapportionment bill and therefore carried no status in the priority of what was discussed quite some time ago. Mr. Speaker, I thank the gentleman again very kindly.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

## ADJOURNMENT

Mr. DAVIS. Mr. Speaker, I move that this House do now adjourn until Monday, June 12, 1961, at 2 p. m., e. s. t.

The motion was agreed to, and (at 3:45 p. m., e. s. t.) the House adjourned.





# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, JUNE 12, 1961.

No. 60.

## SENATE

MONDAY, June 12, 1961.

The Senate met at 2:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. WILLIAM J. LIPPERT, Pastor of St. John's Evangelical United Brethren Church, Williamsport, offered the following prayer:

Let us pray.

Eternal God, Father and Creator of all that is, we desire to turn our full attention to Thee just now in order that in all other hours of this day, as we give ourselves to the great responsibilities which have been entrusted to us, we may know Thy will and do it. Strive with us, Lord, by Thy Holy Spirit, and have hold upon our full attention by Thy holy power. We are weak and vain men among a weak and vain people. O God, deliver us from any idolatrous patterns so that it may be perfectly clear, to all who trust us to lead them, that we are led of Thee, and that there are no other gods before Thee.

We humbly acknowledge our need of Thee. We thank Thee that Thou hast taught us by precept and experience that we may come to Thee with confidence in both praise and petition.

We thank Thee for the relationship that is ours on this earth, as citizens of this great Nation and of our great Commonwealth. We thank Thee for a great heritage of freedom. We are deeply moved with humility when we stop to consider the high cost of this freedom and the responsibility that rests upon us to keep this precious attribute of our society.

We thank Thee, God, for these able men of our State Senate and for their families, wherein their lives intimately are enfolded and nurtured, that they may, with understanding, effectively legislate for all our families in this Commonwealth. We pray, eternal God, that Thy guiding hand may be felt by each Senator and that their families may very personally realize Thy abiding care. May personal health and Thy tender mercies, which are so essential in the midst of life's daily vicissitudes, be the experience of each Senator today.

We pray, expressing our gratitude and our earnest petitions to Thee, in Jesus' name. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. HALUSKA, further reading was dispensed with, and the Journal was approved.

## COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

### JOINT SESSION

June 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly I should like to address the Members in Joint Session on Monday, June 12, 1961, at 5:00 p. m., Daylight Saving Time.

DAVID L. LAWRENCE.

## HOUSE MESSAGES

### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 553**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be placed on the Calendar.

### AMENDMENTS TO HOUSE BILL, RECALLED FROM THE GOVERNOR

He also presented for concurrence, **HB 1038**, said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bills amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be placed on the Calendar.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 445** and **719**, which were referred to the Committee on Highways.

He also presented for concurrence **HB 537**, **810** and **1212**, which were referred to the Committee on Education.

He also presented for concurrence **HB 1111**, which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 1222**, which was

referred to the Committee on Mines and Mineral Industries.

He also presented for concurrence **HB 1257** and **1258**, which were referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 1293, 1344, 1346, 1347, 1350, 1353** and **1407**, which were referred to the Committee on Elections.

He also presented for concurrence **HB 1294**, which was referred to the Committee on Agriculture.

He also presented for concurrence **HB 1297**, which was referred to the Committee on Insurance.

He also presented for concurrence **HB 1337, 1338** and **1460**, which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 1443, 1542, 1545** and **1562**, which were referred to the Committee on State Government.

### COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN. Mr. President, I report at this time, from the Committee on Executive Nominations, a communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of Patrick E. Kerwin as a member of the Pennsylvania Turnpike Commission.

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF PATRICK E.  
KERWIN AS A MEMBER OF THE PENNSYLVANIA  
TURNPIKE COMMISSION

June 5, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 17, 1961, for the appointment of Patrick E. Kerwin, Lykens, Dauphin County, as a member of the Pennsylvania Turnpike Commission, until June 4, 1961, and until his successor is appointed and qualified, vice E. James Trimarchi, Jr., Indiana, resigned.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

### NOMINATION BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. DEVLIN. Mr. President, I further report from the Committee on Executive Nominations the nomination of Patrick E. Kerwin and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

MEMBER OF THE PENNSYLVANIA TURNPIKE  
COMMISSION

April 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick E. Kerwin, Lykens, Dauphin County, for appointment as a member of the Pennsylvania Turnpike Commission, until June 4, 1961, and until his successor is appointed and qualified, vice E. James Trimarchi, Jr., Indiana, resigned.

DAVID L. LAWRENCE.

### NOMINATION RETURNED TO THE GOVERNOR

Mr. DEVLIN. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF ARCHITECTS

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clarence S. Thalheimer, 6820 North Verbena Avenue, Oak Lane, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Examiners of Architects, for the term of six years, and until his successor shall have been appointed and qualified, vice Walter Antrim, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF CHIROPRACTIC  
EXAMINERS

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gerhard F. Fortier, Export, Westmoreland County, for reappointment as a member of the State Board of Chiropractic Examiners, until July 15, 1964, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earle D. McCrea, 52 Moran Street, Oil City, Venango County, for reappointment as a member of the Board of Trustees of Pennsylvania Soldiers' and Sailors' Home, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
SHAMOKIN STATE HOSPITAL

June 6, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Shamokin State Hospital:



Michael F. Stewart, 1461 Chestnut Street, Kulpmont, Northumberland County, until the third Tuesday of January, 1963, and until his successor is appointed and qualified.

Archer B. Croll, 828 West Spruce Street, Shamokin, Northumberland County, until the third Tuesday of January, 1963, and until his successor is appointed and qualified.

C. Robert Chervanik, Elysburg, Northumberland County, until the third Tuesday of January, 1967, and until his successor is appointed and qualified.

David L. Lawrence.

#### JUSTICE OF THE PEACE

May 24, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest E. Sowards, R. D. 1, Stuber Road, New Brighton, Beaver County, for appointment as Justice of the Peace in and for the Township of Daugherty, Beaver County, until the first Monday of January, 1962, vice Lawrence E. McCandless, resigned.

David L. Lawrence.

#### REPORT FROM COMMITTEE

Mr. RIPP, from the Committee on Judiciary General, reported, as committed, **HB 343**.

#### BILLS INTRODUCED AND REFERRED

Messrs. SHAFER, STROUP and HAYS presented to the Chair **SB 752**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," creating the State Council of Higher Education as a departmental administrative board in the Department of Public Instruction; defining its powers and duties; transferring certain duties to the State Council of Higher Education of the State Council of Education and defining and coordinating functions of the two councils.

Which was committed to the Committee on Education.

Messrs. KESSLER, PROPERT, BELL and WARE presented to the Chair **SB 753**, entitled:

An Act amending the act of April 9, 1929, (P. L. 343), entitled "The Fiscal Code," requiring corporate tax credits due a taxpayer as a result of settlements, resettlements and appeals to bear interest.

Which was committed to the Committee on Finance.

Messrs. VAN SANT and HALUSKA presented to the Chair **SB 754**, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," granting powers and duties to the commissioners in relation to abandoned or neglected cemeteries.

Which was committed to the Committee on Local Government.

Mr. VAN SANT presented to the Chair **SB 755**, entitled:

An Act amending the act of July 8, 1941 (P. L. 298), entitled "Fourth Class County Retirement Law," increasing the optional minimum allowances.

Which was committed to the Committee on Local Government.

Messrs. MURRAY, FLACK and SEYLER, presented to the Chair **SB 756**, entitled:

An Act amending the act of May 22, 1933 (P. L. 853), entitled "The General County Assessment Law," exempting nonprofit cultural enterprises.

Which was committed to the Committee on Local Government.

Messrs. LANE, STEVENSON and HALUSKA presented to the Chair **SB 757**, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law," requiring taxes levied for the current year to be included in the upset price at the sale of any property upon a claim absolute.

Which was committed to the Committee on Local Government.

#### SENATE CONCURRENT RESOLUTION

##### JOINT SESSION

Messrs. MURRAY, WEINER and LANE offered the following resolution which was read, considered and adopted:

In the Senate, June 12, 1961.

RESOLVED (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Monday, June 12, 1961, at five o'clock p. m., Daylight Saving Time, in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

#### HOUSE MESSAGE

##### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled: Joint Session.

#### SENATE CONCURRENT RESOLUTION

##### COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Messrs. McCREESH, WEINER and LANE offered the following resolution which was read, considered and adopted:

In the Senate, June 12, 1961.

RESOLVED (if the House of Representatives Concur), That a committee of three on the part of the Senate be appointed, to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

#### HOUSE MESSAGE

##### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred

in resolution from the Senate, entitled: Committee to Escort the Governor to the Hall of the House.

## SENATE RESOLUTION

### TRIBUTE TO THE LATE JUDGE CLAUDE T. RENO

Mr. VAN SANT offered the following resolution (**Serial No. 70**), which was read, considered and adopted:

In the Senate, June 12, 1961.

On Sunday, June 11, 1961, death brought to an end the distinguished career of a prominent jurist and Lehigh County Attorney. At the age of 79, Judge Claude Trexler Reno of Allentown passed away after a two and one-half year illness.

Judge Reno was well known throughout the State as a lawyer, jurist and legislator. As a public servant he had the rare distinction of having served in three departments of Pennsylvania's government. He served in the House of Representatives from 1910 to 1912. He was judge of Lehigh County Court of Common Pleas from 1921 to 1934 and a judge of the Superior Court from 1942 to 1953. From 1939 to 1942 he was the Attorney General of the State. The highest honor conferred by the Supreme Court upon a practicing attorney was awarded Judge Reno when he was made a standing master of the Pennsylvania Supreme Court in 1934.

When he was appointed to the Court of Common pleas, he was the youngest judge in Pennsylvania. As Attorney General, he won every case that he personally argued before the Supreme Court. When Judge Reno ran for the Superior Court, he was elected by a majority larger than ever received by a candidate for that office running on only one party picket.

In fraternal work Claude Reno will always be remembered by the men of Alpha Tau Omega. He was the editor and publisher of their national magazine, he wrote several books on the history of A.T.O. and he was their worthy grand chief from 1930 to 1933.

Judge Reno was graduated from Allen High School in 1900. He attended Muhlenberg College and received a bachelor of law degree from Dickinson School of Law. He had been a Trustee of Dickinson since 1922 and had received many honorary degrees from various colleges.

To everyone who knew Judge Reno his passing brings great sorrow. His wife, the former May Grim Appel has lost a great companion. We want to take this opportunity to extend our sympathy; therefore be it

**RESOLVED**, That the Senate of Pennsylvania extends to Mrs. May Reno its deepest sympathy upon the death of her well known, much loved and highly respected husband, Judge Claude T. Reno; and be it further

**RESOLVED**, That a copy of this resolution be forwarded to Mrs. Reno at her home, 325 N. 28th Street, Allentown, Pennsylvania.

### GUESTS OF SENATOR JO HAYS PRESENTED TO SENATE

Mr. HAYS. Mr. President, as an older Methodist, I have the privilege of presenting forty younger Methodists from Curwensville, in Clearfield County.

These young people have been conducting a tour and have made a stop in Cumberland County, the bailiwick of Senator Wade. They have now honored us by their presence in the Senate.

Mr. President, would the Chair please welcome these guests?

The PRESIDENT. The Chair is very happy to welcome Senator Hays' guests to the Senate. Will the ladies and gentlemen from Curwensville please rise?

On behalf of the Members of the Senate, the Chair wishes to say to you that we are very glad to have you visit us on this day. We hope you will enjoy your visit

and that you will begin to understand the value of the great government under which we live.

## HOUSE MESSAGE

### HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 244**, which was referred to the Committee on Local Government.

## RECESS

Mr. HALUSKA. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Committee on Local Government, to be held in Room 301.

Mr. ROONEY. Mr. President, during the same period of time, I would request that the Committee on Highways hold a meeting, which will be held in the office of the President pro tempore.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

## REPORT FROM COMMITTEE

Mr. HALUSKA, by unanimous consent, from the Committee on Local Government, reported, as committed, **HB 244**.

## BILLS INTRODUCED AND REFERRED

Messrs. DEVLIN, STASEY, PECHAN and FLEMING, by unanimous consent, presented to the Chair **SB 758**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting certain business activities on Sunday.

Which was committed to the Committee on Law and Order.

Messrs. PROPERT, KRESSLER and LANE, by unanimous consent, presented to the Chair **SB 759**, entitled:

An Act amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions, of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes," including cash bail in the provisions relating to receiving and distributing money.

Which was committed to the Committee on Judiciary General.

## EXECUTIVE NOMINATIONS

### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. HALUSKA,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.



## NOMINATION TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nomination of A. Allen Sulcove for appointment as Secretary of Labor and Industry.

The nomination was read by the Clerk as follows:

## SECRETARY OF LABOR AND INDUSTRY

May 22, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Allen Sulcove, 709 Spruce Street, Philadelphia, Philadelphia County, for appointment as Secretary of Labor and Industry, until the third Tuesday of January, 1963, and until his successor shall have been appointed and qualified, vice Hon. William L. Batt, Jr., resigned.

David L. Lawrence.

On the question,

Will the Senate advise and consent to the nomination?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Governor be informed accordingly.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

## NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT. The Clerk will read the nominations. The nominations were read by the Clerk as follows:

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF ARCHITECTS

May 31, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clarence S. Thalheimer, 6820 North Verbena Avenue, Oak Lane, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Examiners of Architects, for the term of six years, and until his successor shall have been appointed and qualified, vice Walter Antrim, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF CHIROPRACTIC  
EXAMINERS

May 31, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gerhard F. Fortier, Export, Westmoreland County, for reappointment as a member of the State Board of Chiropractic Examiners, until July 15, 1964, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

May 31, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earle D. McCrea, 52 Moran Street, Oil City, Venango County, for reappointment as a member of the Board of Trustees of Pennsylvania Soldiers' and Sailors' Home, until the third Tuesday of January, 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
SHAMOKIN STATE HOSPITAL

June 6, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Shamokin State Hospital:

Michael F. Stewart, 1471 Chestnut Street, Kulpmont, Northumberland County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Archer B. Croll, 828 West Spruce Street, Shamokin, Northumberland County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

C. Robert Chercanik, Elysburg, Northumberland County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest E. Sowards, R. D. 1, Stuber Road, New Brighton, Beaver County, for appointment as Justice of the Peace in and for the Township of Daugherty, Beaver County, until the first Monday of January 1962, vice Lawrence E. McCandless, resigned.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,

Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

#### COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The PRESIDENT. Pursuant to the resolution previously adopted, the Chair wishes to announce the appointment of the following Committee of the Senate to escort His Excellency, the Governor, to the Hall of the House: the gentleman from Allegheny, Mr. Devlin, Chairman; the gentleman from Centre, Mr. Hays; and the gentleman from Schuylkill, Mr. Wagner.

The committee will leave immediately to discharge its duties.

#### HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION

The PRESIDENT. The Chair now recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committee from the House.

The PRESIDENT. The Sergeant-at-Arms will bring the committee forward.

The SERGEANT-AT-ARMS. Mr. President, I present the Chairman of the Committee, the Honorable James J. Dougherty.

The PRESIDENT. The Chair is pleased to recognize the Chairman of the Committee from the House, Mr. Dougherty.

Mr. DOUGHERTY. Mr. President, we are a committee of the House, appointed to inform the Senate that the House is ready to receive the Members of the Senate in Joint Session and to escort the Senate to the Hall of the House.

The PRESIDENT. The Chair thanks the committee from the House.

#### REPORTS FROM COMMITTEE

Mr. MURRAY, by unanimous consent, from the Committee on Highway, reported, as committed, **SB 592, HB 123** and 966.

#### BILL INTRODUCED AND REFERRED

Messrs. STEVENSON, HAYS, LANE, HALUSKA and MALLERY, by unanimous consent, presented to the Chair **SB 760**, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended, "Local Tax Enabling Law," providing

for an official register of earned income tax levies and relieving employes from reporting the earnings and withholding the taxes of their employes with respect to levies not listed in the register; and relieving employers from liability when employes misinform the employers as to their place of residence.

Which was committed to the Committee on Local Government.

#### RECESS

The PRESIDENT. The Members of the Senate will please form a line in the center aisle immediately behind the Sergeant-at-Arms, and the House Committee, in order that we may proceed to the Joint Session.

The Chair now declares a recess of the Senate for thirty minutes.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

#### COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

ADDRESS BY GOVERNOR DAVID L. LAWRENCE BEFORE A JOINT SESSION OF THE PENNSYLVANIA GENERAL ASSEMBLY, THE HOUSE OF REPRESENTATIVES, HARRISBURG, PENNSYLVANIA, MONDAY, JUNE 12, 1961, 5:00 P.M., DST

The PRESIDENT. Copies of the Governor's Address have been placed on the desks of all Members of the Senate.

#### APPROVAL OF SENATE BILLS

He also presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

**SB 74, 307, 315, 433, 485 and 565.**

#### CALENDAR

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

**SB 179 (Pr. No. 766)**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 179.

Mr. HALUSKA. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Staisey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron.

#### NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SB 278 (Pr. No. 716)**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 278.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SB 280 (Pr. No. 717)**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 280.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SB 282 (Pr. No. 718)**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 282.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SB 284 (Pr. No. 719)**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 284.

Mr. LANE. Mr. President, I second the motion.

On the question,

Mr. LANE. Mr. President, I second the motion.

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SB 286 (Pr. No. 720)**—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 286.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SB 481 (Pr. No. 846)**—Mr. WEINER. Mr. President I move that the Senate do concur in the amendments made by the House to Senate Bill No. 481.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafi,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL IN WHICH HOUSE HAS NONCURRED IN SENATE AMENDMENTS

**HB 517 (Pr. No. 1955)**—Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 517, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

### FINAL PASSAGE CALENDAR

#### BILL OVER IN ORDER

**HB 442 (Pr. No. 2183)**—And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, as I pointed out last week under an interrogation, the caddie of twelve years of age and upward will not come under the provisions of the Workmen's Compensation Law.

It appears that no one is responsible in case the child is injured. There is no question that we are going back many, many years. We fought for many years to abolish child labor, and at this late date, once again we are back where we started.

This is a very, very bad bill. It appears quite certain that no one has the answer as to just who will be responsible for the child if he is injured, ruptured or hit by a ball. True, the club should be responsible, but is it? Many clubs do not carry public liability insurance. In such case, an injured caddie would have no reimbursement, either medical or otherwise.

I certainly feel this is a bad bill, and I trust it will be defeated.

Mr. LANE. Mr. President, I reviewed this legislation in detail since last week. It is my opinion that the person to be held responsible would be the person who hired the caddie,

I feel, too, Mr. President, that this person may carry liability insurance, but, of course, that would be with reference to any damage that might occur in his operation whereby he might injure someone of the general public. I think this piece of legislation is a mistake. I am very much afraid that if we pass this legislation, all of us will probably regret our action. Therefore, I am going to vote "no" on House Bill No. 442.

Mr. SEYLER. Mr. President, I just wanted to remind the Members of the Senate that apart from the validity of the argument that has been made, this bill would reduce the age to twelve years old. This, in my opinion, would be a serious break in the Child Labor Laws. It is likely to be followed by other similar types of occupations, which would have advocates who would claim that these types of employment, likewise, should be given the privilege of lowering the age for children in employment to twelve years.

I believe this would be an unfortunate departure from the laws we now have on the books, laws which, I would remind the Members, were won after many years of effort by members of organized labor and by people interested in child welfare.

I feel the present economic situation in our Nation and in this Commonwealth does not call for such a serious break in the present status of our Child Labor Laws.

Therefore, Mr. President, I am opposed to the bill and intend to vote against it.

Mr. BERGER. Mr. President, I am not speaking in advocacy of this bill, but merely to explain, as I understand it, what the liability might be in case a child is injured.

Certainly, these children are not covered by the Workmen's Compensation Act because a caddie is employed by the person who pays him, and that would be the golf player. The player himself, or anybody else on the course, would not be liable for an injury to the caddie except in case of negligence. Unless the club would happen to have a blanket policy covering any type of an accident which might occur on the course, the club would not be responsible. Even if it did have such a policy, unless it was much broader than most of them, it would be responsible only in case of negligence on the part of any employee of the particular club.

I would not want any misunderstanding about that. This is simply a contract between the golf player and the boy that he hires. The only question which arises is whether or not this is good, wholesome employment for a youth, and whether or not he is able to engage in it.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Potter County, Senator Berger.

The PRESIDENT. Will the gentleman from Potter County, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. HALUSKA. Senator Berger, then you do agree, in the case of an injured caddie, that no one is really responsible for the accident. Is that correct?

Mr. BERGER. Mr. President, only in the case of negli-



gence on the part of the person who caused the injury. If he falls into a hole or something like that, and if the club is responsible for the existence of it, then the club would be responsible, I would assume, if it were shown that it was an attractive nuisance or negligence on the part of the ownership of the property.

Mr. HALUSKA. Then it is true, in my opinion at least, that the parents would foot the entire bill. Is that correct?

Mr. BERGER. Will you repeat the question, please?

Mr. HALUSKA. In case a caddie is injured, it would become the duty of his parents to pay the bills—medical bills and otherwise. Is that correct?

Mr. BERGER. Oh, yes, just the same as though he were hit by an automobile through no fault of the driver, or any other accident that might happen to a youth of that age engaged in play or any other activity.

Mr. HALUSKA. Then do you think that we, in this Body here, are acting in good faith when we legalize such action?

Mr. BERGER. Mr. President, I cannot speak for what we in this Body might do. It is a matter of individual evaluation of whether or not this is a dangerous or undesirable piece of legislation.

Mr. HALUSKA. However, we are permitting adults to hire minors without any responsibility whatsoever. Is that correct?

Mr. BERGER. Will you repeat that question, Senator?

Mr. HALUSKA. We are permitting adults to hire minors to work for them without any responsibility whatsoever?

Mr. BERGER. Mr. President, in the same manner that you might hire a boy of similar age to mow your lawn, yes.

Mr. HALUSKA. Mr. President, most of the people carry a homeowner's policy. In that case, they would be covered. However how many of them carry a policy to cover activity on a golf course?

Mr. BERGER. Mr. President, I must correct the gentleman in that you would not be responsible to the boy mowing your lawn unless you were negligent, and your policy would not pay him.

Mr. HALUSKA. Thank you.

Mr. SILVERT. Mr. President, I stated—I think it was last Wednesday—that I am in favor of this bill. I think too much has been made out of the possibility of injury to this minor twelve or fourteen years of age. If a boy that age came around to clean your pavement during a snow, you would not think twice about refusing him the job because the boy might get hurt. Yet, the incidence of liability is the same whether he carries a golf bag or clears your pavement of snow. Negligence must be shown. As a lawyer, I agree with the Minority Leader that unless negligence is shown, there would be no liability. However, it has been made to appear as though caddying is a most hazardous occupation.

I have played golf for a number of years. To the remark from the sidelines, that may be so. However, you have never played golf, as I told you the other day. I have never yet seen a caddie hurt. I do think it will give these boys from families that need help an opportunity during the spring and summer—and most likely either on a Thursday or on week ends—to earn a few dollars in a healthful occupation.

I am not going to be blinded by pleas of child labor or a hazardous occupation in this case. I intend to vote for the bill.

Mr. McMENAMIN. Mr. President, apparently this bill

involves very serious questions of law and probably very serious consequences to every golfer in Pennsylvania, if what has been said here is true.

It seems to me there is a case in which a golf course was held responsible under the Workmens Compensation Act to a caddie who lost an eye. I am not sure of his age.

Therefore, I would request that we put this bill over in its order for a day until we have had an opportunity to research it further.

The PRESIDENT. Is there objection to the bill going over in its order?

Mr. MCGINNIS. Mr. President, one of the most troublesome things which exist in this Commonwealth, and in every other State, is juvenile delinquency. I know there are some Senators on this floor who remember the depression which we had during the 1930s. We had C.C.C. Camps then which took our boys off streets and sent them out into the woods. Those boys tramped through the woods and drove every pest out of our woods. They built roads throughout the forests of Pennsylvania and fought forest fires from burning our woods. When the war came, they tell me that those boys were the best soldiers in the war.

I am telling you that we cannot do too much to give employment and some exercise to our young people. We should give them something to do. I am sure it would not hurt a boy in Pennsylvania to work around on a golf course for a few hours.

Mr. PECHAN. Mr. President, I have no objection to the bill going over in order. However, I would like to second the motion of my distinguished colleague, Senator McGinnis, when he talked about juvenile delinquency.

I know many, many a boy who has been a caddie at the age of twelve—and perhaps that has been illegal—around our country club. I have not played golf since the war. However, before the war, we had many boys there who were twelve years of age. Many of those boys today are lawyers, doctors and dentists. As a result of being caddies, some doctor or some lawyer got to like these boys and helped them with their education. One golf bag, for eighteen holes, is not going to hurt any boy. Nobody goes out and solicits these boys. They come to the country clubs and ask for work.

Mr. President, I see absolutely nothing wrong with this bill, other than the people who are opposing it. I understand that they are against automation. If anything is going to cause automation, it will be caused by these doctors, lawyers and dentists—people who can afford to play golf—going out and buying one of these carts in which they can ride around, thereby eliminating the need for caddies.

Mr. SEYLER. Mr. President, I am not going to oppose the request that this bill go over in order. I think that is a good idea. However, I wonder if, before that happens, I might interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. You may if we can find out whether or not there is any objection to the bill going over in order. I have a request for the bill to go over in order. If there is no objection, the bill will go over in order.

Mr. SEYLER. Mr. President, could I object just long enough to ask the Minority Leader a question and then remove my objection? I want to be legal, but I would like to get an answer to a question.

The PRESIDENT. Senator Seyler, if you do not object,

the bill will go over in order and there will be no further discussion of it.

Mr. SEYLER. I do not understand that, Mr. President.

The PRESIDENT. Are you going to object? In other words, you may decide whether you wish to object by interrogating the Minority Leader. Is that your point?

Mr. SEYLER. Mr. President, I am not objecting to the bill going over in order, except long enough for me to interrogate the Minority Leader. If that is impossible, I will just sit down because I do not wish to object to the bill going over in its order.

The PRESIDENT. Senator Seyler, if you wish to ask a question in order to determine whether or not you will object to the bill going over in order, you may proceed.

Mr. SEYLER. I like the way you put that, Mr. President. That is my position, exactly.

The PRESIDENT. I knew you would and that is why I put it that way. I will hold off if the Minority Leader wishes to be further interrogated.

Mr. BERGER. No, Mr. President. I merely wish to be further enlightened. I do not object to being interrogated at all. Do I understand the gentleman is objecting just a little bit?

The PRESIDENT. Just a little bit.

Mr. BERGER. I understand, Mr. President. I will permit myself to be interrogated.

The PRESIDENT. The gentleman from Potter, Mr. Berger, will permit himself to be interrogated, and the gentleman from York may proceed.

Mr. SEYLER. I thank the Chair and I thank the gentleman.

I am going to ask this question, Mr. President, in order to provide a basis for thinking about a possible objection to this bill, in the process of thinking it over, between now and the next time we consider it.

I would like to refer the Minority Leader to page 4 of House Bill No. 442. My question, Mr. President, is directed to Section 2. The gentleman will note that this has been amended so that it now presents two exceptions. The first one is the substance of the amendment in the bill and the second, of course, is:

" . . . that a minor between the ages of fourteen and sixteen years may be employed as hereinafter provided in such work as will not interfere with school attendance . . . "

Similarly, on page 5, the effect of the amendment is the same.

My question, Mr. President, is whether in Senator Berger's opinion—I have been advised by counsel on this side that this is true and I, therefore, want a substantiating opinion—this means that those twelve to fourteen year old boys are excluded from the proscription against working during school hours.

Mr. BERGER. I would say not, Mr. President.

Mr. SEYLER. Mr. President, the argument is that one exception is made for male minors between the ages of twelve and fourteen. Then, on line 13, it says:

" . . . and except that a minor between the ages of fourteen and sixteen years may be employed as hereinafter provided in such work as will not interfere with school attendance . . . "

The suggestion would be, in the way it is written, that the twelve to fourteen year olds would be employable as caddies during the time of school attendance.

Mr. BERGER. I do not so understand it, Mr. President. Mr. SEYLER. Mr. President, I thank the gentleman. The PRESIDENT. Do you thank him for not understanding?

Mr. SEYLER. I thank the gentleman for his answer.

Mr. BERGER. I said, Mr. President, that I do not so understand it.

The PRESIDENT. Unless I hear an objection at this particular moment, the bill will go over in its order. Is there objection? There being no objection, the bill will go over in its order at the request of Senator McMenamin.

#### BILL ON FINAL PASSAGE DEFEATED

**SB 579 (Pr. No. 653)**—And the amendments made there-to having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—25

Bell,	Keller,	Pechan,	Taylor,
Berger,	Kessler,	Propert,	Van Sant,
Chapman,	Kromer,	Scott,	Wade,
Confair,	Madigan,	Shafer,	Wagner,
Ehrgood,	Mahady,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

#### NAYS—21

Camiel,	Kalman,	Miller,	Seyler,
Devlin,	Lane,	Mullin,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Stalsey,
Donolow,	McGinnis,	Rooney,	Weiner,
Haluska,	McMenamin,	Sarra,	Yatron,
Hays,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

#### COMMITTEE OF CONFERENCE APPOINTED ON HB 517

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. ROONEY, MULLIN and SCOTT as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 517.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### THIRD READING CALENDAR

##### BILL ON THIRD READING AND FINAL PASSAGE

**HB 10 (Pr. No. 10)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,



DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

**HB 67** and **SB 76**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 111 (Pr. No. 860)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. SILVERT. Mr. President, Senate Bill No. 111 introduces for the first time in the State of Pennsylvania the use of a criminal summons instead of a warrant of arrest. This bill was amended in committee so as to make it applicable to Philadelphia only.

Mr. President, this bill has been endorsed in Philadelphia by the Pennsylvania Prison Society, the Philadelphia Bar Association, the Board of Rabbis and the Mayor's Study Advisory Committee. May I say that it will not apply where the offense is punishable by more than two years imprisonment, where the defendant is a resident of some other city or county other than the city of Philadelphia, where a judge finds on an affidavit that there is reasonable cause to believe the defendant will probably flee the jurisdiction, or where a policeman actually sees the offense committed.

Mr. President, the Philadelphia Bar Association became so highly interested in this bill that they put out a brochure on it. I will read some parts of the brochure:

"The idea that an individual is innocent until proven guilty is a cornerstone of our American concept of justice . . . Yet the arrest and long detention of innocent people in Pennsylvania is cruel but not unusual."

I should like to read another part of this brochure:

" . . . In 1960, the daily cost of maintaining an inmate at Moyamensing Prison in Philadelphia was \$3.20. Thus, in Philadelphia alone, the cost of maintaining detainees awaiting trial or further hearing was over a million dollars. Add to this the cost to taxpayers of public assistance for families who have been deprived of their breadwinner and must live at public expense . . ." — and you arrive at a real sum.

"In 1960 in Philadelphia, there were approximately 15,000 commitments of persons to await trial or further hearing. Each person so committed spent an average of about 23 days. Thus, 345,000 days were spent in Philadelphia jails by persons not convicted. Approximately one in five persons

when brought to trial in Philadelphia is acquitted. In short, about 230 years of innocent persons' time is being served each year in this one city. While no practicable legislation could be devised to eliminate this situation completely, Senate Bill 111 would certainly reduce the extent of the injustices."

I say Mr. President, that this is an experiment in Pennsylvania. We, in Philadelphia, are willing to serve as guinea pigs for this new theory. I am sure that after it has been in operation in Philadelphia for a reasonable length of time, the rest of the State will have the opportunity to observe the benefits of this legislation and the rest of the State may also want such a bill.

Mr. President, I ask the Members of the Senate to vote "aye" on this bill.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Silvert.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Silvert, permit himself to be interrogated?

Mr. SILVERT. I will, Mr. President.

Mr. BERGER. Mr. President, I just want to get one question clarified. I certainly intend to vote for this bill. However, I am wondering if the only instance in which a warrant would issue for offenses punishable by two years or less imprisonment would be upon affidavit that the defendant is apt to leave the jurisdiction.

Mr. SILVERT. Mr. President, where there is an affidavit that he is likely to leave the jurisdiction, a warrant would issue and the man would be held under bail when the judge believes there is reasonable ground for such an affidavit. Also, where a policeman sees a crime committed, no summons of arrest will be issued, but the usual warrant and bail will be used.

Mr. BERGER. Mr. President, my question was is that the only instance in which a warrant would issue for such an offense, upon affidavit where the defendant was going to leave the jurisdiction?

Mr. SILVERT. Mr. President, my answer is "yes" and also where the policeman actually sees it.

Mr. BERGER. I thank the gentleman.

Mr. LANE. Mr. President, I have reviewed this bill, and I am very much afraid there might be a defect in the title because two subject matters are contained in the bill.

You will note on page 3 of the bill, commencing with line 4, that it reads as follows:

" . . . an investigation may be made of the said complaint and upon your failure to appear at the time and place herein mentioned you are liable to a fine not exceeding one hundred dollars (\$100)."

Mr. President, it seems to me that we are enacting a penalty in the bill for failure to appear in compliance with the summons. I feel this subject matter should be contained in the title of the bill. I am very much afraid there will be a question on this legislation unless we amend the title.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,

Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert,	Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 218 (Pr. No. 734)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert,	Stalsey, Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING AMENDED

**HB 227 (Pr. No. 235)**—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Title, page 1, third line, by inserting after "thereto," providing for the computation of retirement allowances in certain cases and

Amend Section 1, page 2, line 1, by striking out "Section 803" and inserting in lieu thereof: Clauses (a) and (b) of subsection (1) of Section 401

Amend Section 1, page 2, line 3, by striking out "and December 1, 1959 (P. L. 1640) is" and inserting in lieu thereof: are

Amend Section 1, page 2, by inserting between lines 3 and 4:

Section 401. Superannuation Retirement Allowances.—

(1) Upon retirement at or after superannuation retirement age a contributor who is a member of the single coverage group whose entire service shall have been in one class of membership and who has made application in accordance with the provisions of article V. section 506 subsection (1) shall receive a superannuation retirement allowance in accordance with the following provisions

(a) The superannuation retirement allowance

of a member of Class A shall consist of a member's annuity which shall be the actuarial equivalent of his accumulated deductions and a State annuity which shall consist of the following components

(i) A basic component of one one-hundredth (1/100) of his final average salary for each year of total credited service

(ii) An equalizing component equal to the amount, if any, by which the member's annuity is less than the State annuity attributable to contributory service In any case where payments have been made from accumulated deductions to a credit union pursuant to section 803 the equalizing component shall be reduced by the actuarial equivalent of the sum of such payments

(iii) A prior service component applicable to original members of one one-hundredth (1/100) of his final average salary for each year of prior service

(iv) In the event of superannuation retirement after April 18 1952 a minimum allowance component equal to the amount if any by which the superannuation retirement allowance otherwise payable is less than one thousand two hundred dollars (\$1,200) provided the contributor has twenty-five (25) years or more of credited service in the Commonwealth or if less than twenty-five (25) years of such service then such proportional amount of one thousand two hundred dollars (\$1,200) as the years of such credited service bear to twenty-five (25) years

(b) The superannuation retirement allowance of a member of Class B shall consist of a member's annuity which shall be the actuarial equivalent of his accumulated deductions and a State annuity which shall consist of the following components

(i) A basic component of one one-hundred-sixtieth (1/160) of his final average salary for each year of total credited service

(ii) An equalizing component equal to the amount if any by which the member's annuity is less than the State annuity attributable to contributory service In any case where payments have been made from accumulated deductions to a credit union pursuant to section 803 the equalizing component shall be reduced by the actuarial equivalent of the sum of such payments

(iii) A prior service component applicable to original members of one one-hundred-sixtieth (1/160) of his final average salary for each year of prior service

\* \* \*

Section 2 Section 803 of the act amended December 1 1959 (P L 1640) is amended to read

Amend Section 2, page 3, line 11, by striking out "2" and inserting in lieu thereof: 3

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

## BILLS OVER IN ORDER

**SB 295, 344 and 345**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 350**—Without objection, the bill was passed over in its order at the request of Mr. PROPERT.

**SB 351**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL RECOMMITTED

**HB 398 (Pr. No. 1888)**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Highways.



## BILL ON THIRD READING AND FINAL PASSAGE

**SB 405 (Pr. No. 437)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Miller,	Stalsey,
Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

## NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL REREFERRED

**SB 420 (Pr. No. 452)**—Up motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was rereferred to the Committee on Appropriations.

## BILL OVER IN ORDER

**HB 428**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 438 (Pr. No. 473)**—Read at length the third time agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 441**—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

## BILL ON THIRD READING AMENDED

**SB 456 (Pr. No. 864)**—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 2 (Sec. 1204), page 4, line 15, by inserting after "time": to time, limit by regulation the maximum rate of interest which may

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 483 (Pr. No. 1862)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**SB 512** and **HB 522**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 525 (Pr. No. 867)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Miller,	Stalsey,
Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,

Flack,  
Fleming,  
Haluska,  
Hawbaker,

McCreesh,  
McGinnis,  
McMenamin,

Sesler,  
Shafer,  
Silvert,

Weiner,  
Wolfe,  
Yatron,

## NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 538**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 555 (Pr. No. 600)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

**HB 584**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 590 (Pr. No. 667)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 593**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 596 (Pr. No. 682)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 597 (Pr. No. 683)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

**SB 601 (Pr. No. 865)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,



On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I just rose to inquire whether we are considering Senate Bill No. 601.

The PRESIDENT. We are considering Senate Bill No. 601, which is on Final Passage. Had you not interrupted, we would have had the vote in a second.

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. You will be so recorded, sir.

Mr. LANE. Mr. President, I think we are opening the door on this particular piece of legislation. It will not be too long after we pass this bill, if it is passed, that there will be other persons, other organizations and groups, who are going to request special lights for their vehicles, and God knows where it is going to end.

For that reason, I am going to vote "no."

Mr. WEINER. Mr. President, although I am one of the sponsors of this bill, and at the time I thought it was a good measure, I have since had a second thought about this. I feel there are too many flashing lights at the moment to find out where you are going. I would like to be recorded as voting "no" on this measure.

Mr. BERGER. I request a roll call, Mr. President.

Mr. RIPP. Mr. President, although I, likewise, am one of the sponsors of this bill, since reading it most carefully and listening to the pleas of the physicians, the clergymen and so forth, I have come to the conclusion that the bill is not what I thought it was. Therefore, I also wish to be recorded as voting "no."

Mr. DEVLIN. Mr. President, I want to announce and publicly proclaim that this is one sponsor who is not deserting the bill. I think it is a good bill. The news media in Pittsburgh had asked me to introduce it. I constrained my fellow colleagues over here to cosponsor the bill with me and now they are running. However, I am still in favor of it, and I ask the Members of the Senate to vote for it if they will, please.

Mr. STASEY. Mr. President, I am also a sponsor of this bill, and I do not walk out on any bills. Therefore, I will not walk out on this one.

This bill has merit to it because there is an urgent necessity for the pressmen to move to the scene where events are happening. I am not particularly disturbed about ministers, doctors, undertakers and so forth requesting lights. We will face that when we come to it.

This bill is the only bill before us, Mr. President, and I would urge by colleagues to support it.

Mr. McMENAMIN. Mr. President, the only reason I wanted to vote for this bill is because of my great respect and admiration for the sponsors. Now I am confused between loyalties.

The PRESIDENT. Basically, the confusion must cease at this point because the question recurs and the Clerk will call the roll.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—20

Devlin,	Mallery,	Pechan,	Stroup,
DiSilvestro,	McGinnis,	Rooney,	Taylor,
Fleming,	McMenamin,	Sarraf,	Van Sant,
Kalman,	Miller,	Stalsey,	Wade,
Mahady,	Murray,	Stiefel,	Wagner,

## NAYS—25

Berger,	Keller,	Mullin,	Silvert,
Camiel,	Kessler,	Propert,	Stevenson,
Chapman,	Kromer,	Ripp,	Ware, III,
Donolow,	Lane,	Scott,	Weiner,
Ehrgood,	Madigan,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Yatron,
Hays,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

## BILL ON THIRD READING AMENDED

**SB 616 (Pr. No. 866)**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON, by unanimous consent, offered the following amendment:

Amend Section 1 (Section 1102) on page 2, line 19, by striking out at end of line the word: "COMMISSIONER" and inserting the word: COUNCILMAN.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

## BILL RECOMMITTED

**SB 632 (Pr. No. 730)**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was re-committed to the Committee on Judiciary General.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 639 (Pr. No. 737)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I dislike being on the floor today, objecting to legislation. However, with reference to Senate Bill No. 639, I received a number of communications from the Bar Association in Washington County. They tell me this is quite a radical departure as far as negligence is concerned.

Therefore, Mr. President, I wish to be recorded as voting "no" with reference to this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. CAMIEL. Mr. President, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—37

Bell,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Camiel,	Keller,	Murray,	Stroup,
Chapman,	Kessler,	Pechan,	Taylor,
Confair,	Kromer,	Propert,	Van Sant,
DiSilvestro,	Madigan,	Scott,	Wade,
Donolow,	Mallery,	Seyler,	Wagner,
Ehrgood,	McCreesh,	Shafer,	Ware, III,
Flack,	McMenamin,	Stalsey,	Yatron,
Fleming,			

## NAYS—7

Devlin, Lane,	Mahady, Ripp,	Sarra, Silvert,	Weiner,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 646**—Without objection, the bill was passed over in its order at the request of Mr. HAYS.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 656 (Pr. No. 758)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I do not wish to make a long speech or go into any detail on this bill. The only thing I would like to point out is that if there ever was a conflict of interest, I would think this would be the type of legislation which we would not be in favor of in order to eliminate that conflict. Perhaps I am being unduly cautious, but I can see a situation where someone may sue a bank, rightly or wrongly. Maybe one of these gentlemen might sit in one of these areas where there are not too many Common Pleas Judges to hear the matter. This could also apply to Orphans' Court Judges, where the case might involve a trust or a thing of that nature.

I think this might be one of those areas where you might have a conflict of interest.

Mr. SCOTT. Mr. President, if a situation such as Senator Weiner described arose, I just cannot visualize that the judge would not disqualify himself from hearing the case.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—46

Bell,	Hawbaker,	Miller,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarra,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Staisey,	Yatron,
Haluska,	McMenamin,		

## NAYS—4

Hays,	Mullin,	Seyler,	Silvert,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 661**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 663 (Pr. No. 765)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—40

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Lane,	Ripp,	Stroup,
Devlin,	Madigan,	Rooney,	Taylor,
DiSilvestro,	Mahady,	Sarra,	Van Sant,
Donolow,	McCreesh,	Scott,	Wade,
Ehrgood,	McGinnis,	Seyler,	Wagner,
Flack,	McMenamin,	Shafer,	Ware, III,
Fleming,	Miller,	Silvert,	Weiner,
Hays,	Mullin,	Staisey,	Yatron,

## NAYS—5

Chapman, Kessler,	Kromer,	Mallery,	Propert,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**SB 667**—Mr. WEINER. Mr. President, I request that Senate Bill No. 667 go over in its order.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, I do not intend to object to the request that this bill go over in order. However, I do want to point out to the Members of the Senate that this is the type of bill which is highly desirable and desired, I believe, by the Department of Highways. At least, it used to be.

It would place technical and professional employees upon a security basis in the department and it would remove the cause for criticism of the Department of Highways that they cannot retain professional and technical personnel.

Mr. WEINER. Mr. President, I would like to assure the gentleman that those are our sentiments, as well. The one thing which has been troubling me about this bill is the setup of the board that is in the bill itself. I would like to get some further information on the board and its duties so that no one can question, after this Session is over, why we did not look into this matter more thoroughly. I am awaiting that information. As a matter of fact, there have been two members appointed from the Democratic Caucus to get further information on this measure. I hope to have it before this week is over in order for us to take appropriate action on this measure.

The PRESIDENT. There being no objection, the bill will go over in its order.

**SB 670**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 674 (Pr. No. 784)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kromer,	Proper,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

## NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL REREFERRED

**SB 678 (Pr. No. 788)**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was referred to the Committee on Appropriations.

## BILLS OVER IN ORDER

**SB 688 and 690**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**SB 701**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 713 (Pr. No. 827)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I request that Senate Bill No. 713 appear on tomorrow's Final Passage Calendar.

The PRESIDENT. Is there objection? The Chair hears none. The bill will appear on tomorrow's Final Passage Calendar.

## BILLS ON THIRD READING AMENDED

**HB 715 (Pr. No. 1493)**—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 8, page 14, line 18, by striking out "A NEW SUBSECTION" and inserting: two new subsections

Amend Sec. 8 (Sec. 506), page 15, by inserting between lines 8 and 9:

(8) Notwithstanding any other provisions of this act if any member of the joint coverage group who is a member on June 1 1961 or thereafter and who applies for a superannuation retirement allowance or a withdrawal allowance or his services are terminated by his death or by involuntary separation on or before January 1 1963 and he or his beneficiary shall elect to make the back contributions required under article III section 302 subsection (3) his benefit shall be computed without the reduction provided by article IV section 403 subsection 1

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

**HB 716 (Pr. No. 1490)**—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 8, page 15, line 4, by striking out "A NEW SUBSECTION" and inserting: two new subsections

Amend Sec. 8 (Sec. 505), page 15, by inserting between lines 13 and 14:

(10) Notwithstanding any other provisions of this act if any member of the joint coverage group who is a member on June 1 1961 or thereafter and who applies for a superannuation retirement allowance or a withdrawal allowance or his services are terminated by his death or by involuntary separation on or before January 1 1963 and he or his beneficiary shall elect to make the back contributions required under article III section 302 subsection 2.1 his benefit shall be computed without the reduction provided by article IV section 403 subsection 1

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 980 (Pr. No. 2186)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Proper,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## BILL OVER IN ORDER

**HB 985**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 1017 (Pr. No. 1119)**—Read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1076 (Pr. No. 1919)**—Read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stalsey,
Camel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

## NAYS—1

Wade,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 1082**—Mr. BERGER, Mr. President, I request that House Bill No. 1082 go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I would like to mention to the gentleman that I have no objection to House Bill No. 1082 going over in its order. This is also very desirable legislation and I hope we can act on it without any undue delay.

I have no objection to the bill going over in its order.

Mr. BERGER. Mr. President, in the same vein, I agree that it is desirable legislation in some respects. However, we hope to improve it materially by the addition of amend-

ments which are being prepared and will be offered tomorrow.

The PRESIDENT. There being no objection, the bill will go over in its order.

**HB 1139**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AMENDED

**HB 1169 (Pr. No. 2214)**—Read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 4), page 4, line 18, by striking out "The".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 1186 (Pr. No. 1350)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

**HB 1396**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## RECONSIDERATION OF SB 493

Mr. FLEMING. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 493, Printer's No. 544, failed of final passage on May 31, 1961.

The PRESIDENT. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I seconded the motion.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.



The motion was agreed to.  
And the question recurring,  
Shall the bill pass finally?

Mr. FLEMING. Mr. President, I request that Senate Bill No. 493 appear on tomorrow's Final Passage Calendar.

The PRESIDENT. Is there objection? The Chair hears none. The bill will appear on tomorrow's Final Passage Calendar.

## SECOND READING CALENDAR

### BILL OVER IN ORDER

**SB 23**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

### BILLS ON SECOND READING

**HB 148 (Pr. 1336), HB 179 (Pr. No. 179), and SB 195 (Pr. No. 201)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL REREFERRED

**SB 195 (Pr. No. 201)**—Upon motion of Mr. WEINER, seconded by Mr. SILVERT, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

### BILLS OVER IN ORDER

**HB 197**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 219**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

The PRESIDENT. At this time, the Chair invites the gentleman from Allegheny, Mr. Ripp, to the rostrum to preside.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

### BILL ON SECOND READING

**SB 232 (Pr. No. 243)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL REREFERRED

**SB 232 (Pr. No. 243)**—Upon motion of Mr. WEINER, seconded by Mr. STASEY, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

### BILLS OVER IN ORDER

**HB 245**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 247**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 319**—Without objection, the bill was passed over in its order at the request of Mr. MAHADY.

**SB 322 and 326**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

### BILL RECOMMITTED

**SB 333 (Pr. No. 352)**—Upon motion of Mr. WEINER, seconded by Mr. SARRAF, and agreed to, the bill was recommitted to the Committee on Judiciary General.

### BILL OVER IN ORDER

**SB 342**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**SB 343 (Pr. No. 362)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 353**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILLS ON SECOND READING

**SB 380 (Pr. No. 884) and HB 410 (Pr. 2145)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 413**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**HB 417 (Pr. No. 782)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 473**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

### BILL ON SECOND READING

**SB 551 (Pr. No. 885)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL REREFERRED

**SB 551 (Pr. No. 885)**—Upon motion of Mr. WEINER, seconded by Mr. SARRAF, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

### BILL OVER IN ORDER

**SB 587**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**SB 588 (Pr. No. 665)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 604**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**SB 605 (Pr. No. 693)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**SB 611 and 613**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

### BILL ON SECOND READING

**SB 659 (Pr. No. 761)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 668**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 684 (Pr. No. 797), SB 685 (Pr. No. 798), and SB 686 (Pr. No. 799)**—Read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 687**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 696 (Pr. No. 809), SB 697 (Pr. No. 810), SB 698 (Pr. No. 811), SB 704 (Pr. No. 818), SB 705 (Pr. No. 819), SB 706 (Pr. No. 820), SB 707 (Pr. No. 821), HB 718 (Pr. No. 2212) and SB 721 (Pr. No. 886)**—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 725**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 895 (Pr. No. 1958) and HB 1007 (Pr. No. 2213)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 1025, 1085 and 1102**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 1136 and 1174**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**HB 1178, 1220, 1259 and 1408**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

**SB 592, HB 123, 244, 343 and 966.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

## JOHN CARL MILLER, JR. PRESENTED TO SENATE

Mr. ROONEY. Mr. President, before we adjourn today, I think it would be nice if the Chair would recognize a young man who has done an outstanding job in assisting us today. I am speaking of John Carl Miller, Jr., the son of Senator Miller.

The PRESIDING OFFICER. Will the young man please rise?

It is nice to have you here, young fellow. Stay with us and you will learn, as your Dad did, how to become a Senator of this great Commonwealth.

## ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS  
TUESDAY, JUNE 13, 1961

## Eastern Daylight

Saving Time	Committee	Room
9:30 A. M.	MINES AND MINERAL INDUSTRIES	542
10:00 A. M.	JUDICIARY GENERAL	535
10:30 A. M.	FORESTS & WATERS, GAME & FISH	Dem. Caucus Room
11:00 A. M.	LOCAL GOVERNMENT	301
11:45 A. M.	STATE GOVERNMENT	535
DEMOCRATIC CAUCUS .....	12:30 P. M., D.S.T.	
REPUBLICAN CAUCUS .....	1:00 P. M., D.S.T.	

## WEDNESDAY, JUNE 14, 1961

9:00 A. M.	LABOR & INDUSTRY	535
9:30 A. M.	EDUCATION	302
10:00 A. M.	BANKING	302
11:00 A.M.	LAW AND ORDER	535

## ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, June 13, 1961, at 1:00 p.m., Eastern Standard Time.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:14 p.m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

MONDAY, June 12, 1961

The House met at 2 p.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, our Father, as humble and obedient children of Thine, we come before Thee in the beauty of this evening hour. We recognize that as our Heavenly Father Thou dost continually provide for our wants and dost share with us Thy presence and guidance. We earnestly pray that in like manner we may be aware of the needs of the children of men, and endeavor with untiring effort to use our talents to conquer these needs: through Jesus Christ, Thy dear Son, our Lord, Who liveth and reigneth with Thee and the Holy Ghost, ever One God, world without end. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, May 22, 1961? If not, and without objection, the Journal is approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, June 8, 1961, will be postponed until printed.

The Chair hears none.

## BILL INTRODUCED AND REFERRED

By Mr. WEIDNER. HOUSE BILL No. 1725.

An Act to apportion the Commonwealth of Pennsylvania into Congressional districts.

Referred to the Committee on Congressional Apportionment.

## ELECTION RETURNS READ

The SPEAKER. The oath of office will be administered to our new member. The clerk will read the returns of a special election held on Tuesday, May 16, 1961, to fill the vacancy in the House of Representatives for the 17th District, County of Allegheny. The oath of office required by Article VII of the Constitution to be taken by members of the General Assembly will be administered by the Honorable William H. Neeley, President Judge of the Court of Common Pleas of Dauphin County, Pennsylvania.

The clerk will read the returns.

## SPECIAL ELECTION

## OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania  
County of Allegheny

ss: Pittsburgh, Pa., June 7, 1961.

To the Secretary of the Commonwealth:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the Special Election held on Tuesday, May 16, 1961, for each and every candidate in the County of Allegheny as the same remain on file in this office, for the office of Representative in the General Assembly—17th District.

## DEMOCRATIC

Thomas H. Welsh had Twenty-Seven Thousand, Eight hundred ten votes, 27,810.

## REPUBLICAN

James A. Esler had thirty-five thousand, one hundred fifty-two, 35,152.

Scatter had Thirty-Five votes, 35.

In Testimony Whereof, We have hereunto set our hand and seal of office, this 7th day of June, 1961.  
(SEAL)

William D. McClelland

John E. McGrady

John M. Walker

County Board of Elections

Attest:

M. W. Snyder

IN THE NAME AND BY AUTHORITY OF THE  
COMMONWEALTH OF PENNSYLVANIA

To All to Whom These Presents Shall come, Greeting:  
To His Excellency the Speaker and to the Members of  
The House of Representatives of the General Assembly  
Of the Commonwealth of Pennsylvania, Greetings:

I have the honor to present the return of the Special Election of a Member of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania in the Seventeenth Legislative District in Allegheny County, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the Allegheny County Board of Elections:

James A. Esler

Seventeenth Legislative District,  
Allegheny County, Pennsylvania

In Testimony Whereof, I have hereunto set my hand, at the City of Harrisburg, this eighth day of June in the year of our Lord one thousand nine hundred and sixty-one and of the Commonwealth the one hundred and eighty-fifth.

(Seal of the Commonwealth)

E. James Trimarchi, Jr.

Secretary of the Commonwealth

The SPEAKER. The oath of office required by Article VII of the Constitution to be taken by members of the General Assembly will be administered by the Honorable William H. Neeley, President Judge of the Court of Common Pleas of Dauphin County, to James A. Esler, representing the 17th District of Allegheny County.

## COMMITTEE TO ESCORT MEMBER-ELECT

The SPEAKER. The Chair appoints as a committee to escort the member-elect to the bar of the House to take the oath of office, the gentleman from Allegheny, Mr. Donaldson, the gentleman from Allegheny, Mr. Gibb. The committee will now proceed with its duties.

## OATH OF OFFICE ADMINISTERED

The oath of office was administered to member-elect James A. Esler by Judge William H. Neeley as follows:

Do you solemnly swear that you will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that you will discharge the duties of your office with fidelity; that you have

not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure your nomination or election, except for necessary and proper expenses expressly authorized by law; that you have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in your behalf; that you will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act of duty pertaining to your office, other than the compensation allowed by law. Do you so wear?

The SPEAKER. The Chair congratulates the new member and thanks the committee for escorting him to take the oath of office.

The Chair extends his thanks to Judge Neeley.

#### ST. CLEMENTS SCHOOL PUPILS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of members of the 8th grade class of St. Clements School, Johnstown. They are here under the supervision of the Reverend Father Orlando, Sister Francis Clare, Sister Corda, Sister Thomas Moore, Mrs. Herdmen, Mrs. Zemba, Mrs. Riner and Mrs. Middleton.

They are the guests of the gentleman from Cambria, Messrs. McNally, Rovanssek, Farabaugh and Andrews.

The Chair thanks the delegation for honoring us with their presence.

#### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair desires to make a very important announcement.

We understand that the chief clerk of the House has become, for the first time in his sweet life, a grandfather.

I will ask the chief clerk, notwithstanding the strain to which he has been subjected, to rise and bow.

#### SENATE MESSAGE

##### JOINT SESSION

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 12, 1961.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Monday, June 12, 1961, at five o'clock p.m. Daylight Saving Time, in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania.

Order, that the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Order, that the clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### COMMITTEE TO ESCORT GOVERNOR

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 12, 1961.

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be ap-

pointed, to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, that the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, that the clerk inform the Senate accordingly.

#### COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee on the part of the House to escort the Governor to the hall of the House, the gentleman from Greene, Mr. McCann; the lady from Northampton, Mrs. Reibman; the gentleman from McKean, Mr. A. W. Johnson.

#### RESOLUTION

##### COMMITTEE TO ESCORT THE SENATE

Mr. DOUGHERTY offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, Monday, June 12, 1961.

Resolved, That the Speaker appoint a committee of two members of the House to escort the members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

#### COMMITTEE TO WAIT UPON SENATE

The SPEAKER. The Chair appoints as a committee to wait upon the Senate, the gentleman from Philadelphia, Mr. Dougherty; the gentleman from Cameron, Mr. Tompkins.

#### FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence in the hall of the House of a former member, who, while no longer a member of the House, continues to be an important political personage in the State, Mr. Fredrick C. Peters, of the Fifth District of Montgomery County.

#### REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1461, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring school districts, under certain circumstances, to provide free transportation of children attending non-public schools not operated for profit.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1644, entitled:

An Act authorizing any person diving in any waterway with the aid of a mechanical device to place a buoy at or near the place of submergence.

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 529, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" excluding from taxation transfers of property between divorced spouses.



Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 535, entitled:

An Act to provide for the exchange of historical materials between historical societies as herein defined.

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 693, entitled:

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of the abolition of capital punishment in Pennsylvania.

Mr. McCANN from the Committee on Rules re-reported as amended, Senate bill No. 239, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1461, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring school districts, under certain circumstances, to provide free transportation of children attending non-public schools not operated for profit.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1644, entitled:

An Act authorizing any person diving in any waterway with the aid of a mechanical device to place a buoy at or near the place of submergence.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 529, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" excluding from taxation transfers of property between divorced spouses.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 535, entitled:

An Act to provide for the exchange of historical materials between historical societies as herein defined.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 693, entitled:

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of abolition of capital punishment in Pennsylvania.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

The SPEAKER. The Chair requests the gentleman from Beaver, Mr. Hamilton, to preside temporarily.

Mr. HAMILTON IN THE CHAIR

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1201, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for reimbursement by the Commonwealth to school districts for the employment of school nurses.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 114, entitled:

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959," removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### RETIREMENT BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 341, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employees amending revising consolidating and changing the laws relating thereto" providing credit for school service for certain contributors who make additional contributions into the fund.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 564, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" providing for the crediting of service in the case of certain former members of the county employees' retirement system in counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 565, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" requiring the county commissioners to make appropriations and payments to the State Employees'

Retirement Fund to establish reserves on account of certain former county employes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 610 entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), providing a death benefit after ten years of service or an accumulation of withdrawal credits in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1080, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing for death benefits for certain annuitants who are receiving a disability allowance.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1081, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing for alternative methods of payment of benefits under certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1214, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), further defining "school employe" to include certain municipal employes and providing further for the purchase of credit for past service.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1251, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), further providing for the reduction of superannuation and withdrawal allowances.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1273, entitled:

An Act amending the "State Employes' Retirement Code

of 1959" approved June 1, 1959 (P. L. 392), providing a disability retirement allowance for disability incurred by officers and employes of the Pennsylvania State Police while engaging in law enforcement activities when not on active duty.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1382, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), by further providing for optional membership.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1383, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), by changing definition of "State employe" and permitting certain members of the school employes retirement system to elect to become members.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1384, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employes amending revising consolidating and changing the laws relating thereto" clarifying the provisions relating to the computation of allowances payable to members of the joint coverage group.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1385, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" providing credit for out-of-State service for certain contributors employed at State colleges.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1386, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" clarifying the provisions relating to the computation of allowances payable to members of



the joint coverage group and to the filing of applications for withdrawal allowances.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1599, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" defining superannuation retirement age for retirement of enforcement personnel of the Pennsylvania Liquor Control Board as members of Class C.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1600, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), known as the "Liquor Code" providing for an increase in application filing and transfer fees and for the annual transfer of certain moneys from the State Stores Fund to the State Employees' Retirement Fund.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 36, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), requiring the Public Utility Commission to consider and protect the contractual rights of employes and possible adverse effect on employes before approving any transfer of property of a common carrier of passengers by motor bus.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 379, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), prohibiting certain licensees their servants agents and employes from selling liquor and malt and brewed beverages during certain hours on Good Friday.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 3 (Sec. 492), page 5, line 16; page 6, line 1, by striking out "the day preceding."

It was agreed to.

The section was agreed to as amended.

The fourth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 925, entitled:

An Act requiring the use of a canvas or other barrier to prevent the spread of sand when the exterior of a building is cleansed by sand blasting and prescribing penalties.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1023, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242), giving the Secretary of Highways authority and discretion to issue permits to qualified individuals or corporations desiring to conduct seismic operations on certain State highways.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1140, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), further regulating the division of boroughs into wards and the abolition of wards.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1227, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), including chiropractors within school health program.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HELM offered the following amendment:

Amend Sec. 1 (Sec. 1401), page 2, line 13 by striking out "OR A CHIROPRACTOR"

Amend Sec. 1 (Sec. 1401), page 2, line 14 by inserting after "or" a chiropractor

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House bill No. 1438, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act" approved May 31, 1949 (P. L. 1198), further regulating bituminous strip mining operations changing provisions with respect to bonds filing dates reports registration backfilling and overburden including certain persons within the provisions of the act and providing for the use of funds in certain cases.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. ROVANSEK offered the following amendment:

Amend Sec. 2 (Sec. 4.3), page 9, lines 2 and 3 by striking out the bracket before "the" in line 2, and after "reported" in line 3.

Amend Sec. 2 (Sec. 4.3) page 9, line 3 by striking out "all operations"

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. ROVANSEK offered the following amendment:

Amend Sec. 4 (Sec. 8), page 12, line 10 by inserting after "days]" within fifteen (15) days

Amend Sec. 4 (Sec. 8), page 12, lines 11 and 12 by striking out "with the annual report or completion report"

Amend Sec. 4 (Sec. 10), page 13, line 17 by inserting a bracket before "unmined"

Amend Sec. 4 (Sec. 10), page 13, lines 17 and 18 by striking out the bracket before "which" in line 17 and after "coal" in line 18.

Amend Sec. 4 (Sec. 10), page 13, line 18 by striking out "from the top of the highway"

Amend Sec. 4 (Sec. 10), page 14, line 1 by striking out the bracket before "except"

Amend Sec. 4 (Sec. 10), page 14, line 3 by inserting after "thereof]" highwall to a height of one-half the distance from the bottom of the pit to the top of the highwall, which backfill shall extend from said point on the highwall to the bottom of the pit at an angle not to exceed forty-five (45) degrees

Amend Sec. 4 (Sec. 10), page 14, line 5 by striking out "is satisfactory to the secretary and"

Amend Sec. 4 (Sec. 10), page 14, line 13 by striking out "for"

They were agreed to.

The section was agreed to as amended.

The fifth, sixth and seventh sections were separately read and agreed to.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. ROVANSEK offered the following amendments

Amend Sec. 8 (Sec. 18), page 21, line 4 by inserting a bracket after "County" and inserting immediately thereafter the mine inspection district

Amend Sec. 8 (Sec. 18), page 21, lines 6 to 8 by striking out "the bituminous coal region particularly when an operator" in line 6 and all of lines 7 and 8

They were agreed to.

The section was agreed to as amended.

The ninth section was read and agreed to.

The tenth section was read.

On the question,

Will the House agree to the section?

Mr. ROVANSEK offered the following amendment:

Amend Sec. 10, page 22, line 3 by striking out "immediately" and inserting in sixty days

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1446, entitled:

An Act amending the "Barbers' License Law" approved June 19, 1931 (P. L. 589), providing credit toward student or apprentice registration periods in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1463, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), clarifying the meaning of "frontage abutting on the sewer" for the purpose of sewer assessments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1464, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), permitting townships to make appropriations to industrial development agencies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1465, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), permitting townships to make appropriations to industrial development agencies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1522, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), removing maximum limitations upon dues assessed on townships by the State Association of Township Supervisors.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1530, entitled:

An Act providing for the destruction of certain records and papers upon petition in townships of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1561, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing the name of the Department of Forests and Waters to the Department of Conservation and Recreation transferring to it certain functions powers and duties relating to parks and recreation making the Pennsylvania Historical and Museum Commission a departmental administrative commission therein making the Brandywine Battlefield Park Commission an advisory commission therein changing certain other commissions from departmental administrative commissions to advisory commissions and abolishing the Flood Control Commission.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitment to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1609, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 99, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" regulating the issuance of operators' licenses between sixteen and eighteen years of age restricting their driving privileges and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 100, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" by making persons over sixteen years of age subject to certain penal provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 200, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law" making eligible for assistance certain persons in public medical institutions and regulating obligations for and payment of certain funds.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 213, entitled:

An Act fixing maximum hours of service for policemen in cities of the second class A.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 401, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" authorizing increase in the number of meetings for which supervisors may be paid without the prior approval of the auditors further providing for the attendance of supervisors or employees at road meetings and conventions imposing duties on township secretaries changing the time which may be expended by auditors in the completion of audits authorizing managers to attend meetings of county associations of township officers authorizing supervisors to exercise general powers further providing for the parties who may protest a change in zoning and providing for review of township ordinances and regulations adversely affecting public utility service.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitment to the Committee on Public Utilities and Corporations.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE BILL No. 827.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 8, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 827, printer's No. 909, entitled "An Act amending the act of May 29, 1956 (P. L. 1804), entitled 'An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof providing for an actuary continuance of existing funds or transfer thereof to funds herein established prescribing rights of beneficiaries contributions by

members providing for expenses of administration continuation of existing authority to provide annuity contracts credit for military service refunds exempting allowances from judicial process and repealing certain acts' further providing for the compensation of pension or retirement benefits."

DAVID L. LAWRENCE

### STATEMENT

The SPEAKER pro tempore. For what purpose does the gentleman from Erie, Mr. O'Dell, rise?

Mr. O'DELL. To make a brief statement.

Mr. Speaker, Thursday the majority leader mentioned the fact that his ear drums were humming. I wish to inform him that mine are starting to hum today. There is something wrong with this speaking system here; there is a tremendous vibration. At the back of the room we can hardly hear some of the speakers who are speaking in the front of the House. I wonder if something cannot be done, perhaps a quick adjustment, between now and the time the Governor comes in.

The SPEAKER pro tempore. The chief clerk advises me that there will be a man in here tomorrow who knows his business and will have this job properly surveyed.

Does that satisfy the gentleman?

### BIRTHDAY GREETINGS

The SPEAKER pro tempore. We have a birthday today, the gentleman from Cambria, the Honorable Louis Rovanseck, whose birthday is today.

The Chair recognizes the gentleman from Delaware, Mr. Dengler.

Mr. DENGLER. Mr. Speaker, I think we ought to give the gentleman from Cambria a very fine send-off, because he happens to be one of the basses in our legislative chorus and has one of the finest voices among the members of this House.

So let us all sing, "Happy birthday, dear Louis." (Members joined in singing "Happy Birthday," led by Mr. Dengler.)

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Rovanseck.

Mr. ROVANSEK. Mr. Speaker and members of the House, I certainly appreciate that little song presented for me this afternoon. I shall continue to do the best I can in here, and I want to thank everyone of you for your kindness. Thank you a lot.

### RESOLUTION

#### CONGRATULATIONS

Mr. GRAMLICH offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 12, 1961.

The Joy Manufacturing Company of Franklin, Venango County, Pennsylvania has engaged in manufacturing in the Commonwealth of Pennsylvania since 1924.

This great organization operates thirty-seven manufacturing plants throughout the world and holds over six hundred patents in its own right.

The Joy Manufacturing Company employs thirteen hundred people in the Venango County area.

Due to a recent tragic fire certain valuable buildings and structures of the Joy Manufacturing Company were destroyed amounting to approximately four million dollars (\$4,000,000).

The Joy Manufacturing Company immediately indicated that such buildings and structures will be rebuilt to continue its operations in the Venango County area; therefore be it

Resolved, That the citizens of Venango County and the Commonwealth of Pennsylvania hereby congratulate the Joy Manufacturing Company for its faith and confidence in its own future and its faith and confidence in the people of the Venango County area; and be it further

Resolved, That a copy of this resolution be sent to the President of the Joy Manufacturing Company.

The SPEAKER pro tempore. We have a resolution at the desk which relates to the death of a former member of this House and a prominent jurist of our State, Judge Reno.

### RESOLUTION

#### CONDOLENCE

Mrs. MARKLEY, Messrs. STECKEL, BACKENSTOE and STIMMEL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, June 12, 1961.

On Sunday, June 11, 1961, death brought to an end the distinguished career of a prominent jurist and Lehigh County Attorney. At the age of 79, Judge Claude Trexler Reno of Allentown passed away after a two and one-half year illness.

Judge Reno was well known throughout the State as a lawyer, jurist and legislator. As a public servant he had the rare distinction of having served in three departments of Pennsylvania's government. He served in this distinguished body from 1910 to 1912. He was judge of Lehigh County Court of Common Pleas from 1921 to 1934 and a judge of the Superior Court from 1942 to 1953. From 1939 to 1942 he was the Attorney General of the State. The highest honor conferred by the Supreme Court upon a practicing attorney was awarded Judge Reno when he was made a standing master of the Pennsylvania Supreme Court in 1934.

When he was appointed to the Court of Common Pleas he was the youngest judge in Pennsylvania. As Attorney General he won every case that he personally argued before the Supreme Court. When Judge Reno ran for the Superior Court he was elected by a majority larger than ever received by a candidate for that office running on only one party ticket.

In fraternal work Claude Reno will always be remembered by the men of Alpha Tau Omega. He was the editor and publisher of their national magazine, he wrote several books on the history of A.T.O. and he was their worthy grand chief from 1930 to 1933.

Judge Reno was graduated from Allen High School in 1900. He attended Muhlenberg College and received a bachelor of law degree from Dickinson School of Law. He had been a Trustee of Dickinson since 1922 and had received many honorary degrees from various colleges.

To everyone who knew Judge Reno his passing brings great sorrow. His wife, the former May Grim Appel has lost a great companion. We want to take this opportunity to extend our sympathy, therefore be it

Resolved, That the House of Representatives extends to Mrs. May Reno its deepest sympathy upon the death of her well known, much loved and highly respected husband, Judge Claude T. Reno; and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. Reno at her home, 325 N. 28th Street, Allentown, Pennsylvania.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Beaver, Mr. Hamilton, for presiding.



## LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. VERONA for today's session.  
Mr. Tompkins for Mr. ODORISIO for today's session.  
Mr. Tompkins for Mr. WILT for today's session.  
Mr. Tompkins for Mr. FOX for today's session.  
Mr. Tompkins for Mr. SIMMONS for today's session.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 81, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring commercial motor vehicles and truck tractors to be marked with the names and addresses of the owners or operators.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Heavey.

Mr. HEAVEY. Mr. Speaker, this bill calls attention to trucks that are running around the streets without any identification on them, and in the case of an accident you would only have a dirty license tag. Public utility, ICC and PUC permits are all exempted because under this bill they are fully identified. It also exempts farmers' equipment and trucks.

There are a lot of trucks that run over peoples' pavements and curbs and the property owners have to pay the bill, because the trucks keep on going without anybody knowing who it was. Every once in a while there is an accident, somebody gets hurt, and there is no way of identifying the truck other than, maybe, dirty license tags.

This bill calls for the names and addresses in letters 3 inches high, which would probably cost about \$10. In the case of an accident and the truck kept on going, bystanders could pinpoint the accident. I think it is a very good highway safety bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, I am a sponsor of this legislation. In its original form I had some reservations about it, but with the amendments I think it is a good bill and I intend to vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

## YEAS—109

Adams,	Fry,	Lee, A. M.,	Petrosky,
Anderson, S. A.,	Galley,	Leonard,	Polaski,
Arlene,	Gallagher,	Limper,	Polen,
Bachman	Goldstein, M. H.,	Lippincott,	Prendergast,
Boles,	Greenlee,	Long, Wm. Jos.,	Reibman,
Bonner,	Gremminger,	Lutty,	Reidenbach,
Bowman,	Guesman,	Markley,	Renwick,
Branca,	Hamilton,	Marsh,	Riley,
Breth,	Hankins,	Maxwell,	Rovansek,
Capano,	Hartley,	McCann,	Rubin,
Cauley,	Haudensfield,	McDevitt,	Rudisill,
Clanfrani,	Heavey,	McDonald,	Scarcelli,
Cioffi,	Henzel,	McKeever,	Schaaf,
Clarke,	Irviss,	McLaughlin,	Schuster,
Comer,	Isaacs,	McNally,	Shelton,

Crossin,	Jenkins,	Meholchick,	Sherman,
Curwood,	Jim,	Monroe,	Shupnik,
Dengler,	Johnson, R. P.,	Morley,	Stank,
Dougherty,	Jones,	Munley,	Stone,
Doughten,	Kamyk,	Murphy,	Taylor,
Ellberg,	Kelly,	Murray,	Thompson,
Eshback,	Kernaghan,	Needham,	Wargo,
Farabaugh,	Klein,	O'Donnell, J. A.,	Welsh,
Fetterolf,	Kornick,	O'Donnell, J. P.,	Willaredt,
Filo,	Kramer,	Ogilvie,	Williams, A. D.,
Fineman,	Lamb,	Parlante,	Wynd,
Flynn,	Lawson,	Pashley,	Andrews,
Frascella,			Speaker

## NAYS—69

Anderson, J. H.	Foor,	King,	Slack,
Ashton,	Fulmer,	Kistler,	Snare,
Auker,	George,	Kooker,	Steckel,
Backenstoe,	Gibb,	Korns,	Stitteler,
Blair,	Goldstein, J. H.,	Magee,	Tompkins,
Bossert,	Goodrich,	Manbeck,	Ujobal,
Bower,	Gramlich,	May,	Varnar,
Buchanan,	Gross,	McCandless,	Wall,
Bush,	Heffner,	McInroy,	Weidner,
Davis,	Helm,	Merry,	Whittaker,
Dennison,	Hocker,	Miller,	Willard,
Donaldson,	Holliday,	O'Dell,	Williams, E. S.,
Down,	Holman,	Piper,	Wood,
Edwards,	Horst,	Pursley,	Worley,
Elvey,	Johnson, A. W.,	Royer,	Yetter,
Eshleman,	Keiser,	Rutherford,	Zember,
Esler,	Kessler,	Seltzer,	Zimmerman,
Ewing,			

## NOT VOTING—32

Capitolo,	Holl,	Musto,	Sullivan, J. A.,
Cooley,	Knecht,	Odorisio,	Sullivan, T. F.,
Foerster,	Lee, K. B.,	Perry,	Tomasck,
Fox,	Long, Wm. Jas.,	Price,	Trusio,
Gelfand,	McCormack,	Sakulsky,	Verona,
Gibbons,	Mihm,	Simmons,	Walsh,
Gray,	Mills,	Stimmel,	Wescott,
Guthrie,	Mullen,	Strausser,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 518, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for no passing zones.

## RECONSIDERATION OF VOTE

Mr. TOMPKINS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, line 1, by striking out "102" and inserting in lieu thereof: 1113

Amend Sec. 1, page 2, lines 2 and 3, by striking out "by adding after the definition of 'Nonresident's Operating Privilege' a new definition"

Amend Sec. 1 (Sec. 102), page 2, lines 4 to 12, by striking out all of said lines.

Amend Sec. 2 (Sec. 1113), page 2, line 13, by inserting a bracket before "Secretary" and removing the bracket before "and"

Amend Sec. 2 (Sec. 1113), page 2, line 14, by inserting

a bracket after "Designate" and removing the bracket after "Zones?"

Amend Sec. 2 (Sec. 1113), page 2, lines 14 and 15, by striking out "Shall Mark Areas Where Passing Is Prohibited"

Amend Sec. 2 (Sec. 1113), page 3, lines 5 to 11, by striking out "design official signs and paint marking standards and to" in line 5, and all of lines 6 to 11, and inserting in lieu thereof: determine those portions of any such highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of such zones and when such signs or markings are in place and clearly visible to an ordinarily observant person every driver of a vehicle shall obey the directions thereof.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 816, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), further regulating the issuance of artificial propagation licenses for fish bait fish and fish bait and the fees for such licenses providing for the issuance of such licenses for propagation of frogs tadpoles and turtles making special provisions for live bait dealers licenses and transportation permits and requiring live bait being brought into the state to be inspected.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—167

Adams,	Foor,	Kooker,	Pursley,
Anderson, J. H.,	Frascella,	Kornick,	Reibman,
Anderson, S. A.,	Fry,	Korns,	Reidenbach,
Arlene,	Fulmer,	Kramer,	Renwick,
Ashton,	Galley,	Lamb,	Riley,
Auker,	Gallagher,	Lawson,	Rovansek,
Bachman,	George,	Lee, A. M.,	Royer,
Backenstoe,	Gibb,	Leonard,	Rubin,
Blair,	Goldstein, J. H.,	Limper,	Rudisill,
Boles,	Goodrich,	Long, Wm. Jos.,	Rutherford,
Bonner,	Gramlich,	Lutty,	Scarcelli,
Bossert,	Gray,	Magee,	Schaaf,
Bower,	Greenlee,	Manbeck,	Schuster,
Bowman,	Gremminger,	Markley,	Seltzer,
Branca,	Guesman,	Marsh,	Shelton,
Breth,	Guthrie,	May,	Sherman,
Buchanan,	Hamilton,	McCandless,	Shupnik,
Bush,	Hankins,	McCann,	Slack,
Cauley,	Hartley,	McDevitt,	Snare,
Cloffi,	Haudenshield,	McInroy,	Stank,
Clarke,	Heffner,	McKeever,	Steckel,
Comer,	Helm,	McLaughlin,	Stiteler,
Crossin,	Henzel,	McNally,	Stone,
Curwood,	Hocker,	Meholchick,	Taylor,
Davis,	Holliday,	Merry,	Tompson,
Dengler,	Holman,	Miller,	Tompkins,
Donaldson,	Horst,	Monroe,	Ujobal,
Dougherty,	Irviss,	Morley,	Wall,
Doughten,	Jenkins,	Munley,	Wargo,
Down,	Jim,	Murphy,	Weldner,
Edwards,	Johnson, A. W.,	Needham,	Whittaker,
Elberg,	Johnson, R. P.,	O'Dell,	Willard,

Elvey,	Jones,	O'Donnell, J. A.,	Willard,
Eshback,	Kamyk,	O'Donnell, J. P.,	Williams, A. D.,
Eshleman,	Kelser,	Ogilvie,	Williams, E. S.,
Esler,	Kelly,	Parlante,	Wood,
Ewing,	Kernaghan,	Pashley,	Wynd,
Farabaugh,	Kessler,	Petrosky,	Yetter,
Fetterolf,	King,	Piper,	Zemmer,
Filo,	Kistler,	Polaski,	Zimmerman,
Fineman,	Klein,	Polen,	Andrews,
Flynn,	Knecht,	Prendergast,	Speaker

## NAYS—4

Gross,	Isaacs,	Lippincott,	Worley,
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## NOT VOTING—39

Capano,	Heavey,	Murray,	Sullivan, T. F.,
Capitolo,	Holl,	Musto,	Tomasck,
Cianfrani,	Lee, K. B.,	Odorisio,	Trusio,
Cooley,	Long, Wm. Jas.,	Perry,	Varner,
Dennison,	Maxwell,	Price,	Verona,
Foerster,	McCormack,	Sakulsky,	Walsh,
Fox,	McDonald,	Simmons,	Welsh,
Gelfand,	Mihm,	Stimmel,	Wescott,
Gibbons,	Mills,	Strausser,	Wilt,
Goldstein, M. H.,	Mullen,	Sullivan, J. A.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 880, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), changing provisions governing the change of the place of business of a branch the period of public notice for the discontinuance of a branch and the provisions relating to honorary directors directors emeritus and members of advisory boards \* \* \*

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—179

Adams,	Foerster,	Kooker,	Reibman,
Anderson, J. H.,	Foor,	Kornick,	Reidenbach,
Anderson, S. A.,	Fry,	Korns,	Renwick,
Arlene,	Fulmer,	Kramer,	Riley,
Ashton,	Galley,	Lamb,	Rovansek,
Auker,	Gallagher,	Lawson,	Royer,
Bachman,	George,	Lee, A. M.,	Rubin,
Backenstoe,	Gibb,	Lee, K. B.,	Rudisill,
Blair,	Goldstein, J. H.,	Leonard,	Rutherford,
Boles,	Goldstein, M. H.,	Limper,	Scarcelli,
Bonner,	Goodrich,	Lippincott,	Schaaf,
Bossert,	Gramlich,	Long, Wm. Jos.,	Schuster,
Bower,	Gray,	Lutty,	Seltzer,
Bowman,	Greenlee,	Magee,	Shelton,
Branca,	Gremminger,	Manbeck,	Sherman,
Breth,	Gross,	Markley,	Shupnik,
Buchanan,	Guesman,	Marsh,	Slack,
Bush,	Guthrie,	May,	Snare,
Cauley,	Hamilton,	McCandless,	Stank,
Cloffi,	Hankins,	McCann,	Steckel,
Clarke,	Hartley,	McDevitt,	Stiteler,
Comer,	Haudenshield,	McInroy,	Stone,
Crossin,	Heavey,	McKeever,	Taylor,
Curwood,	Heffner,	McLaughlin,	Thompson,
Davis,	Helm,	McNally,	Tomasck,
Dengler,	Henzel,	Meholchick,	Tompkins,
Donaldson,	Hocker,	Merry,	Ujobal,
Dougherty,	Holliday,	Miller,	Varner,
Doughten,	Holman,	Monroe,	Wall,
Edwards,	Horst,	Morley,	Wargo,
	Irviss,	Munley,	Weldner,
	Isaacs,	Murphy,	Welsh,
	Jenkins,	Murray,	Whittaker,
	Jim,	Needham,	Willard,



Ellberg,	Johnson, A. W.,	O'Dell,	Willaredt,
Elvey,	<b>Johnson, R. P.,</b>	O'Donnell, J. A.,	Williams, A. D.,
Eshback,	Kamyk,	O'Donnell, J. P.,	Williams, E. S.,
Eshleman,	Keiser,	Ogilvie,	Wood,
Esler,	Kelly,	Parlante,	Worley,
Ewing,	Kernaghan,	Pashley,	Wynd,
Farabaugh,	Kessler,	Piper,	Yetter,
Fetterolf,	King,	Polaski,	Zember,
Flo,	Kistler,	Polen,	<b>Zimmerman,</b>
Fineman,	Klein,	Prendergast,	Andrews,
Flynn,	Knecht,	Pursley,	Speaker

## NAYS—0

## NOT VOTING—31

Capitolo,	Long, Wm. Jas.,	Odorisio,	Sullivan, J. A.,
Cooley,	Maxwell,	Perry,	Sullivan, T. F.,
<b>Fox,</b>	McCormack,	Petrosky,	Trusio,
Frascella,	McDonald	Price,	Verona,
Gelfand,	Mihm,	Sakulsky,	Walsh,
Gibbons,	Mills,	Simmons,	Wescott,
Holl,	Mullen,	Stimmel,	Wilt,
Jones,	Musto,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, if I had been in my seat I would have voted "aye."

The SPEAKER. The remarks of the gentleman will be noted in the journal.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 944, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further defining "professional employee."

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—175

Anderson, S. A.,	Fry,	Korns,	Reibman,
Arlene,	Fulmer,	Kramer,	Reidenbach,
Ashton,	Galley,	Lamb,	Renwick,
Auker,	Gallagher,	Lawson,	Riley,
Bachman,	George,	Lee, A. M.,	Rovansek,
Backenstoe,	Gibb,	Lee, K. B.,	Royer,
Blair,	Goldstein, J. H.,	Leonard,	Rubin,
Boles,	Goldstein, M. H.,	Limper,	Rudisill,
Bonner,	Gramlich,	Lippincott,	Rutherford,
Bossert,	Gray,	Long, Wm. Jos.,	Schaaf,
Bower,	Greenlee,	Lutty,	Schuster,
Bowman,	Gremminger,	Magee,	Seltzer,
Branca,	Gross,	Manbeck,	Shelton,
Breth,	Guesman,	Markley,	Sherman,
Buchanan,	Guthrie,	Marsh,	Shupnik,
Bush,	Hamilton,	Maxwell,	Slack,
Capano,	Hankins,	May,	Snare,
Cauley,	Hartley,	McCandless,	Stank,
Cianfrani,	Haudenschild,	McCann,	Steckel,
Cloffi,	Heavey,	McDevitt,	Stiteler,
Clarke,	Heffner,	McDonald,	Stone,
Comer,	Helm,	McInroy,	Taylor,
Crossin,	Henzel,	McKeever,	Thompson,
Curwood,	Hocker,	McLaughlin,	Tomasick,
Davis,	Holliday,	Meholchick,	Tompkins,
Dengler,	Holman,	Merry,	Ujobal,
Dennison,	Horst,	Miller,	Varnier,
Donaldson,	Irvis,	Monroe,	Wall,
Dougherty,	Isaacs,	Morley,	Wargo,
Doughten,	Jim,	Weldner,	Welsh,
Down,	Johnson, A. W.,		

Edwards,	Johnson, R. P.,	Murphy,	Whittaker,
Ellberg,	Jones,	Murray,	Willard,
Elvey,	Kamyk,	O'Dell,	Willaredt,
<b>Eshback,</b>	Keiser,	O'Donnell, J. A.,	Williams, A. D.,
Eshleman,	Kelly,	O'Donnell, J. P.,	Williams, E. S.,
Esler,	Kernaghan,	Ogilvie,	Wood,
Ewing,	Kessler,	Parlante,	Worley,
Farabaugh,	King,	Pashley,	Wynd,
Fetterolf,	Kistler,	Petrosky,	Yetter,
Flo,	Klein,	Piper,	Zember,
Fineman,	Knecht,	Polaski,	<b>Zimmerman,</b>
Flynn,	Kooker,	Polen,	Andrews,
Foerster,	Kornick,	Prendergast,	Speaker

## NAYS—5

## NOT VOTING—30

Adams,	Foor,	Goodrich,	Pursley,
Anderson, J. H.,			

Capitolo,	Long, Wm. Jas.,	Perry,	Sullivan, J. A.,
Cooley,	McCormack,	Price,	Sullivan, T. F.,
Fox,	Mihm,	Sakulsky,	Trusio,
Frascella,	Mills,	Scarcelli,	Verona,
Gelfand,	Mullen,	Simmons,	Walsh,
Gibbons,	Musto,	Stimmel,	Wescott,
Holl,	Needham,	Strausser,	Wilt,
Jenkins,	Odorisio,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1077, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), authorizing superintendents to exercise discretion by and with the advice of certain other physicians or surgeons with respect to the performance of surgery on certain patients.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—172

Anderson, J. H.,	Foor,	Kornick,	Reibman,
Anderson, S. A.,	Fry,	Korns,	Reidenbach,
Arlene,	Fulmer,	Kramer,	Renwick,
Ashton,	Galley,	Lamb,	Riley,
Auker,	Gallagher,	Lawson,	Rovansek,
Bachman,	George,	Lee, A. M.,	Royer,
Backenstoe,	Gibb,	Lee, K. B.,	Rubin,
Blair,	Goldstein, J. H.,	Limper,	Rudisill,
Boles,	Goldstein, M. H.,	Lippincott,	Rutherford,
Bonner,	Goodrich,	Long, Wm. Jos.,	Scarcelli,
Bossert,	Gramlich,	Lutty,	Schaaf,
Bower,	Gray,	Manbeck,	Schuster,
Bowman,	Greenlee,	Markley,	Seltzer,
Branca,	Gremminger,	Marsh,	Shelton,
Buchanan,	Gross,	Maxwell,	Sherman,
Bush,	Guesman,	May,	Shupnik,
Capano,	Guthrie,	McCandless,	Slack,
Cauley,	Hamilton,	McCann,	Snare,
Cianfrani,	Hankins,	McDevitt,	Stank,
Cloffi,	Hartley,	McDonald,	Steckel,
Clarke,	Haudenschild,	McInroy,	Stimmel,
Comer,	Heavey,	McKeever,	Stiteler,
Crossin,	Heffner,	McLaughlin,	Stone,
Curwood,	Helm,	McNally,	Taylor,
Davis,	Henzel,	Meholchick,	Thompson,
Dengler,	Hocker,	Miller,	Tomasick,
Dennison,	Holliday,	Monroe,	Tompkins,
Donaldson,	Holman,	Morley,	Ujobal,
Dougherty,	Horst,	Munley,	Varnier,
Doughten,	Irvis,	Murphy,	Wall,
Down,	Isaacs,	Murray,	Wargo,
Edwards,	Jim,	Needham,	Weldner,
Ellberg,	Johnson, A. W.,	O'Dell,	Welsh,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Whittaker,

Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster,	Jones, Kelsor, Kelly, Kernaghan, Kessler, King, Klein, Knecht, Kooker,	O'Donnell, J. P., Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Prendergast, Pursley,	Willard, Williams, A. D., Williams, E. S., Wood, Wynd, Yetter, Zemmer, Zimmerman, Andrews, Speaker
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## NAYS—3

Adams,	Magee,	Worley,
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## NOT VOTING—35

Breth, Capitolo, Cooley, Fineman, Fox, Frascella, Gelfand, Gibbons, Holl,	Jenkins, Kamyk, Kistler, Leonard, Long, Wm. Jas., McCormack, Merry, Mihm, Mills,	Mullen, Musto, Odorisio, Perry, Polen, Price, Sakulsky, Simmons, Strausser,	Sullivan, J. A., Sullivan, T. F., Trusio, Verona, Walsh, Wescott, Willaredt, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1363, entitled:

An Act regulating the manufacture processing sale use transportation storage or possessing of explosives in Pennsylvania \* \* \*.

## (DURING ROLL CALL)

The SPEAKER pro tempore. The Chair recognizes the majority leader, Mr. McCann.

Mr. McCANN. Mr. Speaker, this bill was amended by Republican members, excluding the farming, excluding the mining, excluding the oil and gas. There is so very little left in the bill, I cannot understand the negative votes. Each of those amendments were offered by Republican members to the bill and accepted.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—105

Adams, Anderson, S. A., Auker, Bachman Boles, Bonner, Branca, Breth, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dougherty, Doughten, Edwards, Ellberg, Esler, Farabaugh, Filo, Fineman,	Galley, Gallagher, Gibb, Goldstein, J. H., Goldstein, M. H., Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Irviss, Johnson, R. P., Jones, Kamyk, Kelly, Kessler, Klein, Knecht, Kornick, Kramer,	Leonard, Limper, Long, Wm. Jos., Lutty, Markley, Marsh, Maxwell, McCann, McDevitt, McDonald McKeever, McLaughlin, McNally, Meholchick, Monroe, Morley, Munley, Murray, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Petrosky,	Polen, Prendergast, Reibman, Reidenbach, Renwick, Riley, Rovanssek, Rudisill, SchAAF, Schuster, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Taylor, Thompson, Tomasick, Wargo, Welsh, Williams, A. D., Yetter,
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Flynn, Foerster, Fry,	Lamb, Lawson,	Piper, Polaski,	Zimmerman, Andrews, Speaker
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## NAYS—76

Anderson, J. H. Ashton, Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Dennison, Donaldson, Down, Elvey, Eshback, Eshleman, Ewing, Fetterolf,	Poor, Fulmer, George, Goodrich, Gramlich, Gross, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Isaacs, Jim, Johnson, A. W., Kaiser, Kernaghan, King,	Kistler, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, May, McCandless, McInroy, Merry, Miller, Murphy, O'Dell, Ogilvie, Pursley, Royer, Rutherford,	Seltzer, Slack, Snare, Steckel, Stimmel, Stiteler, Tompkins, Ujobai, Varner, Wall, Weidner, Whittaker, Willard, Willaredt, Williams, E. S., Wood, Worley, Wynd, Zemmer,
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## NOT VOTING—29

Arlene, Capitolo, Cooley, Fox, Frascella, Gelfand, Gibbons, Guthrie,	Holl, Jenkins, Long, Wm. Jas., McCormack, Mihm, Mills, Mullen,	Musto, Odorisio, Perry, Price, Rubin, Sakulsky, Simmons,	Strausser, Sullivan, T. F., Trusio, Verona, Walsh, Wescott, Wilt,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1402, entitled:

An Act to provide for the creation and administration of an Anthracite Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers thereto \* \* \*.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—182

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty,	Fry, Fulmer, Galley, Gallagher, George, Gibb, Goldstein, M. H., Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holman, Horst,	Kornick, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Monroe, Morley,	Reidenbach, Renwick, Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Scarcelli, SchAAF, Schuster, Seltzer, Shelton, Sherman, Shupnik, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Taylor, Thompson, Tomasick, Tompkins, Ujobai, Varner,
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Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Frascella,	Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker,	Munley, Murphy, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman,	Wall, Wargo, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, <b>Speaker</b>
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## NAYS—2

Korns, Magee,

## NOT VOTING—26

Auker, Capitolo, Cooley, Dengler, Fox, Gelfand, Gibbons,	Long, Wm. Jas., McCormack, Mihm, Mills, Mullen, Murray, Musto,	Odoriso, Perry, Price, Sakulsky, Simmons, Strausser,	Sullivan, T. F., Trusio, Verona, Walsh, Wescott, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair has a number of bills to sign, and requests the gentleman from Armstrong, Mr. Helm, to preside.

## Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1473, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Water and Power Resources Board to sell lease or otherwise dispose of minerals in or beneath certain streams or bodies of water.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—177

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Ourwood,	Frascella, Fry, Fulmer, Galley, Gallagher, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Hefner, Helm, Henzel, Hocker,	Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin,	Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovaneck, Royer, Rubin, Rudisill, Rutherford, Scarcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Snare, Stank, Stimmel, Stone, Sullivan, J. A., Taylor,
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Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster,	Holl, Holliday, Holman, Irvis, Isaacs, Jenkins, Jim, Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker,	McNally, Meholchick, Miller, Monroe, Morley, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen,	Thompson, Tomascik, Tompkins, Ujobai, Varner, Wall, Wargo, Weidner, Welsh, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Wynd, Yetter, Zember, Zimmerman, Andrews, <b>Speaker</b>
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## NAYS—8

Bossert, Foor, Gross, Horst, Steckel, Stiteler, Whittaker, Worley,

## NOT VOTING—25

Capitolo, Cooley, Fox, Gelfand, Gibbons, Johnson, A. W., Long, Wm. Jas.,	McCormack, Merry, Mihm, Mills, Mullen, Musto,	Odoriso, Perry, Price, Sakulsky, Simmons, Strausser,	Sullivan, T. F., Trusio, Verona, Walsh, Wescott, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1540, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire easements rights-of-way and other interests in real estate including the title in fee simple to fifteen parcels of land with improvements erected thereon and rights connected thereto for the maintenance of radio communications systems.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin,	Frascella, Fry, Fulmer, Galley, Gallagher, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Hefner, Helm, Heavey, Henzel, Hocker,	Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally,	Reibman, Reidenbach, Renwick, Riley, Rovaneck, Royer, Rubin, Rudisill, Rutherford, Scarcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Taylor,
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Curwood,	Holl,	Meholchick,	Thompson,
Davis,	Holliday,	Merry,	Tomasck,
Dengler,	Holman,	Miller,	Tompkins,
Dennison,	Horst,	Monroe,	Ujbal,
Donaldson,	Irvls,	Morley,	Varner,
Dougherty,	Isaacs,	Munley,	Wall,
Doughten,	Jenkins,	Murphy,	Wargo,
Down,	Jim,	Murray,	Weidner,
Edwards,	Jones,	Needham,	Welsh,
Ellberg,	Johnson, A. W.,	O'Dell,	Whittaker,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Willard,
Eshback,	Kamyk,	O'Donnell, J. P.,	Willaredt,
Eshleman,	Kelser,	Ogilvie,	Williams, A. D.,
Esler,	Kelly,	Parlante,	Williams, E. S.,
Ewing,	Kernaghan,	Pashley,	Wood,
Farabaugh,	Kessler,	Petrosky,	Worley,
Fetterolf,	King,	Piper,	Wynd,
Filo,	Kistler,	Polaski,	Yetter,
Fineman,	Klein,	Polen,	Zember,
Flynn,	Knecht,	Prendergast,	Zimmerman,
Foerster,	Kooker,	Pursley,	Andrews,
Foor,	Kornick,		Speaker

## NAYS—0

## NOT VOTING—24

Capitolo,	Long, Wm. Jas.,	Odorisio,	Sullivan, T. F.,
Cooley,	McCormack,	Perry,	Trusio,
Fox,	Mihm,	Price,	Verona,
Gelfand,	Mills,	Sakulsky,	Walsh,
George,	Mullen,	Simmons,	Wescott,
Gibbons,	Musto,	Strausser,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 95, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class . . ." requiring retirement credit to be given for certain pro diem employment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Anderson, J. H.,	Fry,	Korns,	Reibman,
Anderson, S. A.,	Fulmer,	Kramer,	Reidenbach,
Arlene,	Galley,	Lamb,	Renwick,
Ashton,	Gallagher,	Lawson,	Riley,
Auker,	Gibb,	Lee, A. M.,	Rovansek,
Bachman,	Goldstein, J. H.,	Lee, K. B.,	Royer,
Backenstoe,	Goldstein, M. H.,	Leonard,	Rubin,
Blair,	Goodrich,	Limper,	Rudisill,
Boles,	Gramlich,	Lippincott,	Rutherford,
Bonner,	Gray,	Long, Wm. Jos.,	Scarcelli,
Bossert,	Greenlee,	Lutty,	Schaaf,
Bower,	Gremmlinger,	Magee,	Schuster,
Bowman,	Gross,	Manbeck,	Seltzer,
Branca,	Guesman,	Markley,	Shelton,
Breth,	Guthrie,	Marsh,	Sherman,
Buchanan,	Hamilton,	Maxwell,	Shupnik,
Bush,	Hankins,	May,	Slack,
Capano,	Hartley,	McCandless,	Snare,
Cauley,	Haudenschild,	McCann,	Stank,
Cianfrani,	Heavey,	McDevitt,	Steckel,
Cioffi,	Heffner,	McDonald,	Stimmel,
Clarke,	Heim,	McInroy,	Stiteier,
Comer,	Henzel,	McKeever,	Stone,
Crossin,	Hocker,	McLaughlin,	Sullivan, J. A.,
Curwood,	Holl,	McNally,	Taylor,
Davis,	Holliday,	Meholchick,	Thompson,
Dengler,	Holman,	Merry,	Tomasck,

Dennison,	Horst,	Miller,	Tompkins,
Donaldson,	Irvls,	Monroe,	Ujbal,
Dougherty,	Isaacs,	Morley,	Varner,
Doughten,	Jenkins,	Munley,	Wall,
Down,	Jim,	Murphy,	Wargo,
Edwards,	Johnson, A. W.,	Murray,	Weidner,
Ellberg,	Johnson, R. P.,	Needham,	Welsh,
Elvey,	Jones,	O'Dell,	Whittaker,
Eshback,	Kamyk,	O'Donnell, J. A.,	Willard,
Eshleman,	Kelser,	O'Donnell, J. P.,	Willaredt,
Esler,	Kelly,	Ogilvie,	Williams, A. D.,
Ewing,	Kernaghan,	Parlante,	Williams, E. S.,
Farabaugh,	Kessler,	Pashley,	Wood,
Fetterolf,	King,	Petrosky,	Worley,
Filo,	Kistler,	Piper,	Wynd,
Fineman,	Klein,	Polaski,	Yetter,
Flynn,	Knecht,	Polen,	Zember,
Foerster,	Kooker,	Prendergast,	Zimmerman,
Foor,	Kornick,	Pursley,	Andrews,
Frascella,			Speaker

## NAYS—0

## NOT VOTING—25

Adams,	Long, Wm. Jas.,	Odorisio,	Sullivan, T. F.,
Capitolo,	McCormack,	Perry,	Trusio,
Cooley,	Mihm,	Price,	Verona,
Fox,	Mills,	Sakulsky,	Walsh,
Gelfand,	Mullen,	Simmons,	Wescott,
George,	Musto,	Strausser,	Wilt,
Gibbons,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The SPEAKER pro tempore. For what purpose does the gentleman from Berks, Mr. Adams, rise?

Mr. ADAMS. Mr. Speaker, I would have voted "aye" on Senate bill 95 had I been in my seat. I was called to the telephone and could not get back in time to vote.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

Mr. McCANN. I wish to call up only the bill in which the gentleman from Bucks, Mr. Williams, has a corrective amendment on the name. Will he please indicate the bill number?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, House bill 787.

Mr. McCANN. House bill 787, on page 18. This is the correctional amendment, Mr. Speaker, and I ask that this bill be called up for the purpose of amendment and then I wish it to remain on third reading and not final passage.

The SPEAKER pro tempore. Thank you.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 787, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown, Pennsylvania.

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The motion was agreed to.

The first section was read.



On the question,

Will the House agree to the section?

Mr. A. D. WILLIAMS, Jr. offered the following amendment:

Amend Sec. 1, page 1, line 3, by striking out "National Agricultural College" and inserting: Delaware Valley College of Science and Agriculture.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. A. D. WILLIAMS, Jr. offered the following amendment:

Amend Title, page 1, first line of Title, by striking out "National Agricultural College" and inserting: Delaware Valley College of Science and Agriculture.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 125, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), fixing the time for the annual report by the county auditors to the court and providing for the audit of miscellaneous accounts.

On the question,

Will the House agree to the bill on third reading?

The SPEAKER pro tempore. For what purpose does the gentleman from McKean, Mr. Johnson, rise?

Mr. A. W. JOHNSON. Mr. Speaker, I realize this is a simple bill but we have not caucused on it. I have given you a list of five or six bills we have caucused on third reading and I can supply you quite a few more.

The SPEAKER pro tempore. Is it the desire of the majority leader, then, that House bill 125 be passed over?

#### BILL PASSED OVER

There being no objection House bill No. 125, printer's No. 125 was passed over at the request of Mr. McCANN.

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 508.

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), authorizing the Treasury Department to invest certain moneys of the Commonwealth in certain types of prime commercial paper.

HOUSE BILL No. 873.

An Act amending "The Support Law" approved June 24, 1937 (P. L. 2045), qualifying the liability of property owners with respect to minor children.

HOUSE BILL No. 987.

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real

estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken.

HOUSE BILL No. 994.

An Act relating to the uniform rendition of prisoners as witnesses in criminal proceedings.

HOUSE BILL No. 1036.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the issuance and transfer of malt and brewed beverage licenses.

HOUSE BILL No. 1225.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for the use of operators' licenses prior to the license period.

HOUSE BILL No. 1254.

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" authorizing investment in certain obligations secured by a mortgage and by the assignment of moneys due under a lease.

HOUSE BILL No. 1381.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER pro tempore. The Chair would advise the majority leader that the Committee on the part of the House to escort the Governor will be directed to proceed with their duties about ten minutes before the hour. That committee consists of the gentleman from Greene, Mr. McCann, the gentleman from McKean, Mr. Johnson, the lady from Northampton, Mrs. Reibman.

The Committee on the part of the House to escort the Senate will be sent in about the next five minutes.

Mr. McCANN. Mr. Speaker, I will attempt to amend some bills then.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 573, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), further regulating the time of making returns.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by inserting after "returns" and payment thereof

Amend Sec. 1, page 2, line 1 by striking out "Clause"

and inserting: The subsection heading of subsection (a) and clause

Amend Sec. 1, page 2, line 3 by striking out "is" and inserting: are

Amend Sec. 1 (Sec. 520), page 2, line 4 by inserting after "Monthly" Bimonthly

Amend Bill, page 3, by inserting after line 15:

Section 2. Subsection (a) of section 520 of the act is amended by adding at the end thereof a new clause to read:

Section 520. Time for Filing Returns.—(a) Monthly and Quarterly Returns:

\* \* \*

(4) For the year 1962, and for each year thereafter, every licensee required to file a quarterly return for the second calendar quarter shall file a single return for the months of April and May on or before the fifteenth day of June next following. The filing of such return shall not relieve the licensee of the duty to file a return on or before the last day of July next following, and to remit therewith, tax for the month of June.

\* \* \*

Section 3. Subsection (a) of section 531 of the act, amended April 4, 1957 (P. L. 34) is amended to read:

Section 531. Time of Payment.—(a) Monthly, Bimonthly and Quarterly Payments. The tax imposed by this act and incurred or collected by a licensee shall be due and payable by the licensee on the day the return is required to be filed under the provisions of section 520; and such payment must accompany the return for such preceding period.

\* \* \*

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 708, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture fixing fees creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1483, entitled:

An Act amending the act of June 8, 1907 (P. L. 486), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels \* \* \*" authorizing the commission to enter into certain agreements with the Pennsylvania Fish Commission.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Fisheries.

The motion was agreed to.

#### COMMITTEE TO ESCORT SENATE

The SPEAKER pro tempore. The Chair now directs the Committee to escort the Senate to the hall of the House of Representatives, the gentleman from Philadelphia, Mr. Dougherty, the gentleman from Cameron, Mr. Tompkins, to proceed in the performance of their duty.

Mr. McCANN. Mr. Speaker, on page 36, House bill 1513, printer's No. 1866, for the purpose of recommitment to Appropriations.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1513, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), fixing minimum compensation for recorders of deeds acting as agents for the sale of stamps.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1514, entitled:

An Act making an appropriation to the Department of Labor and Industry for paying the costs incurred by the department in publishing a revised compilation of Bulletin No. 113 containing the laws administered by the Department of Labor and Industry.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1531, entitled:

An Act amending "The Administration Code of 1929" approved April 9, 1929 (P. L. 177), authorizing transfer to certain boards of township supervisors without charge or at a nominal fee materials salvaged from State highways and bridges.

On the question,

Will the House agree to the bill on third reading?

Mr. KESSLER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.



Amend Section 2003 (f), Page 3, Line 13, by striking out the words "and to transfer without charge or at a nom-" after the word "need" and by striking out all of Lines 14, 15 and 16 on Page 3.

Amend Section 2003 (f) by inserting after the word "need" Where the Department of Highways cannot utilize or salvage any bridge or structure that is scheduled for demolition or dismantling then the Department of Highways shall declare the same surplus and request the Department of Property and Supplies to dispose of such surplus material. In disposing of such material the Department of Property and Supplies shall give preference and priority to Boards of Township Supervisors in the County within which the State Highway or Bridge is located or in adjacent Counties.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1548, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), increasing the membership of the Pennsylvania Fish Commission by providing for the appointment of three experienced boatmen providing for the appointment of an assistant executive director and requiring their meetings to be open to the public and authorizing it to enter into certain agreements with the Navigation Commission for the Delaware River.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Fisheries.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1603, entitled:

An Act making an appropriation to the Department of Military Affairs for a training area and armory site in Somerset County.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1642, entitled:

An Act amending the "Municipal Unclaimed Moneys Act" approved May 17, 1949 (P. L. 1403), changing the disposition of such moneys.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1610, entitled:

An Act making an appropriation to the Supreme Court of Pennsylvania for a portrait of Chief Justice Charles Alvin Jones.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LIPPINCOTT offered the following amendments:

Amend Sec. 1, page 2, line 2 by striking out "One thousand dollars (\$1000)" and inserting: two thousand dollars (\$2000)

Amend Sec. 1, page 2, line 4 by inserting after "portrait" of former Chief Justice Horace Stern and a portrait

Amend Sec. 1, page 2, line 6 in inserting after "Pennsylvania" The sum of one thousand dollars (\$1000) is hereby allocated for each portrait.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. LIPPINCOTT offered the following amendment:

Amend Title, page 1, first and second lines of Title by striking out "a portrait of" and inserting: portraits of former Chief Justice Horace Stern and

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

#### BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1081, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing for alternative methods of payments of benefits under certain conditions.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Sec. 1 (Sec. 404), page 3, lines 1 and 2 by striking out "ten thousand dollars (\$10,000)" and inserting: five thousand dollars (\$5,000)

Amend Sec. 1 (Sec. 404), page 4, lines 4 and 5 by striking out "ten thousand dollars (\$10,000)" and inserting: five thousand dollars (\$5,000)

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1568, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) increasing compensation of constables and their deputies.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 3, lines 16 and 17, by striking out "immediately upon final enactment" and inserting: "on the first Monday of January, 1962"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 96, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1683, entitled:

An Act creating the Second Injury Reserve and Rehabilitation Fund in the Department of Labor and Industry requiring payments by the State Workmen's Insurance Fund

and certain insurance carriers \* \* \* and prescribing limitations.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

### RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. HAMILTON and CIOFFI.

RESOLUTION No. 80.

June 8, 1961.

In a study summarized in the Biennial Report for 1959-61 a task force of the Joint State Government Commission found that although the Fire and Panic Act places responsibility for enforcing health and safety measures in public buildings and buildings of public assembly upon the Department of Labor and Industry, other acts place coextensive powers and responsibilities with respect to specialized structures upon other governmental agencies. The task force found further that in practice these other agencies seldom exercise their full statutory powers and responsibilities but confine their activities to particular structural features and uses; therefore be it

Resolved, That the Joint State Government Commission be directed to ascertain whether or not the division of responsibilities for enforcing health and safety measures in public buildings and buildings of public assembly is in accord with the public interest and to recommend such statutory revisions as it deems appropriate; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations to the 1963 Session of the General Assembly.

Referred to the Committee on Rules.

By Messrs. POLEN, BRETH and HELM.

RESOLUTION No. 81.

June 12, 1961.

Whereas, The equitable distribution of public school costs between state and local governments and among differently circumstanced direct and indirect beneficiaries of public education is of vital concern to the General Assembly; and

Whereas, The need for a comprehensive reexamination of the ability of local school districts to finance public education and of the ways to reliably measure that ability is imperative; therefore be it

Resolved, That the Joint State Government Commission be directed to study alternative measures of the local ability to finance public education and evaluate the effects consequent upon the use of alternative measures upon the division of public school costs between the state government and school districts and among different groups of taxpayers.

Referred to the Committee on Rules.

By Mr. MAXWELL and Mrs. MARKLEY.

RESOLUTION No. 82.

June 12, 1961.

Whereas, The level and geographic distribution of public health services is of primary importance to the well-being of all citizens of the Commonwealth; and

Whereas, All levels of government—federal, state, and local—as well as many private agencies and organizations, are engaged in providing public health services or in activities that are beneficial to public health programs; therefore be it



Resolved, That the Joint State Government Commission be directed to study the extent and variety of public health programs in operation in the Commonwealth, the possibilities of improving public health services by the realignment of jurisdictional responsibilities and the extent to which all citizens of the Commonwealth have access to comparable levels of public health services; and be it further

Resolved, That the Joint State Government Commission be directed to report its findings and recommendations to the 1963 Session of the General Assembly.

Referred to the Committee on Rules.

### COMMITTEE TO ESCORT GOVERNOR

The SPEAKER pro tempore. The Chair now instructs the committee to escort the Governor to the hall of the House, the gentleman from Greene, Mr. McCann; the lady from Northampton, Mrs. Reibman; the gentleman from McKean, Mr. Johnson, to proceed with the performance of their duties.

The Senate is now entering the Hall of the House.

The Chair recognizes the Sergeant-at-Arms of the House.

The SERGEANT-AT-ARMS. Mr. Speaker, a committee on the part of the House escorting the Senate.

The SPEAKER pro tempore. The Chair recognizes the chairman of the committee of the House escorting the Senate.

Mr. DOUGHERTY. Mr. Speaker, the committee appointed to wait upon the Senate and escort them to the hall of the House has performed that duty and reports that the Senate is in attendance.

The SPEAKER pro tempore. The committee is discharged with the thanks of the House.

The Lieutenant-Governor, the Honorable John Morgan Davis, is invited to preside over the Joint Session of the General Assembly. The President Pro Tempore of the Senate, the Honorable Anthony J. DiSilvestro, is invited to be seated on the rostrum.

The members of the Senate will please be seated.

### JOINT SESSION OF THE GENERAL ASSEMBLY

LIEUTENANT-GOVERNOR JOHN MORGAN DAVIS  
PRESIDING

The LIEUTENANT-GOVERNOR. The General Assembly may be at ease while it awaits the arrival of His Excellency, the Governor of the Commonwealth.

\* \* \*

The LIEUTENANT-GOVERNOR. The Chair recognizes the chairman of the Committee to escort the Governor, the Senator from Allegheny County, Mr. Devlin.

SENATOR DEVLIN. Mr. President, it is my honor to present His Excellency, the Governor of the Commonwealth of Pennsylvania, the Honorable David L. Lawrence.

The LIEUTENANT-GOVERNOR. Members of the General Assembly, I present His Excellency, the Honorable David L. Lawrence, Governor of the Commonwealth of Pennsylvania.

### ADDRESS BY GOVERNOR DAVID L. LAWRENCE

Mr. Lieutenant Governor, Mr. Speaker, Members of the General Assembly:

Again I want to express my gratitude for the courteous

permission you have given me to address you during this session of the Legislature.

This, as you know, is my fourth appearance before you this year.

In the first two of those appearances, I dwelt on the broad aspect of the State's operations—its successes, its failures, its challenges and the opportunities before us. And while the range of topics was diversified on both occasions, I emphasized the high importance which the education of our youth must take in our deliberations and our actions during this legislative session.

My most recent message to you—given five weeks ago today—dwelt entirely on education and on the report and recommendations of the Citizens Committee on Education, which I appointed pursuant to a Resolution adopted by the House.

Today, once again, my topic is education and my appeal is for prompt and definitive action, in this session, on the legislative proposals now before you.

In making this appeal, I am not departing from my conviction that the approach to our educational problems must be made on a bipartisan—indeed on a non-partisan—basis. I am gratified that both the House and the Senate have established select committees to deliberate on the legislation recommended by the Committee on Education, and that members of both parties have equal representation on those bodies. I am pleased, as well, that the legislation has been introduced with bipartisan sponsorship.

All of this augurs of success.

I am concerned, however, that the work so well done thus far is not undone by postponement or delay. We cannot, as the chosen representatives of the people of this Commonwealth, fool or deceive the school children, the parents, the teachers—or anyone else—with mighty talk and small achievement.

The stakes are too high, the urgency of the problem too pressing, the challenges of the times too severe to ignore our responsibility or to delay in accepting it, fully and frankly.

It is well to point up that we are not concerned merely with providing more State funds for our schools and colleges, although obviously this is part of the hard and necessary task before us.

We are concerned with how that money will be spent, with the results it will achieve, with the calibre and quality of the program it does so much to support.

The function of the Committee on Education was not simply to advise us how much money the State should appropriate for education in the next decade. Its purpose was more far-reaching and more challenging than that.

And that purpose was, in essence, to develop a State-wide program for education which would assure every child attending Pennsylvania public schools the highest opportunity for acquiring knowledge and skills, with all that means in facilities, in curriculum, in the quality of instruction, and the proper payment for those who instruct. It was concerned with higher education, and in developing means to assist more of our young people to obtain the advanced learning which is growingly essential in today's complex society.

While there is still much work to be done in developing a master plan for higher education in Pennsylvania, it is evident that we must provide for community colleges,

for scholarships and loans, and for expansion of State-owned and supported institutions. It is equally clear that we must help our private schools, of which Pennsylvania has such a wealth, to continue to be the bulwark of higher education in this State. As I read the report of the Committee on Education, I find no indication that its members would downgrade the role of the private colleges and universities, nor should that be done. Rather, we should provide that their vital role be continued and expanded and then build on this firm foundation.

The point of all this is that we cannot—we must not—merely continue our present program for education in Pennsylvania, and let it go at that. The status quo, even if it were enriched with more money, will not meet the education needs of this State.

And let no one believe that public education is one of the frills of State and local government. Nothing could be farther from the truth. An inadequate program, which is what we have now, hinders the entire course of progress in the State and in the Nation. It is not pure coincidence that many of our academically distressed areas are in sections which are also economically distressed. We must prepare our young people to participate productively in the new fields of industry and commerce and technology. In so doing we serve not only them, but the communities in which they live and whose futures they will determine.

In education, our basic goal must be the pursuit of excellence.

The success of that pursuit will build the mightiest assurance of growth and development and prosperity for this State and for all its people.

I am convinced that the basic recommendations of the Committee on Education give the surest promise of achieving the excellence we must have.

I fully understand that there can be honest dissent from these suggestions, as there was in the Committee when it met, but I believe the Commonwealth and the cause of education will be served best if the General Assembly's final actions are in accord with the recommendations of the Committee's majority.

Those recommendations, in the opinion of the New York Times, will put Pennsylvania "in the front line of America's educational revolution."

We should accept no other position.

I cannot urge too strongly the vital need to adopt this new and far-reaching educational program now, at this session, without the delaying intervention of adjournment or recess. The reason for this is two-fold: first, we are already late in developing a truly sound educational program for Pennsylvania; and secondly, the constitutional limits on next year's session preclude action on any matters other than State finances.

I am aware that this involves difficult decisions, especially in the reorganization and subsidy programs. But I am equally aware that reorganization is the key to the entire program, as the President of the National School Boards Association emphasized in Philadelphia last month. Achievement and progress do not come easy, but failure to act will make the eventual solution even more elusive. The consequences of inaction are far more serious than the anxieties of bold and courageous decision.

The Committee, realizing that the bulk of its recommendations would not have immediate financial effect,

calculated the cost of its program during the first fiscal year. The outlay during this 1961-62 fiscal period, by the Committee's estimate, would be \$31 million. (This would provide more than \$21 million for increases in teaching unit and construction subsidies to the local districts; \$3.6 million in State Administration and retirement costs; and \$6.1 million for various improvements in higher education.) Actually, review of these calculations shows that the amount needed can be reduced to \$26.8 million, by deferring the \$2.5 million in retirement fund payments to next year and by eliminating \$1.7 million in capital expansion at the State colleges, which we cannot accomplish in this fiscal period.

Recognizing that one of the most serious obstacles to legislative action on the entire report is the development of revenue proposals, I am willing to recommend that the first year program be financed by enacting a State tax on the value of stocks and bonds of foreign corporations, as suggested by the Hood-Kennedy Committee several years ago. Such a proposal would not interfere with existing local taxing powers and would provide a maximum tax of 10 mills on these values. The yield, as calculated by the Hood-Kennedy Committee which allowed for increased efficiency in State Administration of this tax, would be \$27.5 million, or enough to finance the first year program.

An alternate proposal, affecting the same type of taxpayer, would be a two per cent tax, applied uniformly throughout the State, on returns from investments. The estimated yield in this instance would be \$30.6 million.

Either measure, it seems to me, recognizes the ability to pay, which surely deserves the consideration of us all.

As to the costs of next year's program, it is my hope that the Congress will enact the Federal-aid proposal now before it. If this is done, Pennsylvania's share, presently estimated at \$42 million, will go far toward meeting the State's obligations.

Although I have been discussing the report of the Committee on Education, it would be unrealistic if I did not also take this opportunity to comment to you directly on the status of the State's general fund. You have received the year-end statement on our finances and I want only to reiterate what I have said publicly about the present fiscal situation.

Briefly, these are the facts. If House Bill 95, which specifies that all the money paid in sales and use tax goes to the State Treasury, does not pass, we will lose, as of this date, approximately \$7 million in anticipated revenue. If the quarterly sales tax returns for next April and May are not made payable by June of 1962, we will lose between \$10 and \$11 million more.

In such an unfortunate eventuality, I will have, ladies and gentlemen, no choice but to cut appropriations by these amounts. Unpleasant as such a duty would be, it becomes even more difficult when you consider that these reductions must be made in nonpreferred appropriations which consist principally of aid to our universities and hospitals. It is apparent, therefore, that the program for education and its financing cannot be confined to the report of the Committee on Education. It must, of necessity, involve the revenue-producing measures I have just mentioned.

And let me emphasize that despite suggestions, reported in last week's newspapers, that I "pad," and that was the



word used, revenue estimates. I cannot and I will not follow that foolhardy and disastrous road.

Let me put this whole matter of the State's obligations—in education as in every other field—into proper focus.

There is general agreement, so it seems, that Pennsylvania must act promptly to improve its educational program.

But being for education, ladies and gentlemen, doesn't mean just waving the banner, and retreating back to the peaceful shade of inaction.

You cannot be for a program—especially a program which is going to be costly, as improved education surely will be—and against finding a means to pay for it.

You cannot do this, I should hasten to add, and still be true to your own conscience and to your own responsibilities as elected representatives of the people. We were chosen by the people to make hard decisions, as well as to make the easy ones.

I have presented my views as forthrightly, ladies and gentlemen, as I know how. If the revenue proposals I have suggested do not meet with the approval of a majority of the membership of the General Assembly, then it is up to those who oppose to propose—to suggest another revenue measure which will meet the needs. Failure to do that will mean, very bluntly, failure to act for education in Pennsylvania.

If there is one essential guideline for us all, the Governor and the members of the General Assembly alike, it is that we attack this problem and we accomplish this program with straightforward deliberation and prompt and realistic action. Unless we do just that, we will have forsaken an opportunity for truly meaningful achievement. Worse still, we will default in our obligations to the children and the youth of this State, those who will come after us as the molders of their society and the masters of their own and the Nation's destinies.

Education is our first line of defense against tyranny, poverty, and human and national stagnation.

More positively, an education program, whose goals are lofty and whose qualities are unrivalled, is a springboard for progress and freedom beyond all our accomplishments of the past.

This is the kind of program, my fellow Pennsylvanians, that our State must have. I am confident that this session of the General Assembly, with its demonstrated sense of responsibility, will do its part to make it come to pass.

The LIEUTENANT-GOVERNOR. Governor Lawrence, on behalf of the members of the General Assembly, I want to thank you for your inspiring message.

The Committee on the part of the Senate and the House will now escort His Excellency to his chambers.

The Chair asks that the members of the House and visitors remain seated for just a moment while the members of the Senate leave the hall of the House.

The members of the Senate will please re-assemble immediately in the Senate Chamber.

I wish to thank the Speaker for the privilege of presiding over the General Assembly.

The business for which the Joint Session has been assembled having been transacted, the session is now adjourned.

Mr. HELM IN THE CHAIR

## PROCEEDINGS OF JOINT SESSION TO BE PRINTED IN JOURNAL

Mr. POLEN. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House be printed in full in this day's Legislative Journal.

The motion was agreed to.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I ask permission to insert a letter into the Legislative Journal, written by an eighth grade student who is not a constituent of mine.

The SPEAKER pro tempore. Without objection, the letter will be spread upon the Journal of the House. The Chair hears no objection.

Mr. M. H. GOLDSTEIN submitted the following letter for the record:

Holmes School  
Dawson Street  
Pittsburgh 13, Pa.  
June 8, 1961.

Mr. Maurice Goldstein  
5666 Phillips Ave.  
Pittsburgh 17, Pa.  
Sir:

As an 8th grade student at Holmes School in Pittsburgh, and as a representative of the entire student body, I am very much concerned about our public school system.

According to the various articles I have read, our Pittsburgh Board of Education is asking a minimum additional need for the next two years of \$4,500,000 annually.

My own school needs to be replaced; many more like it need to be replaced, too. Superior teachers are necessary to maintain an improved educational program such as we have at Holmes School for students in advanced mathematics, languages, journalism, etc.

The Pittsburgh Board of Public Education is asking the right to levy up to ½% wage tax and help the Pittsburgh Board of Education promote the finest educational system in the United States right here in Pittsburgh.

Very truly yours,  
Andrene Grezmak

## RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1162

Mr. ISAACS. Mr. Speaker, I move that the vote by which House bill No. 1162, printer's No. 2070, entitled "An act amending the act of May 26, 1947 (P. L. 318), entitled 'An act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants, and for the suspension and revocation of such certificates subject to appeal and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties and repealing existing laws,' further regulating the certification and public practice of certified public accountants," was defeated on final passage Wednesday, June 7, 1961, be reconsidered.

Mr. ARLENE. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Delaware, Mr. Isaacs, vote on the final passage of this bill?

Mr. ISAACS. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Arlene, vote on the final passage of this bill?

Mr. ARLENE. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on final passage?

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, since the new member from Allegheny County was given the oath of office here today, I believe that completes the members elected, so could I ask the minority leader if his Committee on Committees will this week complete the assignment of the respective members so that the Committee on Committees can submit their report no later than the first of the coming week?

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, in that connection I have already spoken to Baker Royer, who is the chairman of our Committee on Committees. I believe he should sit down with your chairman to ascertain what vacancies there are in the various committees, so that there can be a just allocation of these matters. I believe he would be willing to do that soon.

Mr. McCANN. Mr. Speaker, the committee membership of your respective committees on the number of members is as adopted in the House Rules. You will have to make various changes there to complete your assignments. We are ready with our members to proceed with the assignments.

Mr. A. W. JOHNSON. Mr. Royer is ready and I believe there is no reason for him to sit down with the chairman of your committee. He can proceed.

#### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 796, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The motion was agreed to.

The first and second sections were separately read and agreed to.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Sec. 3, page 2, line 19, by striking out "Public Welfare" and inserting: the Auditor General.

Amend Sec. 3, page 2, line 20, by inserting after "1962" where it appears the second time: Failure by a hospital to file a report within the sixty day period will forfeit the payment for that quarter.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1138, entitled:

An Act amending the "State Tax Equalization Board Law" approved June 27, 1947 (P. L. 1046), requiring that objections to certified findings or conclusions of board shall be filed by October first of year the same are certified.

On the question,

Shall the bill pass finally?

#### MOTION TO RECOMMIT

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Steckel.

Mr. STECKEL. Mr. Speaker, I wish to speak upon the motion to recommit this bill.

This bill lay in committee for many months. It then was reported out and lay on our calendar for many more weeks. As recently as last week amendments were added to this bill without dissenting vote, and now the motion of the majority leader is that this bill be recommitted.

The importance of this bill should certainly be brought before this House. If the motion to recommit wins on the floor of this House, none of us will have an opportunity to discuss the merits of this bill. Study in the Appropriations Committee will not help the bill or hinder it. We must bring this bill to everyone's attention, or the purpose for which it was brought out will be defeated.

Therefore, I ask that the members of this House vote against the motion to recommit.

Mr. Speaker, I ask for a roll call.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. STECKEL and A. W. JOHNSON and were as follows:

#### YEAS—94

Anderson, S. A.,	Gray,	McCann,	Reibman,
Arlene,	Greenlee,	McCormack,	Reidenbach,
Bachman,	Gremminger,	McDevitt,	Renwick,
Branca,	Guesman,	McDonald,	Riley,
Breth,	Hamilton,	McKeever,	Rovansek,
Capano,	Hankins,	McLaughlin,	Rubin,
Cauley,	Hartley,	McNally,	Rudisill,
Cianfrani,	Heavey,	Meholchick,	Scarcelli,



Cloff,	Irvis,	Monroe,	Schaaf,
Clarke,	Jenkins,	Morley,	Schuster,
Comer,	Jim,	Munley,	Shelton,
Crossin,	Jones,	Murphy,	Sherman,
Curwood,	Kamyk,	Murray,	Shupnik,
Dougherty,	Kelly,	Needham,	Stank,
Doughten,	Klein,	O'Donnell, J. A.,	Stone,
Ellberg,	Kornick,	O'Donnell, J. P.,	Sullivan, J. A.,
Farabaugh,	Kramer,	Parlante,	Sullivan, T. F.,
Fineman,	Lamb,	Pashley,	Taylor,
Flynn,	Lawson,	Perry,	Tomasick,
Frascella,	Leonard,	Petrosky,	Wargo,
Fry,	Limper,	Polaski,	Welsh,
Galley,	Long, Wm. Jos.,	Polen,	Yetter,
Gallagher,	Lutty,	Prendergast,	Andrews,
Gelfand,	Maxwell,		Speaker

## NAYS—95

Adams,	Poor,	King,	Seltzer,
Anderson, J. H.,	Fulmer,	Kistler,	Slack,
Ashton,	George,	Knecht,	Snare,
Auker,	Gibb,	Kooker,	Steckel,
Backenstoe,	Gibbons,	Korns,	Stimmel,
Blair,	Goldstein, J. H.,	Lee, A. M.,	Stiteler,
Boies,	Goldstein, M. H.,	Lee, K. B.,	Thompson,
Bossert,	Goodrich,	Lippincott,	Tompkins,
Bower,	Gramlich,	Magee,	Ujobai,
Bowman,	Gross,	Manbeck,	Varner,
Buchanan,	Haudenschild,	Markley,	Wall,
Bush,	Heffner,	Marsh,	Weidner,
Davis,	Helm,	May,	Wescott,
Dengler,	Hocker,	McCandless,	Whittaker,
Dennison,	Holl,	McInroy,	Willard,
Donaldson,	Holliday,	Merry,	Willaredt,
Down,	Holman,	Miller,	Williams, A. D.,
Edwards,	Horst,	O'Dell,	Williams, E. S.,
Eshback,	Isaacs,	Ogilvie,	Wood,
Eshleman,	Johnson, A. W.,	Piper,	Worley,
Esler,	Johnson, R. P.,	Pursley,	Wynd,
Ewing,	Kelser,	Royer,	Zember,
Fetterolf,	Kernaghan,	Rutherford,	Zimmerman,
Fillo,	Kessler,	Sakulsky,	

## NOT VOTING—21

Bonner,	Guthrie,	Mullen,	Strausser,
Capitolo,	Henzel,	Musto,	Trusio,
Cooley,	Long, Wm. Jas.,	Odorisio,	Verona,
Elvey,	Mihm,	Price,	Walsh,
Foerster,	Mills,	Simmons,	Wilt,
Fox,			

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Steckel.

Mr. STECKEL. Mr. Speaker, I rise to debate the bill.

The SPEAKER pro tempore. The Gentleman is in order and will proceed.

Mr. STECKEL. This bill as originally designed set forth a return date for the State Tax Equalization Board to place figures and valuations on the school districts' salable properties. It has been amended. I think it should be said before we go into details that the amendments in no way attack any of the members of the present board, nor do the amendments do away with the present system, the reimbursement system, nor does it indicate that there is any attack on the personality of board members.

What this bill does do in its present form is to do away with the present State Tax Equalization Board as we know it, consisting of three members, two members paid at \$11,000 and a chairman paid at \$12,000 annually.

This bill would create a director of the State Tax Equalization Board under the Department of Internal Affairs, the department which peculiarly has in its possession all the information concerning the municipalities of the State,

and which also is well run, as we know, by its present head.

Presently, we are beset by a system in the State Tax Equalization Board whereby that board acts as judge, jury, prosecutor and appeals court all by itself. This bill, should it pass, would provide that one man, who would be the director of this Board, would do all the necessary work of creating the formulas by which the evaluations of the various districts are arrived at. There would be a three-man appeal board, each of which would be learned in one particular branch of real estate, one in agricultural real estate, one in residential and one in industrial. This board would serve in an advisory capacity in order to create the proper formulas which would be uniform throughout the State and would also serve as an appeal board to which an aggrieved municipality could take its appeal from the ruling of the state director.

One of the main difficulties at this time is because of the many capacities in which the present State Tax Equalization Board serves. They make their own findings of fact, they decide if these facts are right, they hear the aggrieved party, and they also serve as the appeals court.

This new bill would remedy the situation without doing away with the basic problem.

From a financial standpoint it would not cost the State any more than the present setup, though the director would be paid more. The administration would be more efficient, because it would be placed under the present Department of Internal Affairs where, as I said, they would have access to all the information in that Department.

There would be three members of the appeal board to be picked, no more than two of whom would be of one political party. I believe this proposal is sound and would be effective and a great deal more satisfactory to the school districts across the State of Pennsylvania, that have had many troubles with the State Tax Equalization Board setup.

Therefore, I would ask the members of the House to support this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. Mr. Speaker, the bill now before us bears my name as one of its sponsors. The bill now before us definitely is not the bill that I introduced. I would like the record to show that, although I am considered a sponsor and although it may be too late, I, in a sense, withdraw my sponsorship.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Boies.

Mr. BOIES. Mr. Speaker, very briefly, I would like to call the attention of the members of the House to the fact that this is their one and only chance to do anything about this State Tax Equalization Board situation in which the hundreds of school districts in the Commonwealth have been saddled with this extra assessment without appeal or without a hope. Now, this is your one and only chance to do something about it; otherwise, the situation is going to continue as it has been, where any appeal that you make has to go to the Dauphin County Court, and some small school districts who cannot afford it have not a chance in the world to make a protest.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, I would like to call to the attention of the members of the House that this bill makes an appropriation of \$332,258 which is not included in the budget. Normally, all appropriation bills or bills that require money are referred to the Appropriation Committee.

I want to make it very plain that I have no responsibility for this bill in line with the fiscal policy we have adopted and which I spoke on last week.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Steckel.

Mr. STECKEL. Mr. Speaker, will the gentleman from Washington, Mr. Polen, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN, I shall, Mr. Speaker.

Mr. STECKEL. Mr. Speaker, what is the present allotment in the budget for the State Tax Equalization Board?

Mr. POLEN. I would have to look in the budget. I recall it is something like \$300,000.

Mr. STECKEL. I thank the gentleman.

Mr. Speaker, the bill as it stands before us provides for the salaries which in the aggregate would be not more than the present salaries of the board, and it is for the operation of the new board rather than the State Tax Equalization Board acting independently. I see no reason why the cost of operation would be increased.

Therefore, it is my contention that, although there is no specific appropriation for this specific department, there are ample funds already in the budget to take care of this contingency.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, I ask that the membership vote "no" on House Bill 1138, printer's No. 2235.

Number one, the bill has been amended so that the department would rip out the present board. Therefore, the Tax Equalization Board now would be a new board, composed of two of one party and one of the other. It places it under the Department of Internal Affairs, if I remember this correctly, and the appropriation for the Department of Internal Affairs does not have this money in it.

It has always been my understanding, and I have been questioned time and time again on this floor, that unless they went through the Appropriations Committee, bills costing any money, raising money, or taking away money, were to be recommitted and go to Appropriations.

This I agreed to and I believe it is good, sound fiscal management of the Appropriations Committee of this House.

I state to the membership of this House that when you are voting for this bill you are voting to tear out the board, you are voting to place it in Internal Affairs. You are removing the Tax Equalization Board now constituted by law and that has operated in the past. Which-ever party was in control had the appointment of the membership, and this is as it should be.

I ask you now to vote "no" on House Bill 1138.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—87

Adams,	Filo,	Kessler,	Slack,
Anderson, J. H.	Foor,	King,	Snare,
Ashton,	Fulmer,	Kistler,	Steckel,
Auker,	Gibb,	Knecht,	Stimmel,
Blair,	Gibbons,	Kooker,	Stiteler,
Boles,	Goldstein, J. H.,	Korns,	Thompson,
Bossert,	Goldstein, M. H.,	Lippincott,	Tompkins,
Bower,	Goodrich,	Magee,	Ujobal,
Bowman,	Gramlich,	Manbeck,	Varner,
Buchanan,	Gross,	Marsh,	Wall,
Bush,	Hamilton,	May,	Weidner,
Davis,	Haudenshield,	McCandless,	Wescott,
Dengler,	Heffner,	McInroy,	Whittaker,
Dennison,	Helm,	Merry,	Willaredt,
Donaldson,	Holl,	Miller,	Williams, A. D.,
Down,	Holliday,	O'Dell,	Williams, E. S.,
Edwards,	Holman,	Ogilvie,	Wood,
Elvey,	Isaacs,	Piper,	Worley,
Eshback,	Johnson, A. W.,	Pursley,	Wynd,
Esler,	Johnson, R. P.,	Royer,	Zember,
Ewing,	Kelser,	Rudisill,	Zimmerman,
Fetterolf,	Kernaghan,	Seltzer,	

## NAYS—98

Anderson, S. A.,	Gray,	McCann,	Reidenbach,
Arlene,	Greenlee,	McCormack,	Renwick,
Bachman,	Gremminger,	McDevitt,	Riley,
Backenstoe,	Guesman,	McDonald,	Rovansek,
Branca,	Hankins,	McKeever,	Rubin,
Breth,	Hartley,	McLaughlin,	Rutherford,
Capano,	Heavey,	McNally,	Sakulsky,
Cauley,	Hocker,	Meholchick,	Scarcelli,
Cianfrani,	Irvls,	Monroe,	Schaaf,
Cloffi,	Jim,	Morley,	Schuster,
Clarke,	Jones,	Munley,	Shelton,
Comer,	Kamyk,	Murphy,	Sherman,
Crossin,	Kelly,	Murray,	Shupnik,
Curwood,	Klein,	Needham,	Stank,
Dougherty,	Kornick,	O'Donnell, J. A.,	Stone,
Doughten,	Kramer,	O'Donnell, J. P.,	Sullivan, J. A.,
Ellberg,	Lamb,	Parlante,	Sullivan, T. F.,
Eshleman,	Lawson,	Pashley,	Taylor,
Farabaugh,	Lee, A. M.,	Perry,	Tomasick,
Fineman,	Leonard,	Petrosky,	Trusio,
Flynn,	Limper,	Polaski,	Wargo,
Frascella,	Long, Wm. Jos.,	Polen,	Welsh,
Fry,	Lutty,	Prendergast,	Yetter,
Galley,	Markley,	Reibman,	Andrews,
Gallagher,	Maxwell,		Speaker

## NOT VOTING—25

Bonner,	Guthrie,	Mihm,	Simmons,
Capitolo,	Henzel,	Mills,	Strausser,
Cooley,	Horst,	Mullen,	Verona,
Foerster,	Jenkins,	Musto,	Walsh,
Fox,	Lee, K. B.,	Odoristo,	Willard,
Gelfand,	Long, Wm. Jas.,	Price,	Wilt,
George,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, it is five minutes before 6 o'clock. I would like at this time to state that we will not vote on any more bills, but I would ask that all members stay here for committee announcements. This House will convene tomorrow at 11 a. m., fast time. We hope to work right through to 6 p. m., in addition to a caucus and lunch.

## PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, it is always pleasant to have the Gov-



ernor come before us, and I think it was nice to have him here today. I am sure we all enjoyed his speech. I believe on the minority side some remarks should be made as to the way we viewed his remarks today, so that we will all be guided by his remarks and also can be thinking about what he said in the next few days.

I notice one thing that the Governor said to us. He said: "I want you people in this legislature to get busy on the legislative proposals that are before you." As he said that, I wondered what legislative proposals are before us. How many bills have been referred to the so-called Special Education Committee in the House for its consideration? Are there any bills before that special committee? I do not believe there are.

Another thing the Governor said was, go ahead, it will cost \$31 million to do the job. I ask, what job? What are we supposed to do? What are we called upon to do? What are the priorities? What bills are there? What should we do first? What is the most acute thing in the field of education right now that we should get on before we get out of this session of the General Assembly?

I was hoping today—and I am not saying this by way of any adverse or mean criticism—I was hoping that the Governor in his speech would say this: Here is a program that will cost \$31 million, but we can boil it down to \$27 million. Here is what they are. First of all, here is the most important thing, I would appreciate it if you would do that. Secondly, do this; thirdly, do that; and fourthly, that, until you have used up the \$31 million. When you get that done, you can go home, fold up shop and go home. But, frankly, we are just as much in the dark this minute after the Governor's speech as we were before he made his speech, and I feel the Governor should have outlined with particularity what he wanted us to do, if anything, with this education plan.

Secondly, the maxim is, in this Commonwealth, we shall have equality of education and opportunity. I say that is a good maxim and we try to follow that. We, on the Republican side, vote just as readily for educational matters as you people do on the majority side.

The Governor mentioned two ways of paying for it. One is a tax on stocks and bonds, and the other is a 2 percent income tax on dividends' and bonds' interest. I am asking the House to give it some thought. Are those tax proposals equality of payment? If there is equality of educational opportunity demanded in this light, should there also not be equality of payment by those affected who are going to share the fruits of education? We have always been willing, as I say, to go on the principle of bipartisanship. As a matter of fact, someone on the other side of this House not too long ago, I think I have said this before, said to me: Why, Mr. Johnson, if you people on the Republican side did not give us any votes, we could not pass any program this session. And, that is true. You are probably 15 members light here today, I do not know. We Republicans go down the line and vote for things that we think are for the good of the Commonwealth. We have always voted in a bipartisan way on education matters, but I will say this again, as I have said before, so far as our Governor is concerned, bipartisanship is a one-way street as far as he is concerned.

Here is a typical example: Last week, on Wednesday, we passed the General State Authority bill for \$260 million, or something like that. You came to pass that bill and you only had 101 in their seats, I believe, and we gave votes to pass that huge bill. What happened on Thursday, the Republican director of the General State Authority was summarily fired. They said, we need somebody who knows something about construction; he is just an administrator and therefore we have to get rid of him. The reason you got rid of him was that he was a Republican. You hired a so-called construction man, but I will bet you the person you hired to head GSA never mixed a batch of concrete in his life, if the truth were known.

Likewise, the papers today are saying that tomorrow a forced resignation is going to be had from Captain Bartman of the State Public School Building Authority. That is perfectly all right to replace Republicans with Democrats, that is the spoils system, but when you holler continually on bipartisanship, "go down the road together," that is fine, but as I said here it is a one-way street so far as you people are concerned. There is nothing wrong with the way Captain Bartman has been running the State Public School Building Authority; he has done an outstanding job as the director. He may have made some mistakes. We all make mistakes, but, as I say, bipartisanship is a two-way street. I am not saying that the members of this side of the House are going to refuse to vote for your tax program or are going to refuse to vote for any of these education bills, but it looks now, as before, we in this House must decide what is going to pass. We have to set up a schedule of priorities ourselves; we are going to have to figure what the cost is; and it looks like it has been laid right in our laps again.

To repeat, I wish the Governor had said, here are five things we want you to do, here is what it is going to cost, the bills are in committee, get them out of committee next week and pass them, and let us get out of town by the first of August. I say we probably will not be out until Christmas, the way the Governor talked, with reapportionment undecided and all these other things. Sure we have to get down to work, but we need some guidance and I am disappointed that we did not get it today.

Mr. TOMPKINS. In line with the appearance of His Excellency, the Governor, here this afternoon, I was expecting that he would enlarge upon his statement made to us when he appeared in April that he was going to look over and implement the committee report insofar as executive decrees were concerned.

On May 25 I wrote the Governor a letter asking him what particular portions of the committee report he intended to implement by executive order. I also asked him what the cost of those orders would amount to. I also asked him by what authority he would implement them by such orders.

On June 5, I received the following reply:

The committee referred to in your letter has been meeting and reviewing the various recommendations and I have been kept posted on their activities but do not have a complete listing of all the matters which they have put into operation.

Now he stands there and tells us he wants prompt and definitive action but he as yet does not know what his committee has put into operation.

Then he follows:

"I might safely list a few of the items. They are as follows:

"1. The Committee is preparing a reorganization chart of the Department of Public Instruction for submission to the Executive Board in line with the recommendations of the Committee on Education."

He does not say when that will be.

"2. The Superintendent of Public Instruction has been meeting with the Board of College Presidents to discuss the conversion from teacher college level to liberal arts colleges. This, as you know, is a long-term problem and will take considerable time to develop."

Not here and now, but a long-term problem.

I wonder how many of the suggestions coming from the legislature might be long-term reports that will require more than a request for a rubber stamp?

"3. The department has initiated the manpower study with the limited funds available to it.

"4. A State committee has been established to develop a State program on educational television."

—without saying how soon it will have a report or how much it will cost.

"5. The department has completed its study for regional film libraries."

—but they have not said how much that will cost.

"6. The State Council of Education has established a committee on vocational education. The report of this committee is now in its final form and so far has concerned itself only with the retraining, trade and industrial education. A committee to discuss the other aspects will be named shortly."

—they have not yet taken definitive action in that field.

"7. The State Council of Education has recommended modular construction in school buildings in line with the committee's recommendations."

I think there is a bill on our calendar at the present time on that subject, although he indicates that will be done by executive order. That is the reason why I wanted to find out what he intends to do, how much it is going to cost, and whether or not he has the authority statutorily or constitutionally to do these things.

He then concludes:

"I hope that these few facts will indicate to you that this committee is at work doing everything possible to implement such recommendations as can be done by executive order."

Mr. Speaker, when he comes before us and says prompt and definitive action that you adopt now at this session before adjournment and so forth, I wonder how consistent he is in asking the legislature to do a lot of things without proper study and without proper review, and so forth, when he himself states that he intends to do that very thing.

I for one will not be rubber stamped on any part of the program legislative-wise.

Mr. McCANN. Mr. Speaker, at first I want to say honestly and frankly that the gentleman who spoke before me, Mr. Johnson, of McKean County, of course, is extremely aware of the contents of the Governor's Committee on Education Report because he served as a member of that committee, one of the four people from the House of Representatives.

I would like to say each member has received a copy of the report which the pieces of legislation introduced concern. I, of course, do not know how many have read the report in its entirety.

The bipartisan Committee on Education has its first meeting scheduled tonight at 7 o'clock. Both the House and the Senate members appointed by the Speaker and the President Pro Tempore of the Senate will meet in their first joint meeting beginning tonight.

Therefore, I assume that they will discuss the legislative programs which have been introduced both in the House and the Senate.

There are no bills before the bipartisan committee in the House, nor are there any bills before the bipartisan committee in the Senate. I believe the Speaker of the House has referred the bills of the House to the Education Committee, and the Lieutenant-Governor or the President Pro Tempore, whichever the case may be, referred the bills to the Education Committee in the Senate. At the meeting tonight I expect they will discuss various procedures and legislative proposals that have been introduced covering this report.

It was decided it is not for the Governor or yourself to determine which item will establish the priority, which will be number one or number two, what, in your opinion, would be more advisable to have the bipartisan committee discuss and give their recommendations on, which may be number 1, number 2, number 3, number 4, as you said.

I am well aware, and so is everyone else in this House, I am proud to say, that the entire major legislative pieces of law enacted in this session are programs that have passed the House and passed with both Republican and Democratic support. In some cases the opposition to the program was both Democratic and Republican, as well as Democratic and Republican members supporting the program when it passed. This, I think, is very good because it makes for good, sound legislative thinking. It makes for good, sound legislative deliberations on enacting and passing a legislative program.

In my own honest opinion, and I believe that of the members who served on the Education Committee, the Governor's Committee on Education from this House, could in their own minds honestly say what they believe is the prime importance, if that is what you are seeking.

But there are differences of opinion, for example, on the subsidy program, which is a major piece of legislation; reorganization of school districts, on which there is a difference of opinion.

There certainly is an agreement, at least in the majority opinion report, on introduction of legislation on various other points. This was brought out both by the minority and majority reports of the Governor's Committee on Education and the legislation which was in-



roduced both from the minority report and the majority report.

I would like to say that I believe this committee, when it meets tonight, will discuss these very items.

I do not believe there was anything wrong with the Governor's saying which is number 1, number 2, or number 3, but if you read the report of the committee, you, in your own mind, will be able to determine which is of greater importance.

Therefore, I say to you, certainly it becomes a major problem, a bipartisan problem, and the revenue measures must be proposed that will enact them.

I hope that committee will also discuss revenue-raising measures or discuss some other measures that they may have in mind, if they have any they would care to offer.

I, of course, feel confident that they will work hard at this and will attempt to bring to the House and to the Senate their recommendations in the very near future, and I believe that we can, in the near future then, receive their report of these legislative proposals introduced.

I would like to say that there are many other pieces of legislation introduced in this House which comply with part of this report, not the particular 14 bills defined as dealing with that report, but there are other pieces of legislation introduced by various members that fall on the very same subject of that report, and we hope that each of these bills will go to the proper committee bearing on the subject in that report and that the committees will have an opportunity to discuss those bills, as well as the bill that was introduced backing the Governor's Committee on Education Report.

I think you will find that true in school building construction, in plans and specifications, in the amount allowed for classroom construction under the approval reimbursement plan, and various proposals of higher education, or reorganization, and I recall some other bills that we studied in the history of the House calendar on those subjects. I realize we are asking an awful lot of that committee, but that committee intends to meet, beginning tonight, and go to work, as there is a lot of work to do. I hope their recommendations will be presented on the floor of this House so we may have an opportunity to vote on that legislation. I will abide by their wishes as to schedule, following tonight's meeting when they inform me.

Last but not least, I would like to say this, and I believe I have said it before: When good legislative programs are proposed and there is a difference of opinion between two parties, I think it stands as an excellent record that those proposals are enacted with bipartisan support because they, in your opinion, merit good legislation or good programs for your own constituents whom you represent in your legislative districts.

I hope that in future legislation and in future sessions it will be that way, whichever party may be in power. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I will be very, very brief. I simply want to refer to one statement made by the minority leader. I do not think that I am indiscreetly revealing any party secrets when I say that, at a meeting of Democratic leaders in the House, it was suggested

that the Governor do the very thing suggested by the minority leader. But it was the opinion of the leaders of the House who were there that, for the Governor to do that, would be infringing upon the prerogatives and the dignity of this House. And so, if that was wrong, why then I must plead that I was one of the parties to the crime, because I do not believe it was the function of the Governor to give us, line by line, an order as to what we should do and how we should do it. I simply expressed what was the opinion, the majority opinion, of the Democratic leaders of the House who met with the Governor today.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I would ask the indulgence of the Speaker and ask leave to inform the membership of this House of committee meetings, our plans for tomorrow, as to the time this House will begin its session, and then we would finish up the House calendar, Mr. Speaker, on extension of time and passing over bills.

### COMMITTEE MEETINGS

BANKING AND BUILDING AND LOAN ASSOCIATIONS, Mr. Parlante, chairman, Room 131-A, Tuesday, June 13, at 10 a.m.

EDUCATION, Mrs. Reibman, chairman, Room 324, Tuesday, June 13, at 9:30 a.m.

ELECTIONS, Mr. Eilberg, chairman, Room 323, Tuesday, June 13, at 10:45 a.m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Tuesday, June 13, at 10 a.m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521, Tuesday, June 13, at 10:30 a.m.

MUNICIPAL CORPORATIONS, Mr. Polaski, chairman, Room 331, Tuesday, June 13, at 10:30 a.m.

WAYS AND MEANS, Mr. Kamyk, chairman, Room 131-E, Tuesday, June 13, at 10:30 a.m.

WORKMEN'S COMPENSATION, Mr. Capano, chairman, Room 131, Tuesday, June 13, at 10:30 a.m.

JOINT CAUCUS, Democratic and Republican Members of Allegheny County, Tuesday, June 13, at 10:45 a.m. in the majority House caucus room.

ALL TIMES ARE DAYLIGHT SAVING TIME

### ANNOUNCEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Green, Mr. McCann. Does he desire to announce tomorrow's schedule?

Mr. McCANN. Mr. Speaker, the tentative schedule as planned for tomorrow is, the House will convene at 11 a.m., daylight saving time. It is believed that the clearing of the first and second reading calendar and the reports of committees and clearing of the Speaker's desk would be approximately in the vicinity of 11:45 or very near 12 o'clock. Then a request will be made for a break for lunch and a caucus of the two respective parties, hoping to place the first roll call before the House in the neighborhood of between 1:30 and 2 p.m. We will continue steadily from then on through the day, trying to finish, perhaps at six, and if we do get into a position that we may be many hours on debating various bills, depending upon this situation, we might take a break for the evening meal and then come back and run a night session if needed.

Mr. Speaker, that would be the tentative plan for Tuesday.

For Wednesday, it would be 10 a.m., daylight saving time, following again the same procedure, caucus, and also there would be a break for lunch, going steadily to the hours of completing the work, with no assurance as to the final time on Wednesday, since the House will not be in session on Thursday due to the Harrisburger Hotel situation.

#### RESOLUTION INTRODUCED AND REFERRED

By Messrs. ANDREWS and BRETH.

##### RESOLUTION No. 83.

In the House of Representatives, June 12, 1961.

Whereas, The proper and expeditious performance of the functions of the General Assembly requires continual review and reappraisal if legislative procedures are to be as efficient as is humanly practicable, within the limits imposed by the Constitution, and contribute in the greatest degree to the public knowledge and understanding of the democratic process; and

Whereas, Archaic and cumbersome procedures tend to divert attention from the rapidly-growing and ever-changing complexities of contemporary legislative activities and create a false image of government; therefore be it

Resolved, That the Joint State Government Commission be directed to undertake a thorough investigation of legislative procedures and operations and ascertain what

methods are available that could reasonably be expected to expedite the conduct of legislative business; and be it further

Resolved, That the Joint State Government Commission include in its investigation a study of practices in other states where legislative procedures have been modified in recent years or where legislative procedures are in operation which if adopted in Pennsylvania would facilitate the more efficient performance of legislative functions; and be it further

Resolved, That in order to assure public participation and full discussion of the issues involved the Joint State Government Commission make available its findings as developed and report its findings and recommendations to the 1963 Session of the General Assembly.

Referred to the Committee on Rules.

#### TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1172, printer's No. 1319, on page 14 of today's calendar, bills on final passage postponed.

#### ADJOURNMENT

MRS. KERNAGHAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 13, 1961, at 10 a. m., e.s.t.

The motion was agreed to, and (at 5:22 p.m., e.s.t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, JUNE 13, 1961.

No. 61.

## SENATE

TUESDAY, June 13, 1961.

The Senate met at 1:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM J. LIPPERT, Pastor of St. John's Evangelical United Brethren Church, Williamsport, offered the following prayer:

Let us pray.

Almighty God, Thou Who art the very source of life, we thank Thee for this day with all its varied opportunities to bring glory to Thee by our thoughts, words and deeds.. Refresh our memories just now to the multitude of Thy blessings to us in every hour. Have mercy upon us and forgive us for every instance of ingratitude, however evident in our lives.

In the long and tedious hours of each day, dear Father, give wisdom, courage and strength to each Senator according to his need. Amidst the many pressures of life, help us, Almighty God, to feel an urgency to listen to Thee; an urgency which, at the very least, is equal to the most urgent other matter that demands our time and talent today.

As we humbly and confidently pray, Lord, for Thy guiding hand to direct these who are charged with enacting right and proper legislation, so, dear Lord, do we pray for those charged with executing and interpreting with justice our laws.

We pray in that name which is above every name, Jesus Christ, our Lord. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

## COMMUNICATIONS FROM THE GOVERNOR

### APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 161, 336, 385, 505 and 506.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

### MEMBER OF THE PENNSYLVANIA GAME COMMISSION

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate R. G. Smith, R. D. 2, Berwick, Columbia County, for appointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1969, and until his successor shall have been appointed and qualified, vice Andrew C. Long, Shamokin, whose term expired.

DAVID L. LAWRENCE.

### MEMBER OF THE PENNSYLVANIA GAME COMMISSION

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nicholas Biddle, 250 Moreland Road, Bethayres, Montgomery County, for reappointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1969, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

### MEMBER OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert M. Bucher, Dean, Temple University School of Medicine, 3950 Vaux Street, Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1964, and until his successor shall have been appointed and qualified, vice Dr. William N. Parkinson, Philadelphia, resigned.

DAVID L. LAWRENCE.

### MEMBERS OF THE BOARD OF TRUSTEES OF YOUTH DEVELOPMENT CENTER AT CANONSBURG

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of the Youth Development Center at Canonsburg, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

S. Harry Galfand, 502 West Allens Lane, Philadelphia, Philadelphia County.

Lynwood F. Blount, 1325 North Sixtieth Street, Philadelphia, Philadelphia County.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Clarion State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Charles W. Dinger, 506 Grant Street, Reynoldsville, Jefferson County, vice John H. Hughes, Brookville, whose term expired.

Keva H. L. Miller, 304 Orange Street, Oil City, Venango County. (Reappointment)

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE COLLEGE

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Edinboro State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Mrs. Susan McComb, Stoneboro, Mercer County.

Max P. Gabreski, Grandview Road, R. D. 1, Oil City, Venango County.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE COLLEGE

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond T. Law, 119 Church Street, Taylor, Lackawanna County, for appointment as a member of the Board of Trustees of Mansfield State College, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice Francis J. Cichocki, South Waverly, whose term expired.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF PENNHRUST STATE SCHOOL

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Pennhurst State School:

H. Stanley Witwer, Elverson, Chester County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. Agnes Speakman, Glenmoore, Chester County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

David A. Bloomer, 551 Nutt Street, Phoenixville, Ches-

ter County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Harvey H. Haldeman, R. D., Chester Springs, Chester County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

William H. Wilfong, 749 East Orange Street, Lancaster, Lancaster County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

William F. Hohl, 1240 East Schuylkill Road, Pottstown, Montgomery County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

William A. Griffith, 31 Chestnut Street, Pottstown, Montgomery County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Farview State Hospital:

Frank Zazzera, 70 North Church Street, Carbondale, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Eugene A. Colleran, 1010 Moosic Street, Jessup, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Stephen Kiehart, 213 South Main Street, Mayfield, Lackawanna County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Carl Franceski, 1147 North Main Street, Forest City, Susquehanna County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

James A. Moore, 132 Seventh Avenue, Carbondale, Lackawanna County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Williamson, R. D. 1, Weatherly, Carbon County, for appointment as a member of the Board of Trustees of Hazleton State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Edward W. Doggett, Freeland, resigned.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Mayview State Hospital:

William Forrester, 221 Barth Avenue, Pittsburgh 28, Allegheny County, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Homer R. Greene, Jr., Pittsburgh, resigned.

Daniel I. Jamison, Jr., 1168 Greentree Road, Pittsburgh, Allegheny County, until the third Tuesday of January 1967, and until his successor is appointed and qualified. (Reappointment)

DAVID L. LAWRENCE.



MEMBER OF THE BOARD OF TRUSTEES OF  
SCOTLAND SCHOOL FOR VETERANS' CHILDREN

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Abe Ruben, 102 Tenth Street, Donora, Washington County, for reappointment as a member of the Board of Trustees of Scotland School for Veterans' Children, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE LYCOMING COUNTY  
BOARD OF ASSISTANCE

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Ann L. Berger (Democrat), 525 Seventh Avenue, Williamsport, Lycoming County, for appointment as a member of the Lycoming County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Agnes H. Preston, Williamsport, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE VENANGO COUNTY  
BOARD OF ASSISTANCE

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles L. Rodgers (Republican), 1315 Buffalo Street, Franklin, Venango County, for appointment as a member of the Venango County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Miss Harriet R. Bleakley, Franklin, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James C. Patton, Jr., Schenck Street, Noxen, Wyoming County, for appointment as Justice of the Peace in and for the Township of Noxen, Wyoming County, until the first Monday of January 1962, vice Mrs. Albino Simon, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 95**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be placed on the Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 81**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 816**, which was referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 880**, which was referred to the Committee on Banking.

He also presented for concurrence **HB 944**, which was referred to the Committee on Education.

He also presented for concurrence **HB 1077**, which was referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1402**, which was referred to the Committee on Insurance.

He also presented for concurrence **HB 1473** and **1540**, which were referred to the Committee on State Government.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

**SB 75, 179, 278, 280, 282, 284, 286, 481, HB 508, 873, 987, 994, 1036, 1225, 1254 and 1381.**

STUDENTS WELCOMED TO THE SENATE

Mr. McMENAMIN. Mr. President, I wish to inform the Members of the Senate that we have with us today a very distinguished group of young Pennsylvanians from Lackawanna County. This group consists of the senior class of Taylor Borough High School. They are here under the supervision of Mr. Merwyn Howells, Principal, and Mr. Charles Jared.

The PRESIDENT. Will the senior class of Taylor Borough High School please rise?

On behalf of the Members of the Senate, the Chair is very happy to greet the senior class of Taylor Borough High School and its supervisors on this trip, Mr. Merwyn Howells and Mr. Charles Jared. We are very happy to have you here with us and we do hope that you will be pleased and will learn something from your State Government.

JOHN CARL MILLER, JR. PRESENTED  
TO SENATE

The PRESIDENT. At this time, gentlemen, I would like you to recognize the fact that Senator Miller's son, John, is here at the left-hand corner of the desk, as a Page.

Look at the Senators, John— they all want to see you.

REPORT OF JOINT COMMITTEE TO STUDY  
ABOLITION OF CAPITOL PUNISHMENT,  
PURSUANT TO SENATE CONCURRENT  
RESOLUTION, SERIAL NO. 101

Mr. DONOLOW. Mr. President, I am happy at this time to present to the Members of the Senate the Report of the Joint Legislative Committee on Capital Punishment. I hope that the Members of the Senate will find it informative.

The PRESIDENT. Thank you, Senator Donolow. The report will be noted in the Journal and printed in full in the Appendix thereto.

REPORT FROM COMMITTEE ON EXECUTIVE  
NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBERS OF THE BOARD OF TRUSTEES OF  
MANSFIELD STATE COLLEGE

May 8, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Mansfield State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Milford Paris, Main Street, Tioga, Tioga County.

Mrs. Margaret McMillen, Mansfield, Tioga County.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

June 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George S. Iyob, Jr., 747 Jefferson Avenue, Jermyn, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Jermyn, Lackawanna County, to serve until the first Monday of January 1962, vice John J. Langan, resigned.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert E. Lynn, 486 Revere Terrace, Warminster, Bucks County, for appointment as Justice of the Peace in and for the Township of Warminster, Bucks County, to serve until the first Monday of January 1962, vice Claude L. Kern, resigned.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

June 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Eugene C. Schaad, Buckingham, Bucks County, for appointment as Justice of the Peace in and for the Township of Buckingham, Bucks County, to serve until the first Monday of January 1962, vice E. Franklin Rogers, deceased.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

April 25, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Agnes Taylor, R. D. 3, Slippery Rick, Butler County, for appointment as Justice of the Peace in and for the Township of Worth, Butler County, to serve until the first Monday of January 1962, vice Frank V. Patterson, deceased.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Wilson, R. D. 1, Fenelton, Butler County, for appointment as Justice of the Peace in and for the Township of Clear-

field, Butler County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

## REPORTS FROM COMMITTEES

Mr. MURRAY, from the Committee on Mines and Mineral Industries, reported, as committed, **HB 1181** and **1222**.

He also, from the Committee on State Government, reported, as committed, **HB 1443, 1542, 1545** and **1562**.

Mr. KALMAN, from the Committee on Judiciary General, reported, as committed, **SB 741, HB 48, 141, 160, 263, 591, 650, 742, 743, 973, 974, 979** and **995**.

Mr. SEYLER, from the Committee on Judiciary General, reported, as amended, **SB 736**.

Mr. CONFAIR, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **SB 598, 618, HB 659** and **817**.

Mr. HAYS, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **HB 423, 823, 1308** and **1327**.

Mr. BELL, from the Committee on Highways, reported, as committed, **SB 496**.

Mr. HALUSKA, from the Committee on Local Government, reported, as committed, **SB 182, 261, 664, 748, 757, HB 530** and **1390**; as amended, **HB 345**.

## RECESS

Mr. MAHADY. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a meeting of the Committee on Constitutional Changes and Federal Relations, to be held in Room 302.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

## AFTER RECESS

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

## REPORTS FROM COMMITTEE

Mr. McCREESH, from the Committee on Constitutional Changes and Federal Relations, reported, as committed, **SB 52, 683** and **HB 53**.

## RESOLUTIONS REPORTED FROM COMMITTEE

Mr. McCREESH, from the Committee on Constitutional Changes and Federal Relations, reported without amendment, House Concurrent Resolution **No. 54**, entitled: Department of State to Take a Firm Position Against Arab Interference in the Affairs of American Citizens

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

He also, from the Committee on Constitutional Changes and Federal Relations, reported without amendment, House Concurrent Resolution, **Serial No. 76**, entitled: Congress Memorialized to Enact Legislation to Increase the Membership of the Federal Power Commission



The PRESIDING OFFICER. The resolution will be placed on the Calendar.

### REPORT FROM COMMITTEE

Mr. STASEY, from the Committee on Constitutional Changes and Federal Relations, reported, as committed, HB 6.

### PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, this General Assembly, of which we are a part, has the collective, constitutional responsibility of reapportioning the Commonwealth according to the changes in population as indicated by each census conducted by the Federal Government. As a result of that, it has been my practice, since I have been a Member of the General Assembly, to introduce bills to carry out this constitutional obligation.

I am about to present a bill which will accomplish this end, as far as the Senate of Pennsylvania is concerned. This bill is designed to meet the constitutional requirements and also the changes in population in our Commonwealth. It comes after considerable research. It attempts to take into consideration not only the constitutional provisions and the changes in population, but also the geographical and other elements which enter into making a contiguous and representative reapportionment.

I would like to say that this bill considerably reduces the range of population served by each Senator from the extremes which exist under the present apportionment. The extremes we have at present, of course, are accounted for by the fact that during the many years since the last reapportionment took place, there have been significant changes in population. Counties which were once large in population have declined because of economic or other conditions. Other counties have greatly increased by suburban development and so on.

I believe this bill is a bill which is drawn according to the constitutional requirements. I believe, furthermore, it is a bill which is fair and which sets up these districts in proportion to the number of people that should be represented.

I would like to say this, however. It is impossible to reduce the range of the number of people represented by each Senator to the narrowness that I would desire. It is impossible because of the Constitution of Pennsylvania. If you will read the provision in the Constitution which sets up the requirements under which reapportionment must proceed, you will find there are certain requirements which make it impossible to have any better reapportionment, I believe, than this bill represents.

Therefore, I invite my colleagues to examine this bill. I also invite other groups in the Commonwealth who are interested in fair and good reapportionment to examine it. I would welcome communications from my colleagues, or any other people who are interested, and suggestions, so that when the time comes for the Committee on Reapportionment to discuss and study this bill, we may have the benefit of any ideas and suggestions which you may have—and which anyone in the Commonwealth may have—to improve this bill. I do not say that it is perfect. I simply say that I believe it is fair,

and it is an attempt to do on a basis of fairness, and without political consideration, the reapportionment which is needed.

Therefore, Mr. President, I submit this bill.

### BILL INTRODUCED AND REFERRED

Mr. SEYLER presented to the Chair SB 761, entitled:

An Act fixing the number of Senators in the General Assembly of the State; apportioning the State into senatorial districts as provided by the Constitution; providing for the election of, and the terms of office of, the present and future elected Senators; and repealing inconsistent laws in respect thereto.

Which was committed to the Committee on Reapportionment.

### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the bill which I am about to introduce deals with the forgotten man of Pennsylvania. When I say "forgotten man," I mean a man who has escaped our attention. The time is ripe now to go after him.

I, personally, as you remember, was swept from the Turnpike in 1957 into a valley that was a veritable valley of death, and by a miracle I escaped being killed. It was entirely due to the fact that a vehicle which was behind me was mechanically unfit to be on the Turnpike. Some of the automobile mechanics in Pennsylvania are good repairmen, but some of them are just charlatans, who are not qualified to repair a vehicle which may be the carrier of death if it is unfit.

For this reason, I am now preparing a series of bills which will deal with this problem. One of the bills, which I will introduce next week, will deal with a system of examining automobile mechanics to ascertain who are fit for the job and who are not.

Before doing that, I am presenting this bill which will provide for criminal punishment for any automobile mechanic who is not doing a proper job, although he is representing to the man who came for repairs that he did a proper job.

### BILLS INTRODUCED AND REFERRED

Mr. STIEFEL presented to the Chair SB 762, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making it illegal for a mechanic to misrepresent that certain work was done on a vehicle or that the vehicle is safe to operate and providing penalties.

Which was committed to the Committee on Highways.

He also presented to the Chair SB 763, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," requiring the posting of a bond for the payment of expenses and investigations in proceedings for the issuance of certificates of public convenience in certain cases.

Which was committed to the Committee on Corporations.

Mr. McCREESH presented to the Chair SB 764, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law," increasing the

maximum cost of certain burials to be paid by institution districts.

Which was committed to the Committee on Local Government.

Messrs. TAYOR and WADE presented to the Chair **SB 765**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," providing for the reimbursement to State employes of costs involved in moving when such moving has been required by the government.

Which was committed to the Committee on State Government.

Messrs. STAISEY and SILVERT (by request) presented to the Chair **SB 766**, entitled:

An Act relating to the public health, safety and welfare; providing for the establishment of a food inspection service; the inspection of articles of human food; the condemnation and destruction for food purposes of diseased, unsound or otherwise unfit food; the prevention of misbranding and adulteration of food; the issuance of licenses and collection of fees; the adoption of regulations for the administration of the act; and providing penalties and remedies for violation of the act.

Which was committed to the Committee on Agriculture.

Mr. HALUSKA presented to the Chair **SB 767**, entitled:

An Act authorizing the Department of Public Welfare to contract with the Borough of Ebensburg and The Municipal Authority of the Borough of Ebensburg for improvements and additions to the public water supply system so as to insure an adequate water supply to the Ebensburg State School, and the payment of part of the cost of maintenance thereafter, and making an appropriation.

Which was committed to the Committee on State Government.

He also presented to the Chair **SB 768**, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law," exempting the property of tenants occupying real estate from distress and sale for nonpayment of taxes levied against the real estate.

Which was committed to the Committee on Local Government.

## SENATE CONCURRENT RESOLUTION

### WEEKLY ADJOURNMENT

Mr. McCREESH offered the following resolution, which was read, considered and adopted:

In the Senate, June 13, 1961.

**RESOLVED** (the House of Representatives concurring), That when the Senate adjourns this week, it reconvenes on Monday, June 19, 1961, at TWO o'clock p.m., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Tuesday, June 20, 1961, at an hour to be fixed by the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

## SENATE RESOLUTION

### DESIGNATING HIGHWAY ROUTE NO. 71 AS THE "GENERAL EDWARD MARTIN HIGHWAY"

Messrs. LANE, BERGER, SCOTT and WEINER offered

the following resolution (**Serial No. 71**), which was read, considered and adopted:

In the Senate, June 13, 1961.

General Edward Martin, a former Governor of the Commonwealth and a man respected by all, was an enthusiastic proponent of highway construction during the entire span of his public life.

General Martin fought in three wars, the Spanish American War, World War I and World War II. He also served his State as a dedicated public servant. He was elected State Treasurer, Auditor General and Governor. He was a member of the Cabinet in the capacity of Adjutant General and he represented the people of Pennsylvania in Washington as a member of the United States Senate.

Because of his background and the service he has rendered to the citizens of our State, it is fitting and appropriate that legislative recognition be accorded General Edward Martin; therefore be it

**RESOLVED**, That Highway Route Number 71 from the Pennsylvania Turnpike at New Stanton to Washington, Pennsylvania be dedicated to the man during whose administration the first section of the road was built and that the highway be known as the "General Edward Martin Highway," and be it further

**RESOLVED**, That the Department of Highways shall erect along the highway suitable tablets and markers and shall carry out suitable landscape development to perpetuate this resolution. This highway shall also continue to be known as Route 71, and upon completion as Route 70 as currently planned.

## PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, at this particular time, I want to say that I am extremely happy that the Members of the Senate unanimously adopted this resolution honoring one of Pennsylvania's outstanding citizens. I am speaking about one of the most prominent citizens in Washington County, the Honorable Edward Martin. Senator Martin, Governor Martin or General Martin is of a different political faith than myself. However, we people of Washington County and southwestern Pennsylvania hold him in great respect. We feel he is one of Pennsylvania's most outstanding citizens and we are indeed proud that General Martin makes his home in Washington, Pennsylvania.

For your further information, Mr. President, General Martin originated in Greene County, which is a Democratic district. I am happy to inform my fellow Democrats that a great number of General's Martin's relatives are members of the Democratic Party in Greene County.

## PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I desire to supplement the statement made by Senator Lane. When I heard the resolution read, I was somehow disturbed because I was afraid I would be pre-empted.

I am now preparing a resolution to hail Senator Martin as the man who wrote a great book, a book which we should review here in the form of a resolution. The title of the book is, "Always be on Time." In that book, Senator Martin, or Governor Martin, tells not only the story of his own life, but he projects it against a background of Pennsylvania's history. In due time, I am going to present such a resolution. Of course, I could not do it without ask-



ing Senator Lane to join me in it.

When Senator Lane mentioned the fact that Senator Martin is a great Pennsylvanian, we certainly agree that this is a minimization. He is not only a great Pennsylvanian, but he is also a great American.

I made this statement, Mr. President, in order that I would not be pre-empted by anybody else in dealing with this book, entitled "Always be on Time."

## EXECUTIVE NOMINATIONS

### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. SARRAF, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

### NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The clerk will read the nominations.

The nominations were read by the Clerk as follows:

### MEMBERS OF THE BOARD OF TRUSTEES OF MANSFIELD STATE COLLEGE

May 8, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Mansfield State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Milford Paris, Main Street, Tioga, Tioga County.

Mrs. Margaret McMillen, Mansfield, Tioga County.

DAVID L. LAWRENCE

### JUSTICE OF THE PEACE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert E. Lynn, 486 Revere Terrace, Warminster, Bucks County, for appointment as Justice of the Peace in and for the Township of Warminster, Bucks County, to serve until the first Monday of January 1962, vice Claude L. Kern, resigned.

DAVID L. LAWRENCE

### JUSTICE OF THE PEACE

June 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George S. Iyob, Jr., 747 Jefferson Avenue, Jermyn, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Jermyn, Lackawanna County, to serve

until the first Monday of January 1962, vice John J. Langam, resigned.

DAVID L. LAWRENCE

### JUSTICE OF THE PEACE

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Eugene C. Schaad, Buckingham, Bucks County, for appointment as Justice of the Peace in and for the Township of Buckingham, Bucks County, to serve until the first Monday of January 1962, vice E. Franklin Rogers, deceased.

DAVID L. LAWRENCE

### JUSTICE OF THE PEACE

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Agnes Taylor, R. D. 3, Slippery Rock, Butler County, for appointment as Justice of the Peace in and for the Township of Worth, Butler County, to serve until the first Monday of January 1962, vice Frank V. Patterson, deceased.

DAVID L. LAWRENCE

### JUSTICE OF THE PEACE

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Wilson, R. D. 1, Fenelton, Butler County, for appointment as Justice of the Peace in and for the Township of Clearfield, Butler County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraff,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

## CALENDAR

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

HB 1038 (Pr. No. 2189)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments

made by the House to House Bill No. 1038, recalled from the Governor.

Mr. DEVLIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 553 (Pr. No. 891)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 553.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stietel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## FINAL PASSAGE CALENDAR

## BILL ON FINAL PASSAGE

HB 442 (Pr. No. 2183)—And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SILVERT. Mr. President, regarding this golfing bill, the last two times when it was up for Third Reading, there was considerable discussion among the Mem-

bers of the Senate as to what protection a youngster, twelve to fourteen years of age, would have on a golf course in case he was injured. There was some question raised as to whether or not he is covered by workmen's compensation.

Apparently, the discussion spilled over into the House. It reached one of the sponsors of the bill, Mr. McCormack, who is a neighbor attorney in Philadelphia. He said that he was rather surprised there was any question raised as to the rights of a minor under workmen's compensation when he is engaged as a caddie. He told me that he tried a case himself on the subject and he won. He also told me that he would do a little research for me in very short order. I told him that it would be a good idea. He, apparently, missed his lunch because of preparing a brief statement for me which I would like to place into the record. The statement bears on this question of workmen's compensation and reads as follows:

"In the brief time I have been given to research the law on the subject of workmen's compensation and whether or not minor caddies would be covered thereunder, I would like to submit the following for the edification of the upper Chamber:

"Minors, whether illegally or legally employed, are covered by the Act. This is the Act of June 2, 1915, P. L. 736, as amended and re-enacted by the Act of June 21, 1939, P. L. 520. In the case of Fritsch v. Pennsylvania Golf Club, 355 Pa. 385, minor plaintiff (14 years of age) was employed to work on the greens by Llanarch. While riding a tractor, he was thrown off, sustaining personal injuries. Plaintiff proceeded at law for the injuries and the Supreme Court held that an action in trespass would not lie; that the only remedy was a claim under the Workmen's Compensation Act.

"In the case of Ando v. Duquesne Golf Association, 19 D and C 41 (1959), claimant (12 years old) accompanied his friend to the golf course. The caddy master assigned him a bag for the first time. On the 16th hole, one of the players hit a ball against the tree and caromed off claimant's head. The referee found that claimant was employed by the club. His finding was sustained by the Board. The court held that claimant was covered by the Workmen's Compensation Act, even though the caddy is paid directly by a third party rather than the club."

To the same effect, Mr. President, Mr. McCormack also cited the case of Fanning v. Apawana Golf Club, 169 Pa. Superior Court, page 180.

Mr. President, apparently under the decisions, there is no question that the minor would be covered by workmen's compensation. Therefore, I think the bill is worthwhile and I hope it receives a majority vote in this Senate.

Mr. HALUSKA. Mr. President, I am certainly happy to know there has been some "Shepardizing" done on this case, because unless you "Shepardize" a case, you do not go back that far.

In the number of cases referred to, the people who hired the caddies were members of the club. In that way, the club became responsible for the member. However, I say to you, a man who goes out into the streets to get a caddie and who is not a member of a club is not covered under workmen's compensation, and that will require more "Shepardizing" on the part of the attorneys.



Mr. BERGER. Very briefly, Mr. President, I want to correct, on the record, a statement which I made in response to interrogation by Senator Haluska yesterday that in my opinion caddies were not covered by workmen's compensation, having in mind, of course, at that time, that the employment might probably be considered by the golfer himself with the caddie, and that it would be casual employment. However, Mr. President, I have had the benefit of the research done by some of my more learned colleagues, and I hasten to say that I now want to reanswer the interrogation by Senator Haluska and say that under the decision, caddies are covered by workmen's compensation.

Mr. HALUSKA. Mr. President, I assume that my good colleague from Potter has done a little "Shepardizing," too.

The PRESIDING OFFICER. The word "Shepardize," in legal terminology, is a volume know as "Shepard's Book," where you trace cases down to see if there is a later case that overruled or confirmed a former case. When Senator Haluska uses the word "Shepardize," he means: "Have you traced the case down to its end result?" Am I correct, Senator Haluska?

Mr. HALUSKA. You are correct, my friend.

The PRESIDING OFFICER. Also, there is no charge for that information.

Mr. McGINNIS. Mr. President, I come from the Forty-second District of the city of old Allegheny.

There is a boy ten years old who delivers my morning paper. Another boy twelve years old delivers the evening paper. The milkman comes there every day, and he makes about six dollars a day. Those two boys work harder than the milkman.

What I am fearful of here is that, as I have gathered, some members of labor are against this bill. I live and work in the workshop of the world, and I know all of the labor leaders there and not a one has contacted me about this bill.

I am fearful, if this bill does not pass, there will be legislation here—perhaps in this Session or the next one—which will stop every boy who is twelve years old from working for his father on his farm. I think it is about time that we should let these young people have something to do, and this bill allows them to get off the streets and have a little work that will do them good.

Mr. HALUSKA. Mr. President, I certainly cannot buy that package. To think that a farmer cannot hire his own son is stretching the imagination quite far.

Certainly, there are sufficient men of age who would be more than glad to get a job as a caddie these days.

Both Democrats and Republicans throughout the years have fought hard to abolish child labor. Great credit is due these men. Now, for the first time in many years, we are turning back the clock. This is the greatest slap labor has received in many a year. In my opinion, it is an antilabor movement, and those who vote for the bill are voting against labor.

The PRESIDING OFFICER. If we continue to argue this bill, summer will be over and these boys and girls will not be able to earn a dime.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—31

Bell,  
Berger,  
Chapman,  
Confair,  
Ehrgood,  
Flack,  
Hawbaker,  
Hays,

Keller,  
Kessler,  
Kromer,  
Madigan,  
Mahady,  
Mallery,  
McGinnis,  
McMenamin,

Miller,  
Pechan,  
Propert,  
Rooney,  
Scott,  
Shafer,  
Silvert,  
Stevenson,

Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Yatron,

## NAYS—18

Camiel,  
Devlin,  
DiSilvestro,  
Donolow,  
Fleming,

Haluska,  
Kalman,  
Lane,  
McCreesh,  
Mullin,

Murray,  
Sarraf,  
Seyler,  
Staisey,  
Stiefel,

Weiner,  
Wolfe,  
Ripp,  
Presiding Officer

A majority of all the Senators having voted 'aye,' the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## BILLS OVER IN ORDER

**SB 493**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 713**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## THIRD READING CALENDAR

## BILLS OVER IN ORDER

**HB 67** and **SB 76**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 148 (Pr. No. 1336)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## NAYS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Staisey,

Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Ripp,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determine in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 179 (Pr. No. 179)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shater,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determine in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING AMENDED

**HB 227 (Pr. No. 2254)**—Read at length the third time,  
On the question,  
Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 401), page 4, line 19, by striking out "EQUAL" and inserting: which shall be equivalent

Amend Sec. 2 (Sec. 803), page 6, line 12, by striking out "Retirement" and inserting: retirement

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

## BILLS OVER IN ORDER

**SB 295**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 343 (Pr. No. 362)**—Read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. VAN SANT, by unanimous consent, offered the following amendments:

Amend Title, page 1, next to last line of Title, by inserting after "exemptions": exempting chiropractors

Amend Sec. 3 (Sec. 13), page 3, line 7, by inserting after "Commonwealth": or a chiropractor licensed to practice chiropractic in this Commonwealth

On the question,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative, and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I request that Senate Bill No. 343, Printer's No. 362 go over in its order.

The PRESIDING OFFICER. Hearing no objection, the bill will go over in its order.

**SB 344 and 345**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 350**—Without objection, the bill was passed over in its order at the request of Mr. KELLER.

**SB 351**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 380 (Pr. No. 884)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Probert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shater,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Ripp,
Hays,			Presiding Officer

## NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determine in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## SB 345 CALLED UP

**SB 345 (Pr. No. 863)**—Without objection, the bill, which previously went over in its order, was called up, from page 4 of the Third Reading Calendar, by Mr. BERGER.

## BILL OVER IN ORDER

**SB 345**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## THIRD READING CALENDAR

## BILL OVER IN ORDER

**HB 410 (Pr. No. 2145)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I request that House Bill No. 410, printer's No. 2145 go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order on final passage.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 417 (Pr. No. 782)**—Read at length the third time and agreed to,



On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—40

Berger,	Hays,	McGinnis,	Silvert,
Camiel,	Kalman,	McMenamin,	Stalsey,
Chapman,	Keller,	Miller,	Stevenson,
Confair,	Kessler,	Mullin,	Stiefel,
Devlin,	Kromer,	Murray,	Stroup,
DiSilvestro,	Lane,	Rooney,	Wade,
Donolow,	Madigan,	Sarraf,	Wagner,
Flack,	Mahady,	Scott,	Ware, III,
Fleming,	Mallery,	Seyler,	Weiner,
Haluska,	McCreesh,	Shafer,	Ripp,
			Presiding Officer

#### NAYS—9

Bell,	Pechan,	Taylor,	Wolfe,
Ehrgood,	Propert,	Van Sant,	Yatron,
Hawbaker,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL ON THIRD READING AMENDED

**HB 428 (Pr. No. 2157)**—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Title, page 2, last two lines of Title, by striking out "extending the time during which the secretary shall suspend certain operators' privileges."

Amend Sec. (Sec. 1404), page 7, line 14, by striking out the brackets before and after "sixty (60)."

Amend Sec. 2 (Sec. 1404), page 7, line 14, by striking out striking out "one hundred twenty (120)."

Amend Sec. 2 (Sec. 1404), page 8, line 8, by striking out the brackets before and after "sixty (60)."

Amend Sec. 2 (Sec. 1404), page 8, line 8, by striking out "one hundred twenty (120)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

#### BILL RECOMMITTED

**SB 441 (Pr. No. 675)**—Mr. DONOLOW. Mr. President, I move that Senate Bill No. 441 be recommitted to the Committee on Judiciary General.

Mr. CAMIEL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DONOLOW. Mr. President, the reason I made this motion is because there are now two bills in committee. I feel that this bill should be further studied and that the Committee on Judiciary General should come up with a bill, after study, that we all can live with and which will accomplish the purpose. I do not feel that Senate Bill No. 441, as it is now written, will accomplish the purpose for which it was intended.

By recommitting this bill to committee again, and together with two other bills—one by Senator Shafer and

one by myself—and possibly putting the three bills together and coming out with one bill with which we can all live, I think we will then have a good administrator's bill.

Mr. SEYLER. Mr. President, I rise to oppose this motion. If there was ever a bill, in my experience, which has less need of further study than this bill, I do not know what it is. Just to refresh the minds of the Members, this bill, after its introduction, was reviewed at two meetings of the Committee on Judiciary General. A public hearing was held, which was largely attended by people interested in this type of legislation from all over the Commonwealth. Subsequently, the Committee on Judiciary General again considered the bill and, as a result, approved the bill and moved it to the floor. Since that time, it has been on the Calendar for some time. Considerable discussion in the newspapers and among the Members has taken place. The bill is supported by the Bar Association on the State level, and the two cities involved in it. It was unanimously supported by the Bar of one of the two cities involved in the bill. It has the support of mass organizations, such as the organizations of labor in the Commonwealth.

Therefore, Mr. President, it seems to me that the bill has had ample time for study. There should be no Members who are unacquainted with the provisions. If there are any changes which are recommended by any Member, of course, he is free to submit these changes in the form of amendments for the consideration of the Senate. I, therefore, see no reason for further study of this bill and I see no reason for it being returned to committee.

I would urge all the Members to keep this bill on the Calendar and meet this issue squarely. If anyone has suggested changes, they should put them in the form of amendments and submit them, and let the vote of this Senate make the decision as to whether this bill, in its present form, or in a modified form, should go ahead. I think this is one of the important bills in this Session and I do not think it should be obstructed at this point by being returned to committee.

Mr. WEINER. Mr. President, I oppose the bill going back to committee. I feel that this is an area which has caused some problems and it is also an area about which there is a great deal of controversy on every side.

There have been many persons who have importuned me, and other Members of this Senate, in discussing this measure, even though the measure itself is on behalf of only the areas of Philadelphia and Pittsburgh. Apparently, other persons have great reservations about this bill and feel it is a rather radical approach, in the sense that you are setting someone up who is not of a judicial character or nature in himself in order to help to conduct judicial business. This is one of the areas which is causing problems. The lay council has also been one of the problems.

I agree with Senator Seyler that sending the bill back to committee is no answer, unless the Members of the Committee are going to meet very promptly and discuss this matter, along with the other measures which exist, and try to arrive at some sort of successful conclusion to the mounting backlog that we have been told exists in the Commonwealth.

Therefore, Mr. President, I would ask my colleagues to vote "no."

Mr. SEYLER. Mr. President, I request a roll call.

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease for a moment.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion?

#### VERIFICATION OF THE ROLL

Mr. WEINER. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will proceed to call the names of those recorded as voting in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bell,	Fleming,	McCreesh,	Stiefel,
Berger,	Haluska,	Miller,	Stroup,
Camiel,	Hawbaker,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Rooney,	Wade,
Donolow,	Kromer,	Scott,	Wagner,
Ehrgood,	Madigan,	Shafer,	Ware, III,
Flack,	Mallery,	Stevenson,	Wolfe,
			Yatron,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will now proceed to call the names of those recorded as voting in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Devlin,	Lane,	Mullin,	Silvert,
DiSilvestro,	Mahady,	Murray,	Stalsey,
Hays,	McGinnis,	Sarraf,	Weiner,
Kalman,	McMenamin,	Seyler,	Ripp,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were required by Mr. SEYLER and were as follows, viz:

#### YEAS—33

Bell,	Haluska,	Miller,	Stroup,
Berger,	Hawbaker,	Pechan,	Taylor,
Camiel,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Rooney,	Wade,
Confair,	Kromer,	Scott,	Wagner,
Donolow,	Madigan,	Shafer,	Ware, III,
Ehrgood,	Mallery,	Stevenson,	Wolfe,
Flack,	McCreesh,	Stiefel,	Yatron,
Fleming,			

#### NAYS—16

Devlin,	Lane,	Mullin,	Silvert,
DiSilvestro,	Mahady,	Murray,	Stalsey,
Hays,	McGinnis,	Sarraf,	Weiner,
Kalman,	McMenamin,	Seyler,	Ripp,
			Presiding Officer

So the question was determined in the affirmative, and the bill was recommitted.

#### BILLS ON THIRD READING AND FINAL PASSAGE

SB 456 (Pr. No. 896)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Ripp,
Hays,			Presiding Officer

#### NAYS—1

Devlin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 512 (Pr. No. 567)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bell,	Hawbaker,	Miller,	Stalsey,
Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Ripp,
Haluska,	McMenamin,		Presiding Officer

#### NAYS—4

Hays,	Seyler,	Weiner,	Yatron,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL ON THIRD READING AMENDED

HB 522 (Pr. No. 2184)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 1, page 2, line 1 by striking out "Subsections (c) (d) and (e) section 405 section" and inserting: Sections 405

Amend Sec. 1, page 2, line 2 by striking out "section."

Amend Sec. 1, page 2, line 3 by inserting after "Code": Section 405 amended November 10, 1959 (P. L. 1456)

Amend Sec. 1 (Sec. 405), page 2, line 5 by striking out all of said line and inserting:



(a) The department upon registering a vehicle or tractor shall issue to the owner a registration card which shall contain the registration number assigned to the owner and to the vehicle or tractor the name and [address] home address or all business addresses of the owner also a description of the vehicle or tractor including the manufacturer's serial number thereof and such other statement of facts as may be determined by the department. The department shall if so requested issue to the owner of any vehicle or tractor whose registration is not under suspension a duplicate registration card or as many duplicate registration cards as the owner may request upon payment of the fee provided in this act for each such card. Each duplicate card shall be clearly marked "Duplicate" and shall not be transferable.

(b) The owner upon receiving the registration card and any duplicates thereof shall sign the usual signature or name of such owner with pen and ink in the space provided.

Amend Sec. 1 (Sec. 407), page 4, line 5 by inserting brackets before and after "address" and inserting immediately thereafter: home or all business addresses

Amend Sec. 1 (Sec. 407), page 4, line 6 by inserting brackets before and after "address" and inserting immediately thereafter: home or all business addresses

Amend Sec. 1 (Sec. 407), page 4, line 8 by inserting after "address": or addresses

On the question,

Will the Senate agree to the amendment?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

#### BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

**SB 538 (Pr. No. 844)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, I am not certain of what the purpose is behind this bill. However, it seems to me that it can prove to be, in the long run, nothing more or less than a bonanza for the bonding companies. It certainly will increase the rates and the cost of every utility to every consumer in Pennsylvania.

Therefore, Mr. President, I would urge everyone to vote against the bill.

Mr. ROONEY. Mr. President, it is the duty of this Body, it is the duty of the Governor, and it is the duty of the Public Utility Commission to look after the rates that are charged the consumers of this Commonwealth.

This bill came about through the mismanagement of a public utility company in Pennsylvania, which entered into a contract for \$551,000. Two months after the contract was in effect, the general contractor went bankrupt. It was then the duty of the public utility company involved to complete the contract. They did complete the contract and it cost them an additional \$171,000. This does not include the losses which the labor and materiel men suffered in this contract.

This bill will prevent the public utility companies in Pennsylvania from entering into contracts with irresponsible bidders. This is a good piece of legislation. This legis-

lation will ultimately protect the consumer, who will be affected by increased rates.

Mr. President, I urge all of my colleagues in this great Body to vote in favor of this bill.

Mr. LANE. Mr. President, I must request that I be recorded as voting "present." It so happens that my profession is the bonding and real estate business, and I feel that the passage of this legislation would be of personal benefit to me.

Therefore, I request that I be recorded as voting "present."

The PRESIDING OFFICER. Of course, your comments, Senator Lane, are noted in the record. The roll has not yet been called. So, we will decide that very shortly. Meanwhile, the Chair recognizes Senator McMENAMIN.

Mr. McMENAMIN. Mr. President, I would yield at the moment to Senator Haluska, who has not previously spoken.

Mr. HALUSKA. Mr. President, I cannot quite agree with my good colleague from Washington County that he can exempt himself.

The PRESIDING OFFICER. Sir, you are out of order. The Chair will rule on that question.

Mr. HALUSKA. Mr. President, I, also, am in the bonding and insurance business and have been for thirty-seven years, and I have voted for many bills. Since it will not affect me directly, I take the position that I am permitted to vote. If you rule, Mr. President, that I cannot vote because I am in the insurance business, then naturally I will stand aside, too. Otherwise, I will demand to be voted.

The PRESIDING OFFICER. The comments are well-taken. The Chair now will recognize Senator McMENAMIN.

Mr. McMENAMIN. Mr. President, I want to thank the sponsor, Mr. Rooney, for enlightening me as to the purpose of this bill.

As I understand it, because of one instance of mismanagement—I think he said—by the officers and directors of a public utility company, he is sponsoring this legislation. It seems to me there are remedies other than this. Certainly, if the officials of that concern were guilty of mismanagement, they can be sued by the stockholders and surcharged for any additional cost.

There is certainly no reason to impose upon all of the consumers of electricity, gas, and so forth in Pennsylvania additional costs because of the mismanagement of one particular case in Pennsylvania. Just because one per cent is not responsible, there is no reason why ninety-nine per cent of the responsible people should be penalized.

Mr. ROONEY. Mr. President, the public utility companies in the Commonwealth of Pennsylvania are a quasi-governmental agency. When any municipality or any State agency enters into a contract with a general contractor, the general contractor must furnish a bond for the protection of the municipality.

I feel that this is good legislation. It will prevent a recurrence of what recently happened in Pennsylvania.

Mr. FLEMING. Mr. President, the gentleman from Washington County raised a constitutional question of whether or not he would be permitted to vote.

I find myself in the same business that he is in. My name will be called before his name is called. I would like a ruling from the Chair on whether or not that is a bar to voting on this measure.

The PRESIDING OFFICER. In the first place, the Chair believes we should have the roll call and wait until Senator Lane's name is called and see how he votes.

Mr. FLEMING. Mr. President, my name will be called before the gentleman from Washington. If the Chair rules that he cannot vote, then I certainly fall in the same category.

The PRESIDING OFFICER. The Chair thinks your point is well-taken. The Chair will rule as follows:

Senator Lane—and if you fall in the same class, Senator Fleming—falls merely in a general class of bonding and insurance people. This bill is not directed at Senator Lane, nor is it directed at Senator Fleming. The Chair, therefore, rules that Senator Lane must vote, other than merely voting "present." He must vote for or against the bill or the Chair will vote for him accordingly.

That is the ruling of the Chair. The Senator must vote.

Mr. LANE. Mr. President, I feel that the Chair is in error, because where any Member of the Senate feels that he is going to benefit directly from the passage of any piece of legislation, I think it is upon his conscience to say so and to vote "present." If you persist in that ruling, I must appeal the decision of the Chair, and ask that the Chair step down.

Mr. STIEFEL. Mr. President, I believe the rules of the Senate contain a decision on that point, which was rendered by Lieutenant Governor Lloyd Wood, as to whether or not a Senator may vote "present." If you will consult the rules of the Senate, probably light will be shed by this precedent.

The PRESIDING OFFICER. Let the Chair say this. You will recall when a vote of "present" was permitted on behalf of the Honorable Senator DiSilvestro, and I think the name is well worth mentioning in this great Body. He was permitted to vote "present" only because the particular increase was directed specifically at him and his office and, therefore, his personal interest was involved.

This legislation is not class legislation. It no more affects Senator Lane than it does a lot of other people. If the Chair were to rule other than it did, then lawyers in this Body could not vote on legal matters, real estate men could not vote on real estate broker laws, and so forth.

The Chair stands on its ruling, and will not withdraw from the Chair. Let us proceed with business.

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

The PRESIDING OFFICER. The Senate will be at ease having expired, the Chair has made its ruling and the roll will be called.

(During the calling of the roll, the following occurred:)

Mr. PECHAN. Mr. President, not having heard my name called, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—17

Camiel,	McGinnis,	Scott,	Taylor,
Donolow,	Murray,	Seyler,	Wade,

Fleming,  
Haluska,  
Hays,

Propert,  
Rooney,

Silvert,  
Stalsey,

Weiner,  
Ripp,  
Presiding Officer

## NAYS—31

Bell,  
Berger,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Ehrgood,  
Flack,

Hawbaker,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Madigan,  
Mahady,  
Mallery,

McCreesh,  
McMenamin,  
Miller,  
Mullin,  
Pechan,  
Sarraf,  
Shafer,  
Stevenson,

Stiefel,  
Stroup,  
Van Sant,  
Wagner,  
Ware, III,  
Wolfe,  
Yatron,

## PRESENT BUT NOT VOTING—1

Lane,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

## PERMISSION TO ADDRESS SENATE

Mr. ROONEY asked and obtained unanimous consent to address the Senate.

Mr. ROONEY. Mr. President, according to the rules of the Senate, I guess there are five legislative days in which to reconsider this bill. I do not, however, intend to have it reconsidered.

There are some representatives of the various public utility companies in this room, and I do hope that this instance will serve as an example for any utility company to not enter into any contract with irresponsible bidders. I hope we will not have a recurrence of it. I hope the public utility companies will be a little more selective in the future.

## THIRD READING CALENDAR

## BILL RECOMMENDED

HB 584 (Pr. No. 629)—Upon motion of Mr. BERGER, seconded by Mr. STASEY, and agreed to, the bill was recommended to the Committee on Forests and Waters, Game and Fish.

## BILLS OVER IN ORDER

SB 588 and 593—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

SB 605 (Pr. No. 693)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Stalsey,

Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Ripp,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.



Ordered, that the clerk present said bill to the House of Representatives for concurrence.

**SB 616 (Pr. No. 897)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—44

Berger,	Kalman,	Miller,	Staisey,
Camel,	Keller,	Mullin,	Stevenson,
Chapman,	Kessler,	Murray,	Stiefel,
Confair,	Kromer,	Pechan,	Stroup,
Devlin,	Lane,	Probert,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Sarraf,	Ware, III,
Ehrgood,	Mallery,	Scott,	Weiner,
Haluska,	McCreesh,	Seyler,	Wolfe,
Hawbaker,	McGinnis,	Shafer,	Yatron,
Hays,	McMenamin,	Silvert,	Ripp,
			Presiding Officer

#### NAYS—4

Bell,	Fleming,	Taylor,	Wade,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

**SB 646**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 659**—Without objection, the bill was passed over in its order at the request of Mr. SILVERT.

#### BILL RECOMMITTED

**SB 661 (Pr. No. 763)**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was re-committed to the Committee on Judiciary General.

#### BILLS OVER IN ORDER

**SB 667 (Pr. No. 777)**—Mr. WEINER. Mr. President, I move that Senate Bill No. 667 be recommitted to the Committee on Highways.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I would object to the re-committal of Senate Bill No. 667, Printer's No. 777, which provides for a career system for technical and professional personnel in the Department of Highways.

This is a matter which has long been desired by the Highways Department, by the Engineering Societies and by the Engineering Schools. Consequently, Mr. President, I would ask my colleagues in the Senate, on both sides, to oppose this motion.

Mr. WEINER. Mr. President, I wonder whether either Senator Wade or Senator Fleming would allow themselves to be interrogated. I presume they are going to speak on behalf of the bill.

The PRESIDING OFFICER. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. Mr. President, I will permit myself to be interrogated. I was going to object to the motion to re-commit this bill. However, I reserve the right to refer some of the questions to my colleague, Senator Confair, who is well informed on the provisions of this bill.

Mr. WEINER. Mr. President, I know that the gentleman feels, as many of the Members do, that this is like being in favor of motherhood. Believe me, we are all for motherhood and we are also in favor of the Flag, tomorrow being Flag Day. However, I would like the gentleman to explain to me the need for the board, which they speak about in this bill, and the wide powers this board would have.

I am in favor of this bill and I can assure you that every Democratic Member over here is for it, in blanketing in this personnel. We are anxious to do it. However, I fail to see the reason for this board, the composition of the board, and who these people will be. If the gentleman can advise me of that and why they are going to do what they are going to do, I will be very happy to vote for this bill this afternoon.

Mr. WADE. Mr. President, I will attempt to explain to the gentleman the reason for this particular board.

The employees of the Department of Highways are really in a special class. There was some criticism of the Department when Mr. George Leader became the Governor of Pennsylvania because there was such an exodus of these trained engineers from the department. However, since the gentleman took some latitude in making the interrogation, I might comment now that I feel that the Majority Leader, representing the Administration, is against any move of this kind. There is evidence of that and —

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state his point of order.

Mr. WEINER. Mr. President, I do not mind the gentleman making a speech and I would be delighted to listen to him. However, I do not think he is answering my question. If he wants me to make the question more specific, I will be very happy to do so.

Mr. BERGER. Mr. President, even in the courtroom, the type of question which the gentleman has asked may be answered and the witness may explain his answer. I believe he has that privilege on this floor even more so.

Mr. WEINER. Mr. President, I agree with the Minority Leader. If the gentleman would only answer my question, I will be happy to listen to any explanation which follows thereafter.

Mr. BERGER. Mr. President, unless the Senator is permitted to give his answer without objection, I am quite sure that Senator Weiner will never be satisfied.

Mr. WEINER. Mr. President, I want to assure the gentleman that I am very easily satisfied.

The PRESIDING OFFICER. Now that we are all satisfied, let us proceed.

Is a question in order or is an answer forthcoming? Senator Weiner, did you put a question to the gentleman?

Mr. WEINER. Mr. President, I asked a question of the gentleman and I will be glad to ask him again, even more specifically.

On page 6 of this bill, beginning with line 4, it reads as follows:

"The fourth such member shall by experience have acquired a reputation as knowledgeable in the principles and practices of public administration . . ."

If the gentleman will advise me as to that meaning and what is meant by "reputation," and who these board members shall be, I will be very happy to vote for this bill.

I remember when the gentleman from Cumberland was the Chairman of the Highways Committee. When this was placed in that committee at the time, I believe the bill was never reported from committee. It might have been for the same reason.

If the gentleman will tell me what this board will do and why they will do it, I will be glad to vote in favor of the bill.

Mr. WADE. Mr. President, the bill very clearly outlines the duties of the board and sets up the board. As I previously answered the gentleman, these particularly trained employees of the Department of Highways are in a different category than the general run of State employees. Their duties are different and their qualifications are different. For that reason, we feel they should have a special board for this purpose.

Mr. WEINER. Mr. President, would the gentleman please advise me, and the other Members of this Senate, how these engineers are any different than those who work for the General State Authority, the School Authority, or the Highway and Bridge Authority? Why should they have any different type of handling than they do anywhere else in the entire Commonwealth?

Mr. WADE. Mr. President, the Department of Highways, of course, is a long-term operation. It is a large operation. It embodies the expenditure of about one-half billion dollars, annually. Therefore, the present Highways Secretary has stated that he wants to do approximately forty per cent of the general engineering of the Department of Highways in the department. I do not agree with that percentage, but that is his aim.

Some time ago, we had a resolution for consideration which commented on his good work over in the Department of Highways. Perhaps I would not agree with the entire administration of his Department, but he has said on many, many occasions, in my presence,—and it has been reported in the press that he has made statements—that he badly needs this particular kind of a bill. I might add, Mr. President, for the enlightenment of the Majority Leader, that this bill was prepared largely under his instruction.

Mr. WEINER. Mr. President, if the gentleman will look at page 6 of the bill about which we are speaking, the only thing I can see is that they want a member of this board to be a faculty member of a Pennsylvania School of Engineering, accredited by the State Registration Board of Professional Engineers.

Does that mean they are going to choose people who are graduates of other schools, other than these types of schools? Are they going to have different types of training? For example, a man may not choose the Department of Highways but may choose the Department of Property and Supplies. If we are going to set up that kind of a board, I think we need a board for the others.

Mr. WADE. Mr. President, as I understand the bill, this is setting up the board. It does not apply to the employees of the department.

Mr. WEINER. Mr. President, would the gentleman look on pages 2 and 3 of the bill and tell me who is not included in the term "professional personnel"? There is a long list of persons who are included, among whom is the Secretary of Highways. It goes all the way down to administrative technicians. Who has been left out?

Mr. WADE. Mr. President, if the language, starting on page 2, line 14, does not suit Senator Weiner's liking, we certainly would entertain any amendments the gentleman wishes to propose. The gentleman has not proposed any amendments and, therefore, I think he is entirely out of order by trying to move this bill back to committee.

Mr. WEINER. Mr. President, apparently the gentleman is devoted to this measure and I do not want to do anything which would lessen that devotion nor, in any way, cause him to become cool to this measure. Therefore, Mr. President, I will withdraw my motion and ask that the bill go over in order.

Mr. WADE. Mr. President, I yield to Senator Confair who is well informed on these matters. I think we should clarify this measure and clear the air.

Mr. LANE. Mr. President, I withdraw my second to the motion to recommit this bill, but I think you should know that a motion to recommit is not debatable.

The PRESIDING OFFICER. There being no objection, the bill will now go over in its order.

**SB 670**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 684 (Pr. No. 797)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraff,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 685 (Pr. No. 798)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,



Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**SB 686**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 688** and **690**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 696 (Pr. No. 809)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 697 (Pr. No. 810)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 698 (Pr. No. 811)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 701 (Pr. No. 815)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. CHAPMAN. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. FLACK. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—33

Camiel,	Kalman,	Pechan,	Stiefel,
Chapman,	Kessler,	Rooney,	Taylor,
Devlin,	Lane,	Sarraf,	Van Sant,
DiSilvestro,	Madigan,	Scott,	Wade,
Donolow,	Mallery,	Seyler,	Wagner,
Flack,	McCreesh,	Silvert,	Weiner,
Fleming,	McMenamin,	Stalsey,	Wolfe,
Haluska,	Miller,	Stevenson,	Ripp,
Hays,	Murray,		Presiding Officer

## NAYS—13

Bell,	Keller,	Mullin,	Stroup,
Berger,	Kromer,	Propert,	Ware, III,
Ehrgood,	Mahady,	Shafer,	Yatron,
Hawbaker,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS RECOMMITTED

**SB 704 (Pr. No. 818), SB 705 (Pr. No. 819), SB 706 (Pr. No. 820) and SB 707 (Pr. No. 821)**—Mr. WEINER.

Mr. President, I move that Senate Bill No. 704, Senate Bill No. 705, Senate Bill No. 706 and Senate Bill No. 707 be recommitted to the Committee on Corporations.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, the reason for this motion is that the acts which these bills are amending are rather broad. I think there is some misinterpretation. I have discussed this with the department. I do not think they were aware completely of how far-reaching this might be.

I have no objection to introducing the amendments on the floor. However, it may be a little while before they get all of the amendments in order, and I would rather do it in committee.

These bills will be back on the Calendar as soon as the department prepares some of the amendments along the lines we have suggested.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

#### BILLS ON THIRD READING AMENDED

**HB 715 (Pr. No. 2255)**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 203), page 2, line 11, by striking out "June 1 1961" and inserting: January 1, 1963

Amend Sec. 1 (Sec. 203), page 2, line 12, by striking out "December 1 1961" and inserting: June 30, 1963

Amend Sec. 1 (Sec. 203), page 2, lines 18 and 19, by striking out "June 1 1961" and inserting: January 1, 1963

Amend Sec. 3 (Sec. 302), page 4, line 6, by striking out "June 1, 1961" and inserting: January 1, 1963

Amend Sec. 3 (Sec. 302), page 4, line 9, by striking out "December 1, 1962" and inserting: June 30, 1964

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

**HB 716 (Pr. No. 2256)**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 203), page 2, line 11, by striking out "June 1 1961" and inserting: January 1, 1963

Amend Sec. 1 (Sec. 203), page 2, line 12, by striking out "December 1, 1961" and inserting: June 30, 1963

Amend Sec. 1 (Sec. 203), page 2, lines 18 and 19, by striking out "June 1 1961" and inserting: January 1, 1963

Amend Sec. 3 (Sec. 302), page 4, line 6, by striking out "June 1 1961" and inserting: January 1, 1963

Amend Sec. 3 (Sec. 302), page 4, line 9, by striking out "December 1 1962" and inserting: June 30, 1964

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

#### BILL RECOMMITTED

**HB 718 (Pr. No. 2212)**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Labor and Industry.

#### BILLS OVER IN ORDER

**SB 721 and HB 895**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**HB 985 and 1007**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 1082 (Pr. No. 1199)**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SCOTT, by unanimous consent, offered the following amendments:

Amend Title, page 2, last line of Title by inserting after "polls"; and changing residence requirements for watchers

Amend Sec. 1, page 2, line 1 by striking out "Section" where it appears the second time and inserting: "Subsection (b) of section 417 and section"

Amend Sec. 1, page 2, line 2 by striking out "is" and inserting: are

Amend Bill, page 2, by inserting between lines 2 and 3: "Section 417 Appointment of Watchers—

(b) All watchers so appointed must be qualified registered electors of the [district] municipality or township in which they are authorized to act Only one watcher for each candidate at primaries or for each party or political body at general municipal or special elections shall be allowed to remain in the polling place at any one time prior to the close of the polls and all watchers in the room shall remain outside the enclosed space After the close of the polls and while the ballots are being counted or voting machine canvassed all the watchers shall be permitted to be in the polling place outside the enclosed space Each watcher shall be provided with a certificate from the county board of elections stating his name and the name of the candidate party or political body he represents Watchers shall be required to show their certificates when requested to do so Watchers allowed in the polling place under the provisions of this act shall be permitted to keep a list of voters and shall be entitled to challenge any person making application to vote and to require proof of his qualifications as provided by this act

\* \* \*

On the question,

Will the Senate agree to the amendments?

Mr. SCOTT. Mr. President, the amendments I have offered contain a recommendation of the Senate Vote Fraud Committee. As a matter of fact, it is my opinion that this is probably the most important single recommendation that the Vote Fraud Committee has made, and it deals with the residence requirement of watchers for political parties or political candidates.

The present law on the subject is that watchers must be residents of the election district in which they are



appointed to serve. These amendments would change that to allow them to reside in the municipality or township in which they are serving, and not confine them to the particular election district.

There are many reasons why the present law is antiquated on the subject. However, I think I would like to read into the record some of the testimony which was presented to our committee in support of a change in the existing law on this subject.

First of all, the Committee of the Attorney General of the Commonwealth of Pennsylvania, which made an investigation of certain election irregularities in the city of Philadelphia and which was conducted by one Victor Wright, reported to the Attorney General that this recommendation had a great deal of merit.

The Citizens' Charter Committee which did a great deal of study on election reforms in Pennsylvania, had this to say:

"Some informed observers believe that the removal of the requirement that a watcher be a resident of the division in which he serves would be the single most important reform which could be adopted to reduce election irregularities in Philadelphia or Pennsylvania."

The Americans for Democratic Action, which appeared before the Committee, of which I was Chairman, testified on this subject, and they recommended wholeheartedly that such a change be made in the law.

Finally, Mr. President, the committee received a communication from the then District Attorney of the City of Philadelphia, one Victor Blanc, who now is a member of the judiciary of the City of Philadelphia, and he, in his communication to the committee, recommended that such a change be made in the law.

For these various reasons which were presented to our committee and because I believe the present law on the subject is antiquated, I suggest to all of my colleagues that they vote "aye" on these amendments.

Mr. WEINER. Mr. President, I am going to object to these amendments. I believe if anyone will take the trouble to look at this, they will see that the item that is being amended first is the title. The bill would then read:

"An Act amending the act of June 3, 1937 entitled 'Pennsylvania Election Code' further regulating the time for opening and closing polls and changing residence requirements for watchers . . ."

I do not feel this is the proper place to put these amendments. The first part of this bill provides for the time when the polls shall open and when they shall close. It just changes the time in order to have them remain open an hour longer. What you are doing by these amendments is rewriting a whole new section in the Election Code, on which this has no bearing whatsoever. I would think these are not proper amendments to this type of legislation.

It is also the subject of a new amendment that would be acted upon separately. Members seeing this measure would think it would be on the subject of the opening and closing of the polls, when, in fact, they would also be voting for the residence requirements of watchers. I do not think these are proper amendments to this bill. Therefore, I object to the amendments.

Mr. SCOTT. Mr. President, I anticipated the objection which has been raised by the Majority Leader. I checked

and cleared with the Legislative Reference Bureau as to the legality of doing something such as I am doing in offering these amendments to this particular bill. They assured me that the subject matter is the Election Code of Pennsylvania and, therefore, I could offer amendments to that Code.

Accordingly, I do not think the Majority Leader's objections are valid. I think the amendments are in proper form and amending the proper Act. Therefore, I do not agree with his contention.

Mr. WEINER. Mr. President, I believe that even a cursory perusal of these amendments will indicate to you that in the last part, they read: "Amend Bill, page 2, by inserting between lines 2 and 3 . . ." They do not say anything about taking out Section 2, which appears in the Act now.

Line 3, on page 3, reads: "Section 2 This Act shall take effect immediately . . ."

You are supposed to fit in on page 2, between lines 2 and 3, the following:

"Amend Bill, page 2, by inserting between lines 2 and 3: Section 417. Appointment of Watchers—"

Then you have asterisks, and underneath you have Section (b); a small "b" in parenthesis. Then it goes on:

"All watchers so appointed must be qualified registered electors of the . . ." The word "district" is then bracketed out, or taken out, and the words "municipality or township" are inserted by being underscored, followed by the words: "in which they are authorized to act . . ."

Then there is the whole remainder of this long paragraph, which runs probably the length of this bill and probably the next bill with it. There are something like twenty-two lines that appear next.

If this is not a new bill or a different bill that does not amend this one, I know nothing about this legislation.

With all due regard and respect for the Legislative Reference Bureau, which I think, is hard working and does an excellent job, I do not think they control this Senate Body. I would ask the Chair to carefully consider this matter, and think carefully about making a ruling in regard to these amendments. This may be the subject matter of a new bill.

Mr. SEYLER. Mr. President, I do not know if the Majority Leader made a formal request for a ruling. However, I would like to. I would like to raise a point of order, Mr. President, that under the rules of the Senate these amendments are not proper amendments.

I am interested to find that Senator Scott turns to the Legislative Reference Bureau as the authority on the rules of the Senate. It had been my conception that the authority was vested in the Chair. Therefore, I would ask for a ruling from the Chair on this point of order.

The PRESIDING OFFICER. Your question is not clear, sir.

Mr. SEYLER. My question is, Mr. President, that the proposed amendments offered by the gentleman are not proper amendments under the rules of the Senate.

Mr. SCOTT. Mr. President, by way of explanation to the query that Senator Seyler raised, the reason I asked the Legislative Reference Bureau as to their view on this situation was because I wanted to discover whether there was any precedent for this having been done before. They assured me that it had been done before many times in this Chamber.

Mr. WEINER. Mr. President, I do not doubt that many things have been done before. It is just that if no one objects to them, they can be done improperly.

I would also suggest to the gentleman that the amendments he has suggested are not only not germane to the measure before us, but I think that anyone looking at this bill, and taking just two minutes to study the contents thereof, would not even be aware of this type of amendment or consider this type of amendment being a proper one or a part of this measure. It would never occur to them that this would even be considered at this time.

As a matter of fact, Senator, to follow through on what you are saying, I could put in here that all voting machines be hung from the ceiling, which amendment would make it part of the Election Code. However, it certainly would be improper, I think, to put it in this type of a bill. This is a new and separate matter. It is also a separate issue that would have to be thought about, and it involves different areas of the Act you are speaking about.

One of the reasons we print these bills is to bring them to the attention of the Members and to give them notice thereof.

It may be that what you are trying to do is laudable. It may even be something that I could vote for, and other Members of the Senate could vote for. However, I certainly think that throwing this in on the basis of amendments of this type,—one that runs about twenty or thirty lines—and having had no opportunity to consider them as being partially amendments when we are talking about opening and closing of polls, is an improper way of going at it. I, therefore, ask the Chair to rule on the impropriety of offering this type of amendment to this type of legislation.

The PRESIDING OFFICER. The Senate will be at ease for a moment while the Chair takes a more thorough look at the amendments.

(The Senate was at ease.)

Mr. SEYLER. Mr. President, at this time, I would like to withdraw my request for a ruling from the Chair.

And the question recurring,

Will the Senate agree to the amendments?

#### AMENDMENTS LAID ON THE TABLE

Mr. WEINER. Mr. President, I ask that the amendments be placed on the table and that House Bill No. 1082, Printer's No. 1199, go over in its order until such time as I can get a ruling from the Attorney General on this matter. They will finally be the people who will pass on it.

The PRESIDING OFFICER. Is that agreeable with you, Senator Scott?

Mr. SCOTT. It is perfectly agreeable with me. I have an understanding with Senator Weiner that the ruling from the Attorney General will be in writing.

Mr. WEINER. I will request that it be in writing and sent here.

The PRESIDING OFFICER. Accordingly, the Chair will place the amendments on the table and, at the request of the Majority Leader, the bill will go over in its order, on third reading.

HB 1139—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

HB 1169 (Pr. No. 2257)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1396 (Pr. No. 1662)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS INTRODUCED AND REFERRED

Messrs. HAYS and FLEMING, by unanimous consent, presented to the Chair SB 769, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," permitting sums payable on account of certain school construction to be included as costs and providing for additional payments on account of school sinking funds or school rentals for pupils enrolled in schools for the handicapped.

Which was committed to the Committee on Education.



Messrs. HAYS, WAGNER, SHAFER, STROUP, SEYLER and SILVERT, by unanimous consent, presented to the Chair **SB 770**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the election of school directors in school districts of the second, third and fourth classes by nonpartisan ballots.

Which was committed to the Select Committee on Education.

They also, by unanimous consent, presented to the Chair **SB 771**, entitled:

An Act amending the act of August 5, 1941 (P. L. 752), entitled "Civil Service Act," to bring the employes of the Department of Public Instruction under the legislative civil service.

Which was committed to the Select Committee on Education.

Messrs. KELLER, WARE and HALUSKA, by unanimous consent, presented to the Chair **SB 772**, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law," prohibiting the Department of Highways from taking lands under the jurisdiction of Federal, State or local park boards and planning commissions without their consent.

Which was committed to the Committee on Highways.

## SENATE RESOLUTION

### TRIBUTE TO THE LATE JUDGE J. HAROLD FLANNERY

Messrs. MURRAY and FLACK, by unanimous consent, offered the following resolution (Serial No. 72), which was read, considered and adopted:

In the Senate, June 13, 1961.

It is with much sadness that the Senate of the Commonwealth of Pennsylvania notes the passing of Judge J. Harold Flannery of Luzerne County. He was a great jurist and an industrious and faithful public servant. His span of public service dates from 1932 to the time of his death. This public service included the offices of Assistant District Attorney, three terms as Congressman from his district and two terms as a judge of the Court of Common Pleas of Luzerne County. His election to a third term was assured this fall.

No higher tribute can be paid to Judge Flannery than that which the citizens of Luzerne County paid him in 1951 and again in 1961 by nominating him for judge of the Common Pleas Court by both political parties. This is the finest and the most understandable tribute that can be paid to the late President Judge J. Harold Flannery.

Judge J. Harold Flannery was born in Pittston, April 19, 1898, a son of Major and Mrs. John T. Flannery. He was educated at Wyoming Seminary and Dickinson School of Law.

He is survived by his wife Anne Allan Flannery and a son Attorney J. Harold Flannery Jr.; therefore be it

Resolved, that the Senate hereby extends to the wife and son its sincere condolences on the passing of a dear husband and a kind and considerate father, and be it further

Resolved, that a copy of this resolution be sent to Mrs. Anne Flannery and to J. Harold Flannery Jr., Esq., 906 Susquehanna Avenue, W. Pittston, Pennsylvania.

## RECONSIDERATION OF SB 601

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No.

601, Printer's No. 865, failed of final passage on June 12, 1961.

The PRESIDING OFFICER. How did the Senator vote? Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote? Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that Senate Bill No. 601 appear on tomorrow's Final Passage Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The bill will appear on tomorrow's Final Passage Calendar.

## SECOND READING CALENDAR

### BILL OVER IN ORDER

**SB 23**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILLS ON SECOND READING

**HB 123 (Pr. No. 123), HB 197 (Pr. No. 1156), SB 219 (Pr. No. 883), HB 244 (Pr. No. 2054) and HB 245 (Pr. No. 1631)**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 247**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**HB 319 (Pr. No. 348)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 322**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

### BILL ON SECOND READING

**SB 326 (Pr. No. 345)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL REREFERRED

**SB 326 (Pr. No. 345)**—Upon motion of Mr. WEINER, seconded by Mr. CAMIEL, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

### BILL OVER IN ORDER

**SB 342**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**HB 343 (Pr. No. 1020)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**SB 353, 413, 473, 587 and 592**—Without objection, the

bills were passed over in their order at the request of Mr. BERGER.

**SB 604**—Without objection, the bill was passed over in its order at the request of Mr. HAYS.

**SB 611** and **613**—Without objection, the bills were passed over in their order at the request of Mr. WIENER.

#### BILL POSTPONED

**SB 668 (Pr. No. 778)**—Read at length the second time, On the question,

Will the Senate agree to the bill on second reading?

Mr. WEINER. Mr. President, I request that Senate Bill No. 668 go over in its order.

Mr. BERGER. Mr. President, I object to this bill going over in its order.

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. WEINER. Mr. President, I now withdraw my request that Senate Bill No. 668, Printer's No. 778 go over in its order, and I move that this bill be placed on the Second Reading Postponed Calendar.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS OVER IN ORDER

**SB 687**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 725** and **HB 966**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**HB 1025** and **1085**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

#### BILL RECOMMITTED

**HB 1102 (Pr. No. 1219)**—Upon motion of Mr. BERGER, second by Mr. WADE, and agreed to, the bill was re-committed to the Committee on Insurance.

#### BILL ON SECOND READING

**HB 1136 (Pr. No. 1636)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

**HB 1174, 1178, 1220** and **1259**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

#### BILL ON SECOND READING

**HB 1408 (Pr. No. 1698)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

**SB 52, 182, 261, 496, 598, 618, 664, 683, 736, 741, 748, 757, HB 6, 48, 53, 141, 160, 263, 345, 423, 530, 591, 650, 659, 742, 743, 817, 823, 973, 974, 979, 995, 1181, 1222, 1308, 1327, 1390, 1443, 1542, 1545** and **1562**.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

#### COMMUNICATION FROM THE GOVERNOR

##### APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor:

**SB 172.**

#### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

##### COMMITTEE MEETINGS

WEDNESDAY, JUNE 14, 1961

Eastern Daylight

Saving Time	COMMITTEE	ROOM
9:00 A. M.	LABOR AND INDUSTRY .....	535
9:30 A. M.	EDUCATION .....	302
10:00 A. M.	BANKING .....	302
10:30 A. M.	INSURANCE .....	542
11:00 A. M.	LAW AND ORDER .....	535

#### ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, June 14, 1961, at 10:30 a. m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:16 p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

TUESDAY, June 13, 1961

The House met at 10 a. m., e. s. t.

Mr. HAMILTON IN THE CHAIR

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty and Everlasting God, as Thou dost reveal Thy truth to us through Thy Word and Thy Spirit, we beseech Thee to so implant that truth in our hearts and minds that what we do and say may redound to Thy Name's honor and glory. Bless we pray Thee the dedicated men and women of these hallowed halls, and bestow upon them the discerning understanding and keen insight to cope with the problems which face the Commonwealth in this hour. Give them the courage to live lives consecrated to the establishment of Thy kingdom in the lives of others, forever and ever. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. If there is no objection, the approval of the Journal for Monday, June 12, 1961, will be postponed until printed.

The Chair hears none.

## REPORTS FROM COMMITTEE

Mrs. REIBMAN from the Committee on Judiciary, reported as committed, House bill No. 155, entitled:

An Act to validate certain proceedings for municipal improvements, municipal investments, municipal claims, and municipal liens in the several cities of the third class, boroughs, and townships of this Commonwealth.

Mrs. PASHLEY from the Committee on Elections, reported as committed, House bill No. 1354, entitled:

An Act amending the "Municipal Borrowing Law" approved June 25, 1941 (P. L. 159), further regulating the time of holding special elections and for certifying desire ordinances to increase the debt of the municipality.

Mr. IRVIS from the Committee on Judiciary, reported as committed, House bill No. 1577, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption," reducing the minimum period of custody in an agency or institution necessary for voluntary relinquishment of custody of a child.

Mr. FOERSTER from the Committee on Ways and Means, reported as committed, House bill No. 1604, entitled:

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1913 (P. L. 507), increasing assessments when returns are filed later than a certain date.

Mr. HAMILTON from the Committee on Education, reported as committed, House bill No. 1720, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), providing for forfeiture of funds by school districts or county boards of school directors for employing any person in a supervisory capacity who has not been certified for such position.

Mr. LAMB from the Committee on Judiciary, reported as committed, Senate bill No. 65, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making the sale of regrooved tires without notice thereof a crime.

Mr. GALLAGHER from the Committee on Municipal Corporations, reported as committed, Senate bill No. 86, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended "An act empowering municipality authorities cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions," extending the act to counties of the third, fourth, fifth, sixth, seventh and eighth classes further regulating joint purchases and the supply and exchange of certain services and functions and providing for the appointment of optional joint advisory boards and prescribing their powers and duties.

Mr. RENWICK from the Committee on Motor Vehicles, reported as committed, Senate bill No. 101, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring brake linings to be approved prohibiting the sale of unapproved linings providing for the issuing and revocation of certificates of approval establishing fees and providing penalties.

Mr. SHERMAN from the Committee on Banking and Building and Loan Associations, reported as committed, Senate bill No. 361, entitled:

An Act concerning the ownership of securities by minors providing for the transfer of and dealing with such securities and prescribing the powers duties liabilities and immunities of certain persons in their transactions in connection therewith.

Mr. CURWOOD from the Committee on Banking and Building and Loan Associations, reported as committed, Senate bill No. 428, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code," enlarging the powers of banks, bank and trust companies and savings banks to deal in fractional interest of evidences of debt.

Mr. LAMB from the Committee on Judiciary, reported as committed, Senate bill No. 446, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," bringing persons between eighteen and twenty-one years of age within the provisions of the act relating to corrupting the morals of children.

Mr. ISAACS from the Committee on Judiciary, reported as committed, Senate bill No. 497, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "Adoption Law," further prescribing which persons must appear in court.

Mr. FILO from the Committee on Motor Vehicles, reported as amended, Senate bill No. 192, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further providing for the placing of reflectors on vehicles and providing penalties.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 155, entitled:

An Act to validate certain proceedings for municipal improvements, municipal investments, municipal claims,

and municipal liens in the several cities of the third class, boroughs, and townships of this Commonwealth.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1354, entitled:

An Act amending the "Municipal Borrowing Law" approved June 25, 1941 (P. L. 159), further regulating the time of holding special elections and for certifying desire ordinances to increase the debt of the municipality.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1577, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption," reducing the minimum period of custody in an agency or institution necessary for voluntary relinquishment of custody of a child.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1604, entitled:

An Act amending the "Intangible Personal Property Tax Law" approved June 17, 1913 (P. L. 507), increasing assessments when returns are filed later than a certain date.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1720, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), providing for forfeiture of funds by school districts or county boards of school directors for employing any person in a supervisory capacity who has not been certified for such position.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 65, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" making the sale of regrooved tires without notice thereof a crime.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 86, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended "An act empowering municipality authorities cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions" extending the act to counties of the third fourth fifth sixth seventh and eighth classes fur-

ther regulating joint purchases and the supply and exchange of certain services and functions and providing for the appointment of optional joint advisory boards and prescribing their powers and duties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 101, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring brake linings to be approved prohibiting the sale of unapproved linings providing for the issuing and revocation of certificates of approval establishing fees and providing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 361, entitled:

An Act concerning the ownership of securities by minors providing for the transfer of and dealing with such securities and prescribing the powers duties liabilities and immunities of certain persons in their transactions in connection therewith.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 428, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" enlarging the powers of banks bank and trust companies and savings banks to deal in fractional interest of evidences of debt.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 446, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" bringing persons between eighteen and twenty-one years of age within the provisions of the act relating to corrupting the morals of children.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 497, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "Adoption Law" further prescribing which persons must appear in court.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

## BILLS RE-REFERRED

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1423, entitled:

An Act amending the "Public School Code of 1949,"



approved March 10, 1949 (P. L. 30), further providing for the establishment of standards and regulations for the merger of school districts, and the reorganization of school districts and administrative units by the State Council of Education.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1424, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further classifying school districts.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1425, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), prescribing powers and duties of the Department of Public Instruction and the State Council of Education concerning and establishing procedures for the reorganization of county superintendencies.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1426, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the reorganization of county superintendencies, intermediate boards of school directors and intermediate superintendents; prescribing powers and duties of the Department of Public Instruction and the State Council of Education with respect thereto and establishing transition procedure.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1700, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing scholarships and loans to graduates of secondary schools.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1701, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the per pupil unit cost reimbursement for elementary and secondary school construction authorizing reimbursement in the year of acquisition for school building sites purchased in advance of their need and harmonizing provisions related

thereto and extending the provisions for reimbursement or preliminary payments on account of approved building construction to include the State Public School Building Authority and Municipal Authorities and abolishing the cost limitations on school building projects for reimbursement purposes.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1702, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the creation, establishment and operation of community colleges; granting certain powers to the State Council of Education and the Department of Public Instruction; \* \* \*.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1713, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), granting powers to and imposing duties upon the State Council of Education, granting and imposing certain powers to and duties upon the Department of Public Instruction, and requiring a biennial report to the General Assembly.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

## MOTION

### REQUESTING SENATE TO SUPPLY CERTIFIED COPY OF LOST SENATE BILL

Mr. FARABAUGH. Mr. Speaker, I move that the chief clerk be directed to request the Senate to furnish for the Committee on Agriculture and Dairy Industries of the House of Representatives a certified duplicate copy of Senate bill No. 589, printer's No. 666, entitled:

"An Act amending the Act of May 22, 1933, (P. L. 912), entitled 'Bakery Law' changing certain definitions; further regulating marking and labeling; conferring additional powers and duties on the Department of Agriculture; and further regulating the sale and importation of bakery products."

to be substituted for the lost original copy thereof, which was referred to the Committee on Agriculture and Dairy Industries of the House on June 5, 1961.

On the question,

Will the House agree to the motion?

It was agreed to.

## EXETER HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House 51 members of the junior class of Exeter High School, Exeter, Pennsylvania, here under the supervision of Mr. Robert Ripa. They are the guests of the gentlemen from Luzerne, Messrs. Shupnik and Crossin.

## SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED  
IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

## SENATE BILL No. 179.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" requiring publication of ordinances not more than sixty days nor less than seven days prior to passage in one newspaper circulating generally in the township.

## SENATE BILL No. 278.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

## SENATE BILL No. 280.

An Act amending the act of May 5, 1945 (P. L. 426), entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents . . ." changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

## SENATE BILL No. 282.

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class . . ." changing the name of The Italian-American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

## SENATE BILL No. 284.

An Act amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps . . ." changing the name of the Italian American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

## SENATE BILL No. 286.

An Act amending the act of April 8, 1867 (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge," correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in its charter.

## SENATE BILL No. 481.

An Act providing for and fixing the fees and mileage for witnesses attending a coroner's inquest imposing duties on coroners and repealing inconsistent legislation.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1201, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for reimbursement by the Commonwealth to school districts for the employment of school nurses.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1221, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095), further regulating anthracite strip mining operations changing provisions with respect to bonds backfilling restoration permits and registration including certain persons within the provisions of the act and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1461, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring school districts under certain circumstances to provide free transportation of children attending non-public schools not operated for profit.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1644, entitled:

An Act authorizing any person diving in any waterway with the aid of a mechanical device to place a buoy at or near the place of submergence.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 114, entitled:

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959," removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.



Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 529, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" excluding from taxation transfers of property between divorced spouses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 535, entitled:

An Act to provide for the exchange of historical materials between historical societies as herein defined.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 693, entitled:

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of the abolition of capital punishment in Pennsylvania.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

#### SENATE MESSAGE

##### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 10.

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession control dealing in and use of certain drugs and keeping records thereof \* \* \*" clarifying the definition of "drug" to include heroin in any quantity.

##### HOUSE BILL No. 218.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), changing provisions requiring operators to drive on the right side of the highway and providing penalties.

##### HOUSE BILL No. 483.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

##### HOUSE BILL No. 555.

An Act amending the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), extending

to thirty days the time within which county commissioners or the joint-county health commission may give notice of approval or disapproval of rules and regulations of the board of health.

##### HOUSE BILL No. 1017.

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), exempting in certain cases and to a certain extent concert music halls maintained by public or private charities from taxation.

##### HOUSE BILL No. 1076.

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith.

##### HOUSE BILL No. 1186.

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania \* \* \*" extending the provisions thereof to members of the Delaware River Port Authority Police.

With the information that the Senate has passed the same without amendment.

#### ST. THOMAS SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House the seventh and eighth grade students from the St. Thomas School of Franklin County. They are here under the direction of Mr. Bernicker, their teacher. They are the guests of the gentleman from Franklin, Mr. Horst.

#### CAUCUSES

Mr. McCANN. Mr. Speaker, I am going to announce at this point, if all reports from committees are completed, we will immediately break for a 30-minute lunch and then there will be a Democratic caucus for 1 hour and 15 minutes. The caucus will begin at 15 minutes after 12, and I ask all the members to bring with them their House calendars.

I yield to the minority leader.

The SPEAKER pro tempore. May I question the majority leader? Did he say an hour and 35 minutes or 45 minutes?

Mr. McCANN. That will be an hour and 45 minutes total, a 30-minute lunch period and an hour-and-15-minute caucus.

Mr. A. W. JOHNSON. Mr. Speaker, did I understand the majority leader to say that we will break now for lunch and start our caucus at a quarter after 12, daylight saving time? Is that correct?

Mr. McCANN. That is correct.

Mr. A. W. JOHNSON. Then we will run until what time in caucus?

Mr. McCANN. That will start at a quarter after 12 for one hour and 15 minutes, or 1:30, completing the caucus. We will telephone each other at that point to see what has been completed.

Mr. A. W. JOHNSON. We will be done at 1:30. That will be agreeable to those on our side. We will immediately have our lunch for one-half hour and the time for caucus will be a quarter after 12, daylight saving time.

Mr. McCANN. Then, Mr. Speaker, depending on how much they have caucused, we will proceed this afternoon with all the bills and, if another caucus is needed later, another one will be held, depending on how we finish our work. Then, if necessary, when we get near the 6 o'clock period, we will determine whether there will be a session later in the night.

### RECESS

The SPEAKER pro tempore. Without objection, the Chair now declares a recess for one hour and 45 minutes. The Chair hears no objection. Recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

### BILLS INTRODUCED AND REFERRED

By Messrs. FARABAUGH, PRENDERGAST,  
and KORNS. HOUSE BILL No. 1726.

An Act defining milk and its derivatives, prohibiting its adulteration, regulating its labeling, sale and serving; imposing powers and duties on the Department of Agriculture; providing penalties and making repeals.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. POLEN, T. F. SULLIVAN,  
and JENKINS. HOUSE BILL No. 1727.

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), increasing the unsecured amount a bank, bank and trust company or trust company may loan its salaried officers or employees or those of affiliated banking institutions.

Referred to the Committee on Appropriations.

By Messrs. FINEMAN, LIPPINCOTT,  
DONALDSON and KELLY. HOUSE BILL No. 1728.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing for a Bureau of Safety in the Department of Labor and Industry; imposing certain duties on the Secretary of Labor and Industry and all heads of departments, boards and other State offices.

Referred to the Committee on Rules.

By Messrs. LAMB and KRAMER.  
HOUSE BILL No. 1729.

An Act relating to insurance; providing a system of assigning certain motor vehicle liability insurance risks to insurers; conferring powers and imposing duties upon the Insurance Commissioner and insurers transacting motor vehicle liability insurance in Pennsylvania; and prescribing penalties.

Referred to the Committee on Insurance.

By Messrs. RENWICK, WILLARD, FLYNN,  
and SCHAAF. HOUSE BILL No. 1730.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing that it shall be unlawful to hunt big game with a .32 caliber rim-fire rifle.

Referred to the Committee on Game and Conservation.

By Messrs. RENWICK, WILLARD, FLYNN  
and SCHAAF. HOUSE BILL No. 1731.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), permitting the seeding of newly exposed land incurred in connection with the relocation of a stream channel.

Referred to the Committee on Rules.

By Messrs. CLARKE, IRVIS, GIBB  
and DONALDSON. HOUSE BILL No. 1732.

An Act amending the "Pawnbrokers License Act," approved April 6, 1937 (P. L. 200), providing that pawnbrokers must require pledger to submit an affidavit of his identity and his ownership of the pledge at the time of granting a loan.

Referred to the Committee on Professional Licensure.

By Messrs. FARABAUGH and ZIMMERMAN.  
HOUSE BILL No. 1733.

An Act amending the act of June 12, 1919 (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, bee-keeping, and horticulture," providing for deductions by Pennsylvania milk dealers and milk handlers for payments to cooperative agricultural associations.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. McCORMACK. HOUSE BILL No. 1734.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further restricting the issuance of new operators' licenses.

Referred to the Committee on Motor Vehicles.

By Messrs. CAPANO and MAXWELL.  
HOUSE BILL No. 1735.

An Act directing the Department of Highways to erect and maintain a bridge over the Monongahela River in the vicinity of Donora in Washington County and Webster in Westmoreland County and to provide the necessary approaches and connections with State highways and empowering counties to pay certain damages.

Referred to the Committee on Highways.

By Mr. MURPHY. HOUSE BILL No. 1736.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), changing the time for preparation of the budget.

Referred to the Committee on Boroughs.

By Mrs. REIBMAN. HOUSE BILL No. 1737.

An Act limiting the power of municipalities and townships to require the payment of fees for inspection of industries, business, or activities in certain cases.

Referred to the Committee on Rules.

By Messrs. WHITTAKER, BOIES, MAXWELL  
and Mrs. KOOKER. HOUSE BILL No. 1738.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing that persons who conduct examinations shall not be civilly liable as a consequence of reports of such examinations.

Referred to the Committee on Motor Vehicles.



By Messrs. ZIMMERMAN, FOOR, O'DELL  
and MAGEE. HOUSE BILL No. 1739.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing the method of payment by department or multiple line retail stores.

Referred to the Committee on Rules.

By Messrs. ZIMMERMAN, WILLARD, E. S.  
WILLIAMS and K. B. LEE. HOUSE BILL No. 1740.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing the method of payment by department or multiple line retail stores.

Referred to the Committee on Rules.

By Messrs. MORLEY, STRAUSSER, LUTTY  
and ESHLEMAN. HOUSE BILL No. 1741.

An Act amending the "Dry Cleaning and Dyeing Law," approved May 14, 1949 (P. L. 1342), defining coin-operated dry cleaning, and providing that certain provisions of the act shall not be applicable to dry cleaning by that means.

Referred to the Committee on Rules.

By Messrs. GALLAGHER, PRENDERGAST  
and McCORMACK. HOUSE BILL No. 1742.

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), defining accrued depreciation and the fair value of the property of a public utility, and providing for the determination of fees and reasonable rates which shall provide a fair return upon the fair value of the property of a public utility.

Referred to the Committee on Rules.

By Mr. HOLMAN and Mrs. MARKLEY.  
HOUSE BILL No. 1743.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) requiring the secretary to terminate certain suspensions if an action is instituted and not reduced to judgment within one year.

Referred to the Committee on Motor Vehicles.

By Messrs. SCHUSTER (By Request),  
LAMB, and LUTTY. HOUSE BILL No. 1744.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring certain vehicles and combinations of vehicles equipped with air brakes to be equipped with emergency brakes.

Referred to the Committee on Motor Vehicles.

By Messrs. TOMPKINS, GRAMLICH, RENWICK,  
and BONNER. HOUSE BILL No. 1745.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), prohibiting shooting at any wild bird or wild animal from a position within fifty feet of the center of a highway.

Referred to the Committee on Game and Conservation.

By Messrs. TOMPKINS and RUDISILL.  
HOUSE BILL No. 1746.

An Act constituting the Secretary of the Commonwealth as the agent for service of process on nonresident persons and foreign associations, partnerships and corporations whose products are listed and sold by Pennsylvania Liquor Stores and who sell malt and brewed beverages to

distributors and importing distributors licensed and doing business in this Commonwealth.

Referred to the Committee on State Government.

By Messrs. J. H. GOLDSTEIN, A. W. JOHNSON,  
SCHAFF and LAMB. HOUSE BILL No. 1747.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain real property located in Conewango Township, Warren County.

Referred to the Committee on State Government.

By Messrs. TOMPKINS and WHITTAKER.  
HOUSE BILL No. 1748.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), providing for removal from office as an additional penalty for authorizing or making payments of public money without authority.

Referred to the Committee on Judiciary.

By Mr. SNARE. HOUSE BILL No. 1749.

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566), placing a limitation on the amount to be approved by the court or by the board for claims or agreements for legal services and requiring checks to be made payable to the claimants and mailed directly to them.

Referred to the Committee on Rules.

By Messrs. HOLLIDAY, AUKEER, BOIES  
and PERRY. HOUSE BILL No. 1750.

An Act amending the "Disease Prevention and Control Law of 1955," approved April 23, 1956 (P. L. 1510), further providing for the qualifications and periodic evaluations of certain laboratories.

Referred to the Committee on Public Health and Sanitation.

By Messrs. WELSH, MURPHY, McKEEVER  
and LAWSON. HOUSE BILL No. 1751.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), providing that persons laid off prior to a labor dispute shall not be denied compensation.

Referred to the Committee on Labor Relations.

By Messrs. WELSH and MURPHY, Mrs. MUNLEY  
and Mr. LAWSON. HOUSE BILL No. 1752.

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (P. L. 2897), providing for payments notwithstanding certain appeals and providing that payments paid shall not be charged against an employer's account if the decision allowing such payments is later reversed.

Referred to the Committee on Labor Relations.

By Messrs. WELSH and MURPHY, Mrs. MUNLEY  
and Mr. McKEEVER. HOUSE BILL No. 1753.

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (P. L. 2897), increasing certain payments.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, FINEMAN, MURPHY  
and GREMMINGER. HOUSE BILL No. 1754.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897),

bringing hospital employes within the provisions of the act.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, FINEMAN, MURPHY  
and GREMMINGER. HOUSE BILL No. 1755.

An Act amending "The Pennsylvania Occupational Disease Act", approved June 21, 1939 (P. L. 566), providing for compensation for disability caused by exposure to radiation hazards.

Referred to the Committee on Rules.

By Messrs. WELSH, MURPHY, Mrs. MUNLEY  
and Mr. LAWSON. HOUSE BILL No. 1756.

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (P. L. 2897), providing benefits after a three week waiting period for employes involved in a stoppage of work because of a labor dispute.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, MURPHY, Mrs. MUNLEY  
and Mr. McKEEVER. HOUSE BILL No. 1757.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (P. L. 2897), providing that vacation pay, separation allowances and similar payments shall not be considered remuneration for the purpose of defining "unemployment."

Referred to the Committee on Labor Relations.

By Messrs. WELSH, FINEMAN, MURPHY  
and GREMMINGER. HOUSE BILL No. 1758.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), changing compensation payable in certain instances.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, FINEMAN, MURPHY  
and GREMMINGER. HOUSE BILL No. 1759.

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), providing for the inclusion of additional employes and the method of making payments into the fund.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, FINEMAN, MURPHY  
and GREMMINGER. HOUSE BILL No. 1760.

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), increasing the rate of compensation.

Referred to the Committee on Labor Relations.

By Messrs. GREMMINGER, GRAY  
and SHELTON. HOUSE BILL No. 1761.

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965) reducing the tax upon the fuel used in taxicabs the operators of which are subject to the jurisdiction of the Pennsylvania Public Utility Commission, and providing for the disposition and use of the tax imposed by the act.

Referred to the Committee on Rules.

By Messrs. GREMMINGER, GRAY  
and SHELTON. HOUSE BILL No. 1762.

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965), reducing the tax upon the

fuel used in vehicles operated by intra-state passenger transportation systems as defined in the act and providing for disposition and use of the tax imposed by the act.

Referred to the Committee on Rules.

By Messrs. GREMMINGER, GRAY  
and SHELTON. HOUSE BILL No. 1763.

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149), reducing the tax on liquid fuels used in taxicabs the operators of which are subject to the jurisdiction of the Pennsylvania Public Utility Commission providing for disposition of taxes for reduction in amount paid to counties and for refunds of overpayments.

Referred to the Committee on Rules.

By Messrs. GREMMINGER, GRAY  
and SHELTON. HOUSE BILL No. 1764.

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149), reducing the tax on liquid fuels used in vehicles operated by intra-state passenger transportation systems providing for disposition of taxes for reduction in amount paid to counties and for refunds of overpayments.

Referred to the Committee on Rules.

By Messrs. PRENDERGAST, SCHAAF, LAMB  
and K. B. LEE. HOUSE BILL No. 1765.

An Act defining and regulating installment sales of goods and services used or furnished in the modernization, rehabilitation, repair, alteration or improvement of real property and to provide for licensing of home improvement contractors and home financing agencies; establishing an Advisory Board in the Department of Banking and providing penalties.

Referred to the Committee on State Government.

By Messrs. YETTER, FINEMAN, DENNISON  
and ESHBACK. HOUSE BILL No. 1766.

An Act amending the "Legal Holiday Law" approved May 31, 1893 (P. L. 188), providing that certain holidays shall be observed on Monday.

Referred to the Committee on Rules.

By Messrs. EWING, THOMPSON, KAMYK  
and LUTTY. HOUSE BILL No. 1767.

An Act regulating moneys paid to undertakers, cemeteries or other persons, associations, partnerships or corporations in connection with agreements for sale of personal property or rendering of personal services in connection with a funeral or burial; and fixing penalties.

Referred to the Committee on Judiciary.

By Messrs. LAMB, KRAMER and EWING.  
HOUSE BILL No. 1768.

An Act amending the act of January 5, 1952 (P. L. 1833), entitled as amended, "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; \* \* \*" removing the limitation on retirement benefits.

Referred to the Committee on Appropriations.

By Messrs. MERRY, MAGEE, CIOFFI and SCHAAF.  
HOUSE BILL No. 1769.

An Act amending the compact contained in the act of



June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, \* \* \*" ratifying a change in the compact designating the lake area on which motor boats may be operated and providing penalties.

Referred to the Committee on Rules.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 111.

An Act revising the procedure to be followed in cities of the first class concerning arrest detention and bail and substituting criminal summons for warrant of arrest in certain criminal cases.

Referred to the Committee on Cities—Counties First Class.

#### SENATE BILL No. 405.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further regulating suspensions of operators' licenses or learners' permits for violation of maximum speed limits.

Referred to the Committee on Rules.

#### SENATE BILL No. 438.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" providing a civil service system for firemen employed by second class counties regulating the appointment promotion suspension reduction removal and reinstatement of such firemen and imposing powers and duties upon the Civil Service Commission in relation thereto.

Referred to the Committee on Cities—Counties Second and Second Class A.

#### SENATE BILL No. 525.

An Act authorizing members of any profession to organize an association to render the type of service which the members are authorized to render providing for the regulation of the association and its members and employees and imposing powers and duties on the association and its members.

Referred to the Committee on State Government.

#### SENATE BILL No. 590.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" defining State employees to include certain civilian employees of the National Guard.

Referred to the Committee on Military Affairs.

#### SENATE BILL No. 596.

An Act amending the act of June 15, 1871 (P. L. 387), entitled "An act providing for the entry of certain proceedings on the judgment indexes of the several courts of this Commonwealth" changing the place of indexing certain proceedings.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 597.

An Act amending the act of April 18, 1949 (P. L. 512),

entitled "Fiduciaries Act of 1949" further regulating indexing of petitions for specific performance of agreements to purchase or sell real estate.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 639.

An Act limiting landowner's liability for personal injuries suffered by any person while hunting or fishing upon or who has entered for his own purposes on the landowner's property.

Referred to the Committee on Agriculture and Dairy Industries.

#### SENATE BILL No. 656.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" making judges eligible as bank directors or trustees.

Referred to the Committee on Banking and Building and Loan Associations.

#### SENATE BILL No. 663.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting debt pooling business voiding contracts for debt pooling and providing penalties.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 674.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" permitting cities to make appropriations to industrial development agencies.

Referred to the Committee on Cities—Third Class.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. WEIDNER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

## SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 980.

## TAYLOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the 1961 graduating class of the Taylor High School, Lackawanna County. They are here under the supervision of the class president, Robert James, Principal Merwyn Howells and chaperone, the Reverend Jared. The delegation are guests of the gentlemen from Lackawanna County, Messrs. Needham, Edwards, Wargo and Reidenbach, and the lady from Lackawanna, Mrs. Munley.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 36, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), requiring the Public Utility Commission to consider and protect the contractual rights of employees and possible adverse effect on employees before approving any transfer of property of a common carrier of passengers by motor bus.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—121

Adams,	Gelfand,	Long, Wm. Jos.,	Reibman,
Anderson, S. A.,	Goldstein, M. H.,	Lutty,	Reldenbach,
Arlene,	Gray,	Marsh,	Renwick,
Bachman,	Greenlee,	Maxwell,	Riley,
Boles,	Gremminger,	McCann,	Rovansek,
Bonner,	Guesman,	McCormack,	Rubin,
Bower,	Hamilton,	McDevitt,	Rudisill,
Branca,	Hankins,	McDonald,	Sakulsky,
Breth,	Hartley,	McKeever,	Scarcelli,
Capano,	Haudenshield,	McLaughlin,	SchAAF,
Capitolo,	Heavey,	McNally,	Schuster,
Cauley,	Irvis,	Meholchick,	Shelton,
Cianfrani,	Isaacs,	Mills,	Sherman,
Cioffi,	Jenkins,	Monroe,	Shupnik,
Clarke,	Jim,	Morley,	Stank,
Comer,	Jones,	Mullen,	Steckel,
Cooley,	Kamyk,	Munley,	Stone,
Crossin,	Kelly,	Murphy,	Sullivan, J. A.,
Curwood,	Kessler,	Murray,	Sullivan, T. F.,
Dougherty,	King,	Needham,	Taylor,
Doughten,	Kistler,	O'Donnell, J. A.,	Thompson,
Ellberg,	Klein,	O'Donnell, J. P.,	Tomasck,
Eshback,	Kornick,	Parlante,	Truslo,
Farabaugh,	Kramer,	Pashley,	Wargo,
Filo,	Lamb,	Perry,	Welsh,
Flynn,	Lawson,	Petrosky,	Williams, A. D.,
Foerster,	Lee, K. B.,	Polaski,	Williams, E. S.,
Frascella,	Leonard,	Polen,	Worley,
Fry,	Limper,	Prendergast,	Yetter,
Galley,	Long, Wm. Jas.,	Price,	Andrews,
Gallagher,			Speaker

## NAYS—82

Anderson, J. H.,	Fox,	Kooker,	Simmons,
Ashton,	Fulmer,	Korns,	Slack,
Auker,	George,	Lee, A. M.,	Snare,
Backenstoe,	Gibb,	Lippincott,	Stimmel,
Blair,	Gibbons,	Magee,	Stiteler,
Bossert,	Goldstein, J. H.,	Manbeck,	Strausser,
Bowman,	Goodrich,	Markley,	Tompkins,
Buchanan,	Gramlich,	May,	Ujobal,
Bush,	Gross,	McCandless,	Varner,
Davis,	Heffner,	McInroy,	Wall,
Dengler,	Helm,	Merry,	Weidner,
Dennison,	Hocker,	Miller,	Wescott,
Donaldson,	Holl,	O'Dell,	Whittaker,
Down,	Holliday,	Odorisio,	Willard,
Edwards,	Holman,	Ogilvie,	Willaredt,
Elvey,	Horst,	Piper,	Williams, A. D.,
Eshleman,	Johnson, A. W.,	Pursley,	Williams, E. S.,
Esler,	Johnson, R. P.,	Roy,	Wilt,
Ewing,	Kelser,	Rutherford,	Wood,
Fetterolf,	Kernaghan,	Seltzer,	Worley,
Foor,	Knecht,		Zimmerman,

## NOT VOTING—7

Fineman,	Henzel,	Musto,	Walsh,
Guthrie,	Mihm,	Verona,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 125, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), fixing the time for the annual report by the county auditors to the court and providing for the audit of miscellaneous accounts.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—200

Adams,	Frascella,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Fry,	Lee, K. B.,	Riley,
Anderson, J. H.,	Fulmer,	Leonard,	Rovansek,
Arlene,	Galley,	Limper,	Royer,
Ashton,	Gallagher,	Lippincott,	Rubin,
Auker,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Bachman,	George,	Lutty,	Rutherford,
Backenstoe,	Gibb,	Magee,	Sakulsky,
Blair,	Gibbons,	Manbeck,	Scarcelli,
Boles,	Goldstein, J. H.,	Markley,	Schuster,
Bonner,	Goldstein, M. H.,	Marsh,	Seltzer,
Bossert,	Goodrich,	May,	Shelton,
Bower,	Gray,	Maxwell,	Sherman,
Bowman,	Greenlee,	McCandless,	Shupnik,
Branca,	Gremminger,	McCann,	Simmons,
Breth,	Gross,	McCormack,	Slack,
Buchanan,	Guesman,	McDevitt,	Snare,
Bush,	Guthrie,	McDonald,	Stank,
Capano,	Hamilton,	McInroy,	Steckel,
Capitolo,	Hankins,	McKeever,	Stimmel,
Cauley,	Hartley,	McLaughlin,	Stiteler,
Cianfrani,	Haudenshield,	McNally,	Strusser,
Cioffi,	Heavey,	Merry,	Sullivan, J. A.,
Clarke,	Heffner,	Miller,	Sullivan, T. F.,
Comer,	Helm,	Mills,	Taylor,
Cooley,	Hocker,	Monroe,	Thompson,
Crossin,	Holl,	Morley,	Tomasck,
Curwood,	Holliday,	Mullen,	Tompkins,
Davis,	Holman,	Munley,	Truslo,
Dengler,	Horst,	Murphy,	Ujobal,
Dennison,	Irvis,	Murray,	Varner,
Donaldson,	Isaacs,	Needham,	Wall,
Dougherty,	Jenkins,	O'Dell,	Wargo,
Doughten,	Jim,	O'Donnell, J. A.,	Welsh,
Down,	Johnson, A. W.,	O'Donnell, J. P.,	Wescott,
Edwards,	Johnson, R. P.,	Odorisio,	Whittaker,
Ellberg,	Jones,	Ogilvie,	Willard,
Elvey,	Kamyk,	Parlante,	Willaredt,
Eshback,	Kelser,	Pashley,	Williams, A. D.,
Eshleman,	Kelly,	Perry,	Williams, E. S.,
Esler,	Kernaghan,	Petrosky,	Wilt,
Ewing,	King,	Piper,	Wood,
Farabaugh,	Klein,	Polaski,	Worley,
Fetterolf,	Knecht,	Polen,	Zember,
Filo,	Kooker,	Prendergast,	Zimmerman,
Fineman,	Kornick,	Price,	Wynd,
Flynn,	Korns,	Pursley,	Yetter,
Foerster,	Kramer,	Reibman,	Andrews,
Foor,	Lamb,	Reidenbach,	Speaker
Fox,	Lawson,		

## NAYS—2

Kessler,	Weidner,
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## NOT VOTING—8

Gramlich,	Kistler,	Mihm,	Verona,
Henzel,	Meholchick,	Musto,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 350, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), eliminating residence requirements for board secretaries.

And said bill having been read at length the third time, considered and agreed to.



On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—173

Adams,	Fry,	Lawson,	Reibman,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Riley,
Arlene,	Gelfand,	Leonard,	Rovanseck,
Ashton,	George,	Lippincott,	Rubin,
Bachman,	Gibb,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Gibbons,	Lutty,	Rutherford,
Blair,	Goldstein, J. H.,	Magee,	Sakulsky,
Bossert,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Bower,	Gramlich,	Markley,	Schaaf,
Bowman,	Gray,	Marsh,	Schuster,
Branca,	Greenlee,	Maxwell,	Seltzer,
Breth,	Gremminger,	May,	Shelton,
Buchanan,	Guthrie,	McCandless,	Sherman,
Bush,	Guesman,	McCann,	Simmons,
Capano,	Hamilton,	McCormack,	Slack,
Capitolo,	Hankins,	McDevitt,	Snare,
Cauley,	Hartley,	McDonald,	Steckel,
Clarke,	Haudenshield,	McInroy,	Stimmel,
Comer,	Heavey,	McKeever,	Stiteler,
Cooley,	Heffner,	McLaughlin,	Stone,
Crossin,	Helm,	McNally,	Strausser,
Davis,	Henzel,	Merry,	Sullivan, J. A.,
Dengler,	Holl,	Mills,	Sullivan, T. F.,
Dennison,	Holman,	Monroe,	Taylor,
Donaldson,	Horst,	Morley,	Thompson,
Dougherty,	Irvis,	Mullen,	Tomasck,
Doughten,	Jim,	Munley,	Trusio,
Down,	Johnson, A. W.,	Murphy,	Ujobai,
Edwards,	Johnson, R. P.,	Murray,	Varner,
Ellberg,	Jones,	Needham,	Wall,
Elvey,	Kamyk,	O'Dell,	Wargo,
Eshback,	Keiser,	O'Donnell, J. A.,	Weidner,
Esler,	Kelly,	Odorisio,	Welsh,
Ewing,	Kernaghan,	Parlante,	Whittaker,
Farabaugh,	Kessler,	Pashley,	Willard,
Fetterolf,	King,	Perry,	Willaredt,
Filo,	Klein,	Petrosky,	Williams, E. S.,
Fineman,	Knecht,	Piper,	Wilt,
Flynn,	Kornick,	Polaski,	Wynd,
Foerster,	Korns,	Polen,	Zember,
Foor,	Kramer,	Price,	Zimmerman,
Fox,	Lamb,		Andrews,
Frascella,			Speaker

## NAYS—27

Auker,	Goodrich,	Meholchick,	Stank,
Boles,	Gross,	Miller,	Tompkins,
Bonner,	Hocker,	Ogilvie,	Williams, A. D.,
Cianfrani,	Holliday,	Prendergast,	Wood,
Curwood,	Isaacs,	Pursley,	Worley,
Eshleman,	Jenkins,	Royer,	Yetter,
Galley,	Kooker,	Shupnik,	

## NOT VOTING—10

Cloff,	Mihm,	Reidenbach,	Walsh,
Kistler,	Musto,	Verona,	Wescott,
Limper,	O'Donnell, J. P.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 379, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), prohibiting certain licensees their servants agents and employes from selling liquor and malt and brewed beverages during certain hours on Good Friday.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Adams,	Fry,	Kornick,	Pursley,
Anderson, J. H.,	Fulmer,	Korns,	Riley,
Anderson, S. A.,	Galley,	Kramer,	Royer,
Arlene,	Gallagher,	Lee, A. M.,	Rubin,
Ashton,	George,	Lee, K. B.,	Rudisill,
Blair,	Gibb,	Lippincott,	Rutherford,
Boles,	Gibbons,	Long, Wm. Jas.,	Scarcelli,
Bonner,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Bower,	Goldstein, M. H.,	Magee,	Schuster,
Bowman,	Goodrich,	Manbeck,	Seltzer,
Branca,	Gramlich,	Markley,	Shelton,
Breth,	Greenlee,	Marsh,	Shupnik,
Buchanan,	Gremminger,	May,	Simmons,
Bush,	Gross,	McCandless,	Slack,
Capitolo,	Guesman,	McCann,	Snare,
Cauley,	Guthrie,	McCormack,	Steckel,
Cianfrani,	Hamilton,	McDevitt,	Stimmel,
Cloff,	Hankins,	McDonald,	Stiteler,
Comer,	Hartley,	McInroy,	Strausser,
Cooley,	Haudenshield,	McLaughlin,	Sullivan, J. A.,
Crossin,	Heavey,	Meholchick,	Taylor,
Curwood,	Heffner,	Merry,	Thompson,
Davis,	Helm,	Miller,	Tomasck,
Dengler,	Henzel,	Monroe,	Tompkins,
Dennison,	Hocker,	Morley,	Trusio,
Donaldson,	Holl,	Mullen,	Ujobai,
Dougherty,	Holliday,	Murray,	Varner,
Doughten,	Holman,	Needham,	Wall,
Down,	Horst,	O'Dell,	Weidner,
Edwards,	Irvis,	O'Donnell, J. A.,	Wescott,
Ellberg,	Jenkins,	O'Donnell, J. P.,	Whittaker,
Elvey,	Johnson, A. W.,	Odorisio,	Willard,
Eshback,	Johnson, R. P.,	Ogilvie,	Willaredt,
Eshleman,	Jones,	Parlante,	Williams, A. D.,
Esler,	Keiser,	Pashley,	Williams, E. S.,
Ewing,	Kernaghan,	Perry,	Wilt,
Fetterolf,	Kessler,	Petrosky,	Wood,
Filo,	King,	Piper,	Worley,
Fineman,	Kistler,	Polaski,	Wynd,
Flynn,	Klein,	Polen,	Zember,
Foerster,	Knecht,	Prendergast,	Zimmerman,
Foor,	Kooker,	Price,	Andrews,
Frascella,			Speaker

## NAYS—33

Auker,	Gelfand,	Limper,	Rovanseck,
Bachman,	Gray,	Lutty,	Sakulsky,
Backenstoe,	Isaacs,	Maxwell,	Sherman,
Bossert,	Jim,	McKeever,	Stank,
Capano,	Kamyk,	McNally,	Stone,
Clarke,	Lamb,	Mills,	Sullivan, T. F.,
Farabaugh,	Lawson,	Murphy,	Welsh,
Fineman,	Leonard,	Renwick,	Yetter,
Flynn,			

## NOT VOTING—9

Kelly,	Musto,	Reidenbach,	Walsh,
Mihm,	Reibman,	Verona,	Wargo,
Munley,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. LIPPINCOTT. Mr. Speaker, we have not really discussed the effect of my not amending House bill No. 519 in our caucus. I spoke to Mr. Fineman and told him I would not offer the amendments because I understood that your side was going to oppose them unanimously. I think the bill is bad legislation in its present form and I ask the members to vote against it.

Mr. McCANN. Mr. Speaker, are we in a position, though, to vote? I want to call it up.

Mr. LIPPINCOTT. We discussed it in our caucus, so I assume you are in position to call it up.

Mr. McCANN. Mr. Speaker, I call up House bill No. 519, printer's No. 2005.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 519, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles and making the results of the chemical tests admissible in evidence.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I briefly want to talk about House bill 519, because I think before the members of this House vote on this bill, the bill should be regarded in a proper light.

I am not for legislation that merely places in the hands of our law enforcement officers another tool for the harassment of motorists. This bill not only is a safety measure as such, but goes a long way towards protecting the motorist.

Let me explain to you what I mean.

This bill provides that a chemical test of a driver's blood can be taken through a breath inhalation test for the purpose of determining whether or not he is under the influence of intoxicating liquors. I think everyone agrees with the proposition that a motor vehicle in the hands of a motorist who is intoxicated is just as much a lethal weapon as a gun in the hands of a person who is under the influence of liquor. It certainly is not our intention to protect that type of reckless person who jeopardizes life and limb and property by his reckless conduct. On the other hand, when I say this bill protects the motorist, I refer to the fact that under our case law today in this State a motorist can be convicted in our courts on a charge of driving while under the influence of an intoxicating beverage simply on the testimony of a lay person, someone who is not expert, someone who can come into court and say, "The man looked to me like he was drunk. He was thick of speech; the pupils of his eyes were dilated; his gait was unsteady," and time and medicine have taught us that there are many pathological conditions such as multiple sclerosis, a brain tumor, any blow to the head, diabetes, all of these things, will produce symptoms, manifestations that are identical to what you get when you are in fact under the influence of an intoxicating liquor. So this is a means of exonerating those men who might have the appearance, give all the indicia of being drunk when in fact they are not. There are many cases where an individual with one or two drinks, and certainly not under the influence of an intoxicating beverage, but who gave the indicia of being drunk because of a pathological condition has been convicted when in fact he has been an innocent bystander. This bill is in truth a measure of protection for the innocent as well

as a means of convicting those who were trying to get out from under a crime as heinous as this one.

We all recognize that there has been carnage committed on our highways, and both state and national surveys indicate that 50 percent of all accidents involving fatalities showed that the drivers of those vehicles were under the influence of an intoxicating beverage. So from the standpoint of safety, from the standpoint of protecting the rights of those who have been wrongly accused and have no defense other than to say, "I was not drunk," this bill merits our favorable attention.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. May I interrogate the gentleman from Philadelphia, Mr. Fineman?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, under this bill, could a person with alcoholic blood content of 0.06 be found guilty of being under the influence of intoxicating beverages?

Mr. FINEMAN. He could.

Mr. LIPPINCOTT. Does any State in the Union have such a low percentage?

Mr. FINEMAN. Almost all the States that have enacted legislation similar to this used the same tables that are incorporated in House bill 519.

Mr. LIPPINCOTT. What is the recent amendment to the New York statute?

Mr. FINEMAN. By way of answering the question, let me say this: Our bill provides that if the amount of alcohol by weight in the blood of the person tested is 0.05 percent or less, it shall be presumed that the person tested was not under the influence.

If the amount of alcohol by weight in the blood is between 0.05 percent, but less than 0.15 percent there is no presumption. The State of New York has lowered that requirement and it now rules that from 0.05 percent to 0.10 percent, so that if a person has 0.11 percent of alcohol by weight in his blood he is presumed to be intoxicated, whereas under our bill it has to go up to 0.15 percent.

Mr. LIPPINCOTT. I understood that the New York amendment did not have a scale between 0.05 and 0.10. Are you sure that is correct?

Mr. FINEMAN. Yes, I am pretty sure.

Mr. LIPPINCOTT. You are pretty sure?

I thank the gentleman.

Mr. Speaker, I have no quarrel with the purpose of this bill. I think it is a worthy purpose and was part of the Republican platform program in the House. I do think, however, that the 0.05 figure is too low and is lower than most of the States in the Union. Therefore I oppose the bill.

Mr. FINEMAN. I would like to say that under our law today, any man who would have any figure of alcohol by weight in his blood, be it below 0.05 or above 0.05, can be convicted as our law stands today.

Here the motorist is getting a break by setting up a sliding scale. Now I want to say to you that in connection with this scale, these figures that were used and employed are the most liberal figures arrived at after a series of tests conducted by the American Medical Association and the National Safety Council.

I have before me the Journal of the American Medical



Association which I would briefly like to read as to the percentages to which you make reference.

"The following recommendations were agreed on by the committees of the National Safety Council and the American Medical Association:"

And they have three classifications which we have embodied in House bill 519.

"1. Although there is no minimal figure which can be set at which there will be absolutely no effect from alcohol, the committee recommends that persons with a concentration of alcohol of less than 0.05% by weight in blood or its equivalent in urine, saliva, or breath should not be prosecuted for driving while under the influence of alcoholic liquor.

"2. Between 0.05 and 0.15%, a liberal wide zone, alcoholic influence usually is present, but courts of law are advised to consider the behavior of the individual and circumstances leading to the arrest in making their decision.

"3. At 0.15%, or above, there is definite evidence of 'under the influence,' since every individual with this concentration would have lost to a measurable extent some of that clearness of intellect and control of himself that he would normally possess."

And finally this statement:

"These limits were purposely made liberal so that no injustice would be done to the person with unusual tolerance."

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Fineman?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, is there any provision in this bill that would require the police to administer this test?

Mr. FINEMAN. There is not.

Mr. McCORMACK. Where the defendant or the person accused demands it?

Mr. FINEMAN. There is not. This is a may bill, but the person so accused can have his own physician make the test.

Mr. McCORMACK. No, I am thinking of the situation where I am arrested and charged with that crime and I demand that the police submit me to such a test and the police refuse to do it. Is that not a situation where—

Mr. FINEMAN. I would be all for such a bill. As a matter of fact, as the bill was originally worded, that kind of interpretation could have been read into this thing, but the bill was amended as it came out of committee so that the implied consent which was written into the law was deleted therefrom.

Mr. McCORMACK. I suppose that is because of a person not being compelled to incriminate himself.

Mr. FINEMAN. The proposition of law that spells out the fact that a person cannot be compelled to testify against himself, so the appellate court has said, only goes to oral utterances; it does not go to matters such as this or the taking of fingerprints.

Mr. McCORMACK. Anyhow, there is nothing in this bill that would inure as a benefit to the defendant, if he requested it and the police refused to give him that test.

Mr. FINEMAN. Well, I think that fact itself would inure it to his benefit. In other words, if it is a kind of trial, counsel for the defendant says to the witness for the prosecution: Did the defendant ask you to take a breath inhalation test? And, the witness says: No. He would say: Why did you not? We did not want to. This is a fact that a counsel certainly can plead to a jury in behalf of his defendant, by saying if that test had been taken we would have definitely and accurately established that my client was not under the influence of liquor.

Mr. McCORMACK. I see. Thank you.

Mr. Speaker, as an attorney who has handled quite a number of these prosecutions representing defendants who have been accused of operating under the influence, I am heartily in accord with the provisions of this bill. The haphazard way in which the police operate, as the gentleman from Philadelphia mentioned when he debated the merits of the bill, leaves something to be desired, so that any time you walk out of the criminal court as the result of a conviction, or otherwise, it seems to me that the attorney for the defendant is never convinced as to whether or not this person was indeed operating under the influence. It depends entirely upon the whims, the caprice and the arbitrary actions of the particular police officer, and therefore I certainly think this is something that has been needed in this Commonwealth for a long time.

There may be some question as to the percentage of the content on the breath, but I think it has been demonstrated that it has worked in other jurisdictions and there is no reason why it cannot be tried here. If there is any question about its lasting merit, we can always come back in a later session and amend it. But this is indeed a step in the right direction and I ask both sides, strictly on a non-partisan, bipartisan, basis, to support this bill in the interests of highway safety.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—195

Adams,	Galley,	Lee, A. M.,	Riley,
Anderson, J. H.	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gelfand,	Leonard,	Royer,
Arlene,	George,	Limper,	Rubin,
Ashton,	Gibb,	Long, Wm. Jas.,	Rudisill,
Bachman	Gibbons,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Lutty,	Sakulsky,
Blair,	Goldstein, M. H.,	Magee,	Scarcell,
Boles,	Goodrich,	Manbeck,	Schaaf,
Bonner,	Gramlich,	Markley,	Schuster,
Bossert,	Gray,	Marsh,	Seltzer,
Bower,	Greenlee,	Maxwell,	Shelton,
Bowman,	Gremminger,	May,	Sherman,
Branca,	Gross,	McCandless,	Shupnik,
Breth,	Guesman,	McCann,	Simmons,
Buchanan,	Guthrie,	McCormack,	Slack,
Bush,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McInroy,	Steckel,
Cianfrani,	Hartley,	McKeever,	Stimmel,
Cioffi,	Haudenshield,	McLaughlin,	Stiteler,
Clarke,	Heffner,	McNally,	Stone,
Comer,	Helm,	Meholchick,	Strausser,
Cooley,	Henzel,	Merry,	Sullivan, J. A.,
Crossin,	Hocker,	Miller,	Sullivan, T. F.,
Curwood,	Holl,	Mills,	Taylor,
Davis,	Holliday,	Monroe,	Thompson,
Dengler,	Holman,	Morley,	Tompkins,
Donaldson,	Horst,	Mullen,	Trusio,
Dougherty,	Irviss,	Munley,	Ujosal,
Doughten,	Jenkins,	Murphy,	Varner,
Down,	Jim,	Murray,	Wall,
Edwards,	Johnson, A. W.,	Needham,	Wargo,

Ellberg,	Johnson, R. P.,	O'Dell,	Weldner,
Elvey,	Jones,	O'Donnell, J. A.,	Welsh,
Eshback,	Kamyk,	Odorisio,	Wescott,
Eshleman,	Kelser,	Ogilvie,	Whittaker,
Esler,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Willaredt,
Farabaugh,	Kessler,	Perry,	Williams, A. D.,
Fetterolf,	King,	Petrosky,	Williams, E. S.,
Filo,	Kistler,	Piper,	Wilt,
Fineman,	Klein,	Polaski,	Wood,
Flynn,	Knecht,	Polen,	Worley,
Foerster,	Kooker,	Prendergast,	Wynd,
Foor,	Kornick,	Price,	Yetter,
Fox,	Korns,	Pursley,	Zember,
Frascella,	Kramer,	Reibman,	Zimmerman,
Fry,	Lamb,	Reidenbach,	Andrews,
Fulmer,	Lawson,	Renwick,	Speaker

## NAYS—9

Auker,	Heavey,	Lippincott,	O'Donnell, J. P.,
Cauley,	Isaacs,	McDonald	Stank,
Dennison,			

## NOT VOTING—6

Capitolo,	Musto,	Verona,	Walsh,
Mihm,	Tomascik,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the hall of the House William Ellis Zimmerman, a former member of this House from 1933 to 1935 from Montgomery County. He is a guest of the Representative from Montgomery, Evelyn G. Henzel.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1496, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

On the question,

Will the House agree to the bill on third reading?

## POINT OF ORDER

Mr. TOMPKINS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. Mr. Speaker, this bill is the same as House bill 460 which was previously before this House and which was defeated. I now raise a point of order: whether or not under Rule 49 of the House a like bill can be reintroduced in the same session of the legislature in which the previous bill has been defeated.

## RULING BY THE SPEAKER

The SPEAKER. The Chair will read its ruling on the point of order raised.

House Rule 49 provides:

"When a bill has been defeated by the House it shall not be reintroduced nor shall it be in order to consider a similar one or to act on a Senate bill of like import during the same session."

The purpose of this rule, of course, is to prevent perhaps endless voting on questions upon which the judgment of the House has been expressed during the current session. Mark the expression: "the judgment of the House has been expressed during the current session."

It is equally essential, however, that the discretion of the House should not be confined by its rules so as to prevent it from changing its mind when such change is deemed proper and necessary.

This is precisely what the House has done with respect to House bill No. 460, printer's No. 499, when it reconsidered the vote on April 5th by which this bill was defeated on final passage and placed it on the postponed calendar.

When the vote was reconsidered, that vote canceled completely the vote defeating House bill 460 as though it never had been taken.

It is, therefore, the opinion of the Chair that House bill 460, having been revived by the action of the House, does not come within the scope of a defeated bill under the provision of House Rule 49, and that House bill 1496, being identical with House bill 460, printer's No. 499, is properly before the House for its consideration.

Mr. TOMPKINS. Do I interpret, then, that your decision is that this bill is properly before the House under Rule 49?

The SPEAKER. The ruling is that this bill is now properly before the House for consideration for the reasons stated.

Does the gentleman from Cameron desire to read for himself the copy of the decision arrived at by the Chair?

Mr. TOMPKINS. Mr. Speaker, do I understand the ruling is that this bill is properly before the House?

The SPEAKER. It is now properly before the House.

## APPEAL FROM RULING

Mr. TOMPKINS. Mr. Speaker, then I appeal from the ruling of the Chair in connection with the interpretation of Rule 49 on this bill.

The SPEAKER. The Chair will ask the gentleman from Armstrong to preside.

Was the appeal properly seconded?

Seconded by the minority leader, Mr. Johnson.

Maybe the minority leader would like to read the ruling by the Chair before we debate.

## Mr. HELM IN THE CHAIR.

On the question,

Shall the House sustain the ruling of the Chair?

The SPEAKER pro tempore. Those voting "aye" vote to sustain the ruling of the Chair. Those voting "no" vote against sustaining the ruling of the Chair.

Mr. McCANN. If the gentleman from Cameron will be first, I would like to be last. It does not take too much debate on this appeal of the ruling of the Chair.

The SPEAKER pro tempore. The gentleman from Greene, Mr. McCann, yields to the gentleman from Cameron, Mr. Tompkins.

The Chair recognizes the gentleman from Cameron. Mr. TOMPKINS. Mr. Speaker, Rule 49 provides:

"When a bill has been defeated by the House, it shall not be reintroduced nor shall it be in order to consider a similar one or to act on a Senate bill of like import during the same session."



Now, Mr. Speaker, I agree with you that the rules of the House are made for the House and are in control of the majority vote of the House. But the Speaker then proceeds in his ruling and states that:

"It is equally essential, however, that the discretion of the House should not be confined by its rules so as to prevent it from changing its mind when such change is proper and necessary."

Mr. Speaker, I raise the issue here, is it proper and necessary that we change the rules of the House for the purpose of permitting this bill to be considered for the second time in the same session, contrary to the rules which we have established in order to prevent the very thing which the rule was intended to cover?

And for that reason I have appealed from the ruling of the Chair and would ask the House to support the rule and support the appeal to the effect that this bill should not be reconsidered at this time because of its previous defeat in this House this session.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, I, of course, will speak and ask the members not to vote on this issue with the bill that is involved for this reason: When the reconsideration motion was placed before the House to reconsider House bill 460, after it had been defeated on final passage, this House does have an agreement, and that agreement has been kept, that any bill that falls may be reconsidered when it is placed on the final passage postponed calendar.

House bill 460 was reconsidered and it was placed on the calendar in the proper category.

The Speaker has properly ruled, in our opinion, on this issue that the House did nullify that vote which is proper for reconsideration under House Rule 49.

Now then, there was a parliamentary error committed on the bill in which a violation of another House rule had occurred. That was that House bill 460 was amended on the floor of the House, then recommitted, and the amendments taken out in committee, and this is a violation of another House rule. Amendments placed in a bill, of course, follow that bill and cannot be taken out of the bill in the committee action.

The reconsideration motion to vote on House bill 460 was approved by this House, and, therefore, House bill 1496 is identical to House bill 460, word for word, in which the reconsideration motion was granted.

I ask that the membership sustain the Speaker and vote to sustain the ruling of the Chair to which an appeal has been taken by the minority whip.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, we look upon the ruling of the Chair as an effort to by-pass our rules by a subterfuge ruling. It seems to me the remedy should be, if they want to reconsider this bill, a motion to suspend the rules, suspend Rule 49, particularly, in order that this bill could be reconsidered, not to do it by a ruling which, in my opinion, is a subterfuge to obtain that same purpose.

Mr. McCANN. Will the Speaker please reaffirm the position for the vote?

The SPEAKER pro tempore. Those voting "aye" vote to sustain the ruling of the Chair; those voting "no" vote against sustaining the ruling of the Chair.

Does the gentleman from McKean, Mr. Johnson, desire to be recognized?

Mr. A. W. JOHNSON. Yes, Mr. Speaker. Since we raised this question, in Mason's Manual, which is, as I take it, our bible of parliamentary procedure, apparently unbeknown to us, and I believe Mr. Tompkins, section 468, under "Effective Reconsideration," says, "No. 1, When a vote is reconsidered, that vote is canceled as completely as though it had never been taken."

If that is the rule and the Chair so indicates and we are bound by that rule, then it would seem that the ruling of the Speaker, it just seems to me, we will have to rely on.

I have not talked to Mr. Tompkins about it, but was the ruling of the Chair in respect to Mason's Manual in section 468?

The SPEAKER pro tempore. That was a part of the Chair's ruling. That was the ruling of the Chair.

Mr. A. W. JOHNSON. Is that the basis of the Chair's decision, this section 468?

The SPEAKER pro tempore. That is correct.

#### APPEAL WITHDRAWN

Mr. A. W. JOHNSON. Mr. Speaker, I have talked with Mr. Tompkins. In view of that particular ruling, if we are bound by section 468 of Mason's Manual, we then withdraw our appeal.

The SPEAKER pro tempore. Will the gentleman from Cameron, Mr. Tompkins, withdraw his appeal?

Mr. TOMPKINS. I will, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The maker of the appeal and the seconder of the appeal have withdrawn their objections.

On the question recurring,

Will the House agree to the bill on third reading?

The SPEAKER pro tempore. Does the gentleman from Butler, Mr. McCandless, desire to debate the bill?

Mr. McCANDLESS. I want to offer amendments to this bill.

The SPEAKER pro tempore. The gentleman is in order.

Mr. McCANDLESS. I have the same amendments here that the gentleman from Allegheny, Mr. Donaldson, offered to bill 460 as it was originally, which were not put into the bill, and I am going to offer these amendments again to be put into this bill 1496.

Mr. McCANDLESS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, first line of Title, by striking out "Repealing section 5.1" and inserting: Amending the

Amend Title, page 2, last two lines of Title by striking out "relating to the dissolution of and withdrawal" and inserting: changing the number of signatures required on petitions to create or to dissolve or withdraw

Amend Title, page 2, last line of Title, by inserting after "health": changing the form of the question to be submitted to electors and limiting the frequency of the submission of the question to the electors

Amend Bill, page 2, by inserting between the enacting clause and line 1:

Section 1 Subsection (c) of section 5, act of August 24, 1951 (P. L. 1304), known as the "Local Health Administration Law," is amended to read:

Section 5. Creation of County Departments of Health.—  
\* \* \*

(c) Any county may, by referendum, create a single-county department of health. Two or more counties may, by a separate referendum in each county, create a joint-county department of health. The referendum procedure in each county shall be as follows:

A petition requesting the creation of a single-county department of health or joint-county department of health shall be signed by qualified electors of the county equal in number to at least [one per cent (1%)] ten per cent (10%) of the highest total vote cast for any county office at the last municipal election. The petition shall be in the form required for nomination petitions by the election laws of the Commonwealth, except that the said petition shall be circulated for not more than six (6) months prior to the last filing day, which shall be ninety (90) days before the general or municipal election at which it is desired to submit the question. The petition shall be filed with the county board of elections, and the validity of the petition and any objections thereto shall be determined in accordance with the election laws of the Commonwealth.

After the validity of the petitions in all the counties affected has been determined, the county commissioners shall request a certificate of approval from the State Secretary of Health. If the approval of the State Secretary of Health is obtained as provided in subsection (a) of this section, the county commissioners shall cause the question to be submitted at the next general or municipal election, whichever is sooner, so long as such election is to occur at least thirty (30) days after the receipt of a certificate of approval. The question shall be submitted on the ballot or on voting machines in the manner provided by the election laws of the Commonwealth and shall be in substantially the following forms:

(1) For the creation of a single-county department of health: Shall ..... County create a county department of health?

Yes ..... No .....

(2) For the creation of a joint-county department of health: Shall ..... County join with ..... County (Counties) in the creation of a joint-county department of health?

Yes ..... No .....

The election on this question shall be governed in all respects by the election laws of the Commonwealth insofar as they are applicable. For the creation of a single-county department of health or joint-county department of health, a majority of all votes cast in each county upon the question must be in favor thereof.

Nothing in this subsection shall preclude the county commissioners at any time from creating a single-county department of health, or from joining in the creation of a joint-county department of health, by resolution in accordance with subsections (b) and (d) of this section

\* \* \*

Amend Sec. 1, page 2, line 1, by striking out "1" and inserting: 2

Amend Sec. 1, page 2, line 1, by inserting after "5.1": of the

Amend Sec. 1, page 2, lines 1 and 2, by striking out "of August 24, 1951 (P. L. 1304), known as the "Local Health Administration Law"

Amend Sec. 1, page 2, line 3, by striking out "repealed" and inserting: amended to read

Amend Sec. 1, page 2, by inserting between lines 3 and 4:

Section 5.1 Dissolution of and Withdrawal From County Departments of Health.—

(a) When a single-county department of health is created it may be dissolved by a referendum conducted in accordance with the procedure set forth in subsection (c) hereof

(b) When a joint-county department of health is created, any county being a member thereof may withdraw from the department by conducting a referendum conducted in accordance with the procedure set forth in subsection (c) hereof.

(c) A petition requesting the dissolution or withdrawal

shall be signed by qualified electors of the county equal in number to at least [one per centum (1%)] ten per centum (10%) of the highest total vote cast for any county office at the last municipal election. The petition shall be in the form required for nomination petitions by the election laws of the Commonwealth except that the said petition shall be circulated no earlier than five years following the date of establishment of said county health department or joint-county health department and shall be circulated for not more than six (6) months prior to the last filing day which shall be ninety (90) days before the general or municipal election at which it is desired to submit the question. The petition shall be filed with the county board of elections and the validity of the petition and any objections thereto shall be determined in accordance with the election laws of the Commonwealth.

After the validity of the petitions in all the counties affected has been determined, the county commissioners shall cause the question to be submitted at the next general or municipal election, whichever is sooner, so long as such election is to occur at least thirty (30) days after the validity has been determined. The question shall be submitted on the ballot or on voting machines in the manner provided by the election laws of the Commonwealth and shall be in substantially the following forms:

(1) For the continuance or dissolution of a single-county department of health—

Shall ..... County [dissolve] continue its county department of health?

Yes .....

No .....

(2) For the continuance in or withdrawal from a joint-county department of health—

Shall ..... County [withdraw from] continue to be a member of the joint-county department of health?

Yes .....

No .....

The election on this question shall be governed in all respects by the election laws of the Commonwealth insofar as they are applicable. Such question shall not be submitted to the electors more often than once in four years. For the dissolution of a single-county department of health or withdrawal from a joint-county department of health, a majority of all votes cast in each county upon the question must be [in favor thereof] against the continuance of such department or against the continuance of membership in such department, as the case may be.

(d) When in the case of a single-county department the voters elect to dissolve the department, or in the case of a joint-county department the voters elect to withdraw, no new department of health may be created by resolution nor may the commissioners resolve to join with another county or other counties to create a joint department within five years of such dissolution.

Amend Sec. 2, page 2, line 4 by striking out "2" and inserting: 3

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. Does the gentleman from Butler, Mr. McCandless, desire to be recognized on his amendments?

Mr. McCANDLESS. Mr. Speaker, I think everyone in this House remembers the debate on this bill and what these amendments do. There amendments would require 10 percent of the previous vote in an election on a petition to put this question on the ballot. It would require 10 percent to get the question on the ballot to vote a county health department in or to vote it out. I think this is the American way. I think if we would go ahead with this bill without the amendments in it, as it is before us, that



this bill would be un-American and would take away the rights of the people to say what they want.

I do not believe I will have anything further to say on these amendments. If they are turned down, I want to speak on the bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, I rise to oppose the amendments to this bill simply because it is extremely hard to get well-qualified personnel to serve on these health units. You cannot expect professional people, at the low salary the State pays, to continuously have a sword held over their heads and be subject to dismissal at any time through a referendum. We do not do it with any other civic department or body. Why should they do it with this, when this is actually much more important and it is much harder, very hard, to get trained personnel for these jobs? To continuously hold the sword of dismissal over their heads I think is wrong. That is why I ask you to vote down these amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. McCANDLESS and MAXWELL and were as follows:

#### YEAS—97

Adams,	Fulmer,	Korns,	Seltzer,
Anderson, J. H.,	George,	Lee, A. M.,	Slack,
Ashton,	Gibb,	Lee, K. B.,	Snare,
Auker,	Gibbons,	Lippincott,	Steckel,
Backenstoe,	Goldstein, J. H.,	Magee,	Stimmel,
Blair,	Goodrich,	Manbeck,	Stiteler,
Bossert,	Gramlich,	Markley,	Strausser,
Bower,	Gross,	Marsh,	Tompkins,
Bowman,	Heffner,	May,	Ujobai,
Breth,	Helm,	McCandless,	Varner,
Buchanan,	Henzel,	McInroy,	Wall,
Bush,	Hocker,	McNally,	Weidner,
Davis,	Holl,	Merry,	Whittaker,
Dengler,	Holliday,	Miller,	Willard,
Dennison,	Holman,	O'Dell,	Willaredt,
Donaldson,	Isaacs,	Odorisio,	Williams, A. D.,
Down,	Johnson, A. W.,	Ogllive,	Williams, E. S.,
Edwards,	Johnson, R. P.,	Piper,	Wilt,
Eshback,	Kelser,	Price,	Wood,
Eshleman,	Kernaghan,	Pursley,	Worley,
Esler,	Kessler,	Renwick,	Wynd,
Farabaugh,	King,	Rovansek,	Zember,
Fetterolf,	Kistler,	Royer,	Zimmerman,
Foor,	Knecht,	Rutherford,	Andrews,
Fox,			Speaker

#### NAYS—104

Anderson, S. A.,	Galley,	Long, Wm. Jas.,	Polen,
Arlene,	Gallagher,	Long, Wm. Jos.,	Prendergast,
Bachman,	Gelfand,	Lutty,	Reibman,
Boles,	Goldstein, M. H.,	Maxwell,	Reidenbach,
Bonner,	Greenlee,	McCann,	Riley,
Branca,	Gremminger,	McCormack,	Rubin,
Capano,	Guesman,	McDevitt,	Rudisill,
Capitolo,	Hankins,	McDonald,	Sakulsky,
Cauley,	Hartley,	McKeever,	Scarcelli,
Clanfrani,	Hamilton,	McLaughlin,	Schaaf,
Cioffi,	Haudensfield,	Meholchick,	Schuster,
Clarke,	Heavey,	Mills,	Shelton,
Comer,	Irvie,	Monroe,	Sherman,
Cooley,	Jenkins,	Morley,	Shupnik,
Crossin,	Jim,	Mullen,	Simmons,
Curwood,	Jones,	Munley,	Stank,
Dougherty,	Kamyk,	Murphy,	Stone,
Doughten,	Kelly,	Murray,	Sullivan, J. A.,
Ellberg,	Klein,	Needham,	Sullivan, T. F.,
Ewing,	Kooker,	O'Donnell, J. A.,	Taylor,
Filo,	Kornick,	O'Donnell, J. P.,	Thompson,
Fineman,	Kramer,	Parlante,	Tomascik,
Flynn,	Lamb,	Pashley,	Trusio,
Foerster,	Lawson,	Perry,	Wargo,
Frascella,	Leonard,	Petrosky,	Welsh,
Fry,	Limper,	Polaski,	Yetter,

#### NOT VOTING—9

Elvey,  
Gray,  
Guthrie,

Horst,  
Mihm,

Musto,  
Verona,

Walsh,  
Wescott,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The Speaker pro tempore. The Chair recognizes the gentleman from Butler, Mr. McCandless.

Mr. McCANDLESS. Mr. Speaker, I think everyone here understands the importance of this bill. As a former county commissioner and in that office when the first county health department was instituted in the State of Pennsylvania, I have a few things to say regarding this bill which I think should be of interest to every member here.

In the first place, I would like to read from an editorial here, from a piece in the Pittsburgh paper quoting one Philip S. Broughton of the Allegheny County Health Board. I do not want to read all of this, but I might just say that Mr. Broughton—I do not know how to put it here—criticized, I will say, Butler County in their action in voting out this county health department. No doubt, a lot of you members read what it said on this.

I have a few letters here to the Butler Eagle, by citizens of Butler County that I want to read. One of them is from the northern part of the county, the other one is from the southern part of the county. They show that the sentiment there was not all in one spot. The first one was written to the editor of the Butler Eagle on April 15th of this year. It says:

"I saw in the Eagle on April 10 that a much traveled member of the Allegheny County Health Department had expressed much concern that the people of a civilized county like Butler would vote out the 'so-called' Butler County Health Department.

"It would seem to me that this man could better serve his own county health department by other means than traveling to California and discussing with the health authorities there, the stupidity of the majority of the voters in Butler County in voting against such dictatorial methods as were used in our short lived health department.

"Their vote was not against health, but against dictatorship grabbing more power and in trying to cram it down our necks.

"As for repealing the so-called 'ripper bill,' it will be a sad state of affairs when a majority of voters can not vote out something as unpopular as the Butler County Health Department turned out to be.

"If the state legislature repeals this 'ripper bill,' we may just as well recall our representatives and senators and let the government dictate as to what we can do and cannot do. This is almost the case at the present—but think of how much money we would save in salaries.

"R. M. Hiles

Karns City, Pennsylvania"

Now, on April 15th again this letter appeared:

"Health Vote Issue

"The criticism of the electorate of Butler County because of its vote . . . to dissolve the County Health unit, has now reached the point

where, even at the risk of reaping more vilification, I can no longer resist coming to the defense of the 19,886 citizens who voted in favor of the dissolution. I also propose to come to the defense of the 15,352 who voted for its continuation because, according to the latest outburst . . . there is some question as to our being civilized and I am sure these folks have justifiable pride in Butler County.

"Philip S. Broughton states that public health personnel, especially in California, 'were profoundly shocked that a supposedly civilized county such as Butler would vote for the return of backward health conditions.'

"Since he has indicated that our action has drawn national attention, I would like him to . . . tell the people of California, and elsewhere, that I do not believe the merits of a health program was the issue in that referendum. I believe that the people of our county served notice that they do not like government by bureaucracy.

"May I remind him and all those, including the Governor of Pennsylvania, who advocate the repeal of this so-called 'ripper clause' which made the county referendum possible, that the electorate of the county voted on this same issue on November 6, 1956. The vote then was 20,430 to continue and 5,884 to abolish. Did anyone at that time advocate the repeal of this so-called 'ripper clause'? That referendum pleased the advocates of bureaucratic control. Now, since this one displeases, he proposes to gain his goals by circumventing the wishes of the people. In 1956, I doubt that he would have used the term 'supposedly civilized' to castigate the voters. Is he saying that we in Butler County deteriorated from civilized to 'supposedly civilized' in four years?

Broughton really put the icing on the cake when he said that even a referendum 'misses the point' and that a good public health physician still would by-pass Pennsylvania until the state grows up. Thus, he is saying that there should be no way of getting such a question on the ballot, regardless of the number of signatures to a petition.

" . . . He doubts that the people of Butler or any other county in the Commonwealth are qualified to vote on such an issue and that, therefore, they should be denied that right. May he and all who would think that they alone know what is best for the people, be reminded of some of those immortal words, 'It is rather for us to be here dedicated—and that government of the people, by the people, for the people, shall not perish from the earth.'

"All his vilification has not shamed us in the least; I was one of the 19,886 'supposedly civilized.' Under similar circumstances, and in the event he is unable to deny me of the right so to do, I shall do the same thing again.

George L. Thorne  
181 Center Street  
Meridian

I might mention that Mr. Thorne was a former commissioner clerk in Butler county.

I want to point out a few things here that I think the members of this House should know before they vote on this bill.

I rise to oppose this bill 1496 and wish to state my reasons for so doing. I believe that all members of this body should vote against this bill whether they favor a county health department or not.

It was my experience to see the first pilot unit start in Butler County during my last term as county commissioner.

By my action in moving to have the question put on

the ballot the voters in our county approved the establishment of a county unit two years later by a large majority of nearly four to one.

Five years later, or last year, the question was again placed on the ballot by petition and it was voted out by a 5,000 majority.

Why was there such a change in the desire of the people in this period of time?

I think I am qualified to answer this, and let me say that it was not the regulations adopted by the board that caused the defeat.

The main reasons were poor public relations—arrogance in dealing with the public and a lack of service in some areas, such as testing of water, the lack of co-operation, and so forth.

Water was condemned in two boroughs and the councilmen in these boroughs were not notified until they saw it in the paper.

I was told by some of these men that they took samples and had it tested, the result showing the water to be all right.

No action was taken by the county department to expedite the polio immunization. In Mars Borough the people arranged for this service locally, and I am told they could not even secure the loan of needles needed for this job.

Now, another thing is cost, an important item. As a trial unit, the first year we received \$50,000 from the Mellon Foundation Grant, plus \$10,000 from the county, for a total of \$60,000. Prior to this the total spent in Butler County by the State and local units of government amounted to approximately \$35,000.

During the last year of the county health department the budget was \$214,000 and the director had asked for \$247,000.

Butler County has a population of just over 100,000 and the State limit for reimbursement is 75 cents per capita, or one-half of the cost up to \$1.50 per capita. All the cost above approximately \$80,000 from the State was paid out of county funds, or around \$130,000, or almost 50 percent more than the State subsidy.

When the campaign was on to vote it into being, the people were told that we could have a good department for about \$1.00 per capita. You can see from the figures quoted that this was not the case.

I do not claim that we received no benefit from the services of this unit. One would think that in Butler County we now have no health protection. This is not the case, for the State has taken over again, and I believe we are receiving as much attention in our county as do the other counties in the State that do not have a unit.

Believe me, I do not say that Philadelphia, Allegheny, Erie and Bucks, the four counties which have county units, should do away with them if the majority of the people are satisfied, but I do say to you that I believe in a government by and for the people. They should have the right to petition for a vote to establish a county unit. Also, I believe where they are doing the right kind of job there will be no call for a referendum.

Let me point out to those who favor county health departments that if this right is taken away, then few, if any, other counties will ever adopt the plan.



I have been told by some who voted to keep the department in our county that if this right is taken away they would not vote to reinstate a department in our county.

There are those who ask, would you permit a vote on whether to abolish a police department, a fire department, or our public schools, or so forth? This is pure nonsense.

I am certain that few people would vote to abolish these establishments which I mentioned. Also, let me point out that in the matter we are discussing the county of Butler had an alternative plan in mind when those voting on the question decided in the majority to return to State performance.

Much more could be said in regard to this. Again I want to say I am not speaking in opposition to county health departments but rather as to the reason why I believe the majority voted as they did in Butler.

House bill 460 was defeated a short time ago, which was the same bill as 1496, and I say to you 1496 should be defeated again.

I ask the members of this House to vote "no" on this bill and thus preserve the right of the people to say in a democratic way what they want in respect to this question.

I want to say further to members from those counties here who have no departments of this kind, under the law now two members of your board of county commissioners, could by resolution set up this county health department without a vote of the people, and, if this bill is passed, then they would have no right whatsoever to ask for a vote for its removal. I ask you members to think of that when you are voting on this bill. Do you want to take the right of the people away to say what they want in regard to this? Vote no.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would like to speak in opposition to House bill 1496.

The SPEAKER pro tempore. The gentleman is in order and will proceed.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, as I understand it, there are only five counties in the State of Pennsylvania which have any experience with county health departments.

Mr. McCandless, the gentleman from Butler County, is the Representative from one county in the State which has had a health department and has abandoned it.

I am a Representative from one of the other four counties, Allegheny, Philadelphia, Erie and Bucks, which have health departments and which are satisfied, I think, with those health departments.

I, personally, favor the county health department plan and I think, therefore, that my comments are coming from a different point of view than those of Mr. McCandless. However, I arrive at the same conclusion.

First, I would like to address myself to why we have before us House bill 1496, instead of reconsidering again for a second and final vote of House bill 460.

I think all of you have received mail in regard to House bill 460. That mail is equally applicable to this bill. I think the heat was on House bill 460 and this is merely an attempt to pass this bill with the heat off, although it does the same thing.

The present law is that one percent of the voters, or the commissioners, as Mr. McCandless has explained,

may put the question of establishing a county health department on the ballot. They can also, under present law, put the question of abolishing a health department on the ballot. To me this is the very ultimate in home rule at the county level, about which many of us have spoken on many, many occasions.

There is an implication, I think, in considering this bill that one percent of the people can abolish a health department. This is absolutely not true. It takes a majority of the voters voting in an election to abolish a health department. It is my position that in a county where the health department is well run this would never happen. You might have the question before the electorate, but they would not vote it out.

Mr. McCandless has explained that in Butler County, where you have a poorly run health department this can happen and this is as it should be, in my opinion.

We have heard a previous speaker argue that you cannot obtain permanent health department employees, technical personnel and nurses if they believe they are under this so-called danger of abolition of the department. I tell you that this is just not true. We in Bucks County have absolutely no resignations because of this so-called danger. We have had our county health director, an M. D., a physician, fired by the county commissioners in the last two years and they had no lack of applicants for that job and they were able to hire a very eminently qualified physician to fill that post.

We have had things happen in our county in the health department which were not right and we have been able to clean them up because of this. It is my position that if you think this county health department program should be expanded to the other 63 counties that do not presently have it, if you are in favor of the county health departments, then you should vote against this bill, because you give, by passing a bill of this type, those people who are the opponents, who think the opposite to the way you think, the opportunity to say that if you create this monster you can never destroy it. You can take the teeth out of their argument by continuing home rule, by continuing the right of the citizens in a democracy to abolish that which they have created.

I would like to approach this from a very practical viewpoint. How long can Bucks County, Erie County, Allegheny County and Philadelphia County expect to receive the State subsidy of 75 cents a head which we now receive to operate our county health departments if the other 63 counties are not encouraged to have this same type of program? I think from a practical point of view to protect the county health program you have to defeat this type of legislation.

So for the reasons we have given, for home rule, for the economic situation, and for just plain fairness, to give the same percentage of the people the right to abolish that which they have created, I think we should defeat this bill. I cannot help but refer to it as House bill 460, but its actual number at this time is House bill No. 1496. I ask for a negative vote from those people who helped defeat House bill 460.

Mr. BOIES. Mr. Speaker, I think it is becoming increasingly difficult to pass through the legislature a measure concerning public health without a lot of selfish considerations entering into the picture.

I charge, Mr. Speaker, that the great percentage of the opposition to this bill is inspired by selfish objectives of those who are concerned with profits. Matters of public health they do not wish to comply with because it is going to cost them a few dollars.

I say that the opposition is inspired by that, and in answer to the gentleman from Butler, Mr. McCandless, I would say that the two letters he read plainly show that the opposition was not based on matters of health, but was based on prejudice against so-called dictatorship and bureaucracy. His statement, and the statement of the gentleman from Bucks, that you will be saddled with this from now to eternity if you vote for a county health system, is utter nonsense, Mr. Speaker, because the legislature has the power to undo anything they have done before. If it is not acceptable to the people of the State, their Representatives in this House and the Senate can abrogate whatever they have done before.

I say, Mr. Speaker, that every great advance in matters of health has been made against opposition mainly by people who did not know anything about health matters, but were misled and misinformed by a lot of propaganda.

It is the same thing on this question, Mr. Speaker, and I ask the members to forget about these small minorities that are concerned purely with profits and vote in the interests of the public.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, I want to speak very briefly in favor of this legislation.

I am surprised at the sins which are committed in the name of home rule. I would venture to say that if this legislature passed the appropriate enabling legislation there would be no question but that we could get sufficient names on a petition, for example, to do away with the board of county commissioners, and I am sure that if we could pass the appropriate enabling legislation it would not be difficult to get sufficient names on a petition to do away with the General Assembly. I think that would be possible too.

This argument, Mr. Speaker, that this is home rule I think is a specious one. I do not want to speak at length on this, but I want to say, as has been stated already, that in Erie County we have a county health department. It has had its settling pains, its growing pains, perhaps, but all in all I think that the general public recognizes it does a good service for the general public in Erie County.

I might also say that our attitude toward it has been dispassionate so that we have now combined or worked out a working agreement with the city health department for the city of Erie, which has about 55 percent of the total county population, whereby we are no longer duplicating services.

My point, Mr. Speaker, is this: without becoming inflammatory about this, without getting all excited; we have achieved a measure of success in promoting local health. I cannot understand why public health should be something so inflammatory. We all know the history of this particular legislation which we are now attempting to repeal. We know the history of how it came to be enacted in 1959. Mr. Speaker, it seems to me that anything

that smacks of public health, whether it be Salk vaccine, whether it be fluoridation of teeth, we all get upset, we all get all inflamed about it, and I do not think it is worth all that difficulty. There is no need for this particular legislation of 1959, and today is an appropriate day to do away with it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, it is a pleasure for me to have the opportunity of concurring with the senior member from Allegheny County, Dr. Boies. We do not always see eye-to-eye on every matter.

In connection with this health measure, everybody admits that the county health plan is a sound one, but they talk about the democratic rights of the people. We are living in a representative government, and if it were the policy of this State and this Country that every issue be decided by the people, we would be going back to the early Greek days when they met in a coliseum and had to vote upon every issue.

It seems to me, following the arguments of the gentleman from Butler, Mr. McCandless, and the gentleman from Bucks, Mr. Williams, that these are the areas which most need a county health department. They are the areas which are increasing in population; they are the areas which need to remove septic tanks; they are the areas which should have a county health department. They should place their confidence in the county commissioners, and if they are not satisfied with the representatives, whether they be in the House of Representatives or the county commissioners, they should vote them out. We think this is a progressive measure and we should all vote in favor of the abolition of the referendum.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, this bill has been thoroughly debated and I do not have any intention of wasting the time of this House in further debate. In fact, if I stood here and talked from now until adjournment time, I doubt if I would change one single, solitary vote one way or the other in this House. However, I am going to ask all those members of this House who are interested in good government, who are interested in the health and welfare of the citizens of this Commonwealth, and those who are interested in good, proper administration of the health laws of this State to vote "aye" on this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. O'Dell.

Mr. O'DELL. Mr. Speaker, I hate to disagree with my colleague from Erie, Representative Schaaf, and my other two good doctor friends, dentist friends, on the other side. We do have a health department in Erie County. I voted for it. I was sold a bill of goods when I voted for it. I was told that this health department would accomplish certain things. To date, to my knowledge, none of these things have been accomplished. They do have an efficient city health department, which I would not change, but I, for one, if this were a referendum tomorrow, would vote against the health department.

When this bill 460 was on the calendar before, I had a lot of facts and figures and when the bill died I threw them out. It is just as well I do not have them now because I am not going to take too much time. But I be-



lieve in Erie County the health department has not been successful. We have never had any trouble in Erie under the State health department. We had some very good health measures there; in fact, so good that the new health department has hired, at the county's expense, all the people who worked for the State, who, incidentally, lost some of their service rights and pension rights, which I do not agree with. Many things were going to be accomplished. This story was painted to the high heavens but these things have not been accomplished. The farmers are against it, and if some of you city slickers from Allegheny County will go out and talk to some of your farmers in Allegheny County you will find that they are not too interested in this health department. They have come out, I understand, into Allegheny County, and tried to set up certain rules and regulations about the farmers selling milk and one thing and another. Most of these rules are all taken care of by the State.

Regardless of my feelings or the feelings that I have just expressed, I do think that if we have the right in any county to vote in a health department, we have the right to vote it out. We serve in the legislature on our merits; if we do not serve the people well we are voted out at the next election, and I say this to you in closing, if these health departments are efficient, operating the way they should, they have nothing to fear from the people. But, when they are not operating the way they should, then I say that we have the right, the privilege and the duty to vote them out.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I did not intend to talk on this bill but I think the atmosphere ought to be clarified.

We are not voting on health measures here. A lot of you will remember we used to have a member here from, I believe, Westmoreland County, Jim Lovett, whom I liked very much, and he used to have a slogan: "Let's be fair." And that is why I want to try to clarify the atmosphere a little bit. Let's be fair.

The only issue we are voting on here is whether or not, when people vote in a health department, to have a county health department, it takes a certain number of petitions to put that issue on the ballot.

Now all we are deciding here and all we are voting on here is to say to the people of those counties for which we passed in 1959 by the same number of petitioners, signers, you could put it on the ballot whether or not you want to abolish that health department. That is all we are voting on here. We are not voting on health rules; we are not voting on septic tanks; we are not voting on sewage, and that sort of thing; we are only voting on the right to have the people say what is fair and to have them say whether or not the same number of people who signed to put that issue on the ballot should have a right to sign to put the same issue on the ballot as to whether they want to do away with it. That is all.

So, let us vote on that issue and cut out the other "malarkey" that has been spread around on this bill. That is the only issue here and certainly the people should have that right. To take it away from them would be a travesty on justice.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—106

Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Prendergast,
Arlene,	Gibb,	Long, Wm. Jos.,	Reibman,
Bachman,	Gibbons,	Lutty,	Reidenbach,
Boles,	Goldstein, M. H.,	Maxwell,	Riley,
Bonner,	Gray,	McCann,	Rubin,
Branca,	Greenlee,	McCormack,	Rudisill,
Capitolo,	Gremminger,	McDevitt,	Sakulsky,
Cauley,	Guesman,	McDonald,	Scarcelli,
Cianfrani,	Hamilton,	McKeever,	Schaaf,
Cioffi,	Hankins,	McLaughlin,	Schuster,
Clarke,	Hartley,	Meholchick,	Sheiton,
Comer,	Haudenshield,	Mills,	Sherman,
Cooley,	Heavey,	Monroe,	Shupnik,
Crossin,	Irvis,	Morley,	Simmons,
Curwood,	Jenkins,	Mullen,	Stank,
Donaldson,	Jim,	Munley,	Stone,
Dougherty,	Jones,	Murray,	Sullivan, J. A.,
Doughten,	Kamyk,	Needham,	Sullivan, T. F.,
Ellberg,	Kelly,	O'Donnell, J. A.,	Taylor,
Esler,	Klein,	O'Donnell, J. P.,	Thompson,
Ewing,	Kooker,	Parlante,	Tomascik,
Flo,	Kornick,	Pashley,	Trusio,
Fineman,	Kramer,	Perry,	Walsh,
Foerster,	Lamb,	Petrosky,	Wargo,
Frascella,	Lawson,	Polaski,	Welsh,
Galley,	Leonard,	Polen,	Wilt,
Gallagher,	Limper,		

## NAYS—99

Adams,	Fox,	Korns,	Slack,
Anderson, J. H.,	Fry,	Lee, A. M.,	Snare,
Ashton,	Fulmer,	Lee, K. B.,	Steckel,
Auker,	George,	Lippincott,	Stimmel,
Backenstoe,	Goldstein, J. H.,	Magee,	Stiteler,
Blair,	Goodrich,	Manbeck,	Strausser,
Bossert,	Gramlich,	Markley,	Tompkins,
Bower,	Gross,	May,	Ujobal,
Bowman,	Heffner,	McCandless,	Varnier,
Breth,	Helm,	McInroy,	Wall,
Buchanan,	Henzel,	McNally,	Weidner,
Bush,	Hocker,	Merry,	Wescott,
Capano,	Holl,	Miller,	Whittaker,
Davis,	Holliday,	Murphy,	Willard,
Dengler,	Holman,	O'Dell,	Willaredt,
Dennison,	Horst,	Odorisio,	Williams, A. D.,
Down,	Isaacs,	Ogilvie,	Williams, E. S.,
Edwards,	Johnson, A. W.,	Piper,	Wood,
Elvey,	Johnson, R. P.,	Price,	Worley,
Eshback,	Kelser,	Pursley,	Wynd,
Eshleman,	Kernaghan,	Renwick,	Yetter,
Farabaugh,	Kessler,	Rovansek,	Zember,
Fetterolf,	King,	Royer,	Zimmerman,
Flynn,	Kistler,	Rutherford,	Andrews,
Foor,	Knecht,	Seltzer,	Speaker

## NOT VOTING—5

Guthrie,	Mihm,	Musto,	Verona,
Marsh,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair now returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Armstrong for presiding.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 455, entitled:

An Act amending the act of September 29, 1951 (P. L. 1646), entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes \* \* \*" authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, this bill was debated some time ago and for reasons previously expressed I am asking the members on this side of the House to vote "no" on the bill.

Mr. McCANN. Mr. Speaker, we are ready for a roll call. We are asking the membership on this side of the House to vote "aye." This is a bill that is desperately needed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—106

Anderson, S. A.,	Gailey,	Maxwell,	Reibman,
Arlene,	Gallagher,	McCann,	Reidenbach,
Bachman,	Gelfand,	McCormack,	Renwick,
Boies,	Gray,	McDevitt,	Riley,
Bonner,	Greenlee,	McDonald,	Rovansek,
Branca,	Gremmlinger,	McKeever,	Rubin,
Breth,	Guesman,	McLaughlin,	Rudisill,
Capano,	Hamilton,	McNally,	Sakulsky,
Capitolo,	Hankins,	Meholchick,	Scarcelli,
Cauley,	Hartley,	Mills,	Schaaf,
Cianfrani,	Heavey,	Monroe,	Schuster,
Cioffi,	Irviss,	Morley,	Shelton,
Clarke,	Jenkins,	Mullen,	Sherman,
Comer,	Jim,	Munley,	Shupnik,
Cooley,	Jones,	Murphy,	Stank,
Crossin,	Kamyk,	Murray,	Stone,
Curwood,	Kelly,	Needham,	Sullivan, J. A.,
Dougherty,	Klein,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Kornick,	O'Donnell, J. P.,	Taylor,
Ellberg,	Kramer,	Parlante,	Tomasick,
Farabaugh,	Lamb,	Pashley,	Trusio,
Filo,	Lawson,	Perry,	Walsh,
Fineman,	Leonard,	Petrosky,	Wargo,
Flynn,	Limper,	Polaski,	Welsh,
Foerster,	Long, Wm. Jas.,	Polen,	Yetter,
Frascella,	Long, Wm. Jos.,	Prendergast,	Andrews,
Fry,	Lutty,		Speaker

#### NAYS—100

Adams,	Fulmer,	Kistler,	Simmons,
Anderson, J. H.,	George,	Knecht,	Slack,
Ashton,	Gibb,	Kooker,	Snare,
Auker,	Gibbons,	Korns,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Blair,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Bossert,	Goodrich,	Lippincott,	Strausser,
Bower,	Gramlich,	Magee,	Thompson,
Bowman,	Gross,	Manbeck,	Tompkins,
Buchanan,	Haudenschild,	Markley,	Ujbal,
Bush,	Heffner,	Marsh,	Varner,
Davis,	Heim,	May,	Wall,
Dengler,	Henzel,	McCandless,	Weidner,
Dennison,	Hocker,	McInroy,	Wescott,
Donaldson,	Holl,	Merry,	Whittaker,
Down,	Holliday,	Miller,	Willard,
Edwards,	Holman,	O'Dell,	Willaredt,
Elvey,	Horst,	Odorisio,	Williams, A. D.,
Eshback,	Isaacs,	Ogilvie,	Williams, E. S.,
Eshleman,	Johnson, A. W.,	Piper,	Wilt,
Esler,	Johnson, R. P.,	Price,	Wood,
Ewing,	Kelser,	Pursley,	Worley,
Fetterolf,	Kernaghan,	Royer,	Wynd,
Foor,	Kessler,	Rutherford,	Zember,
Fox,	King,	Seltzer,	Zimmerman,

#### NOT VOTING—4

Guthrie,	Mihm,	Musto,	Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 840, entitled:

An Act prohibiting the sale transfer ownership possession and use of tear and noxious gas and tear gas guns providing for certain exemptions and providing penalties.

On the question,

Shall the bill pass finally?

Mr. A.W. JOHNSON. This is a bill, I take it, that denies the right to use tear gas or noxious gases in the State. It would seem from a careful reading of the bill, I realize the bill was designed to do away with tear gas in labor disputes, but we feel many of us, that this bill still, No. 1, if it denies the possession of noxious gases in the State, it would do away with the exterminator business in this State entirely, because in the language of the bill it says that you cannot use, possess, sell, or whatever—sorry, I could not get a copy of the bill real quick here—but I am sure the bill does make it unlawful to possess noxious gases. Well, the exterminator business in the State, which is a huge business, their business being founded on the use of noxious gases, would be destroyed, and certainly I do not believe this General Assembly intends to do away with that type of business.

Here is another thing. We find in asking different employers, manufacturers, around the State, that in their manufacturing process, in the cleaning process, and in various ways, they have noxious gases confined in cylinders and containers and use them in their manufacturing process and in their day-to-day work. This bill would make it unlawful for industry to have a so-called noxious gas in its possession.

I understand in the field of atomic energy, wherever they engage in that type of activity, that their tanks of gases are extremely essential.

We suggested a long time ago that if the bill would be amended to apply just to the narrow field that it is intended for, consideration would be given to this bill, but all that was done was some minor amendments put in the bill allowing a citizen to have a tear-gas gun in his home, and so forth.

The bill goes very, very, very far and would be very detrimental to many, many industries in the State, and I think this bill should be voted down.

Now here is another thing: I have been asking various people when tear gas was last used in Pennsylvania in an industrial dispute. Nobody could really remember. Someone said, "Well, let me see, there was a strike back in 1906 when they used it, or did they use it in the 1917 Homestead strike?" or something like that. Nobody can ever remember tear gas being used. It would be interesting if somebody who is a proponent of this bill could state when tear gas was used by anybody in an industrial dispute, that is, a labor dispute. I do not know, and I do not know that anybody does. Therefore, it just seems that this bill is—I know what it is—a bill to try to curry the support of labor, and anybody who stands up to debate a



bill like this should say, "Well, you are not in favor of labor, you are down on labor." That is not true.

This type of gas and things that are used in this State are essential to industry and there is some question in my mind whether the bill is necessary. I know you people have talked over on the other side about the fact that labor has come of age, industry has come of age. We do not have the labor disputes, the bitter strikes that we used to have. For instance, in the last steel strike that lasted 105 days, there was no violence. There was bitterness, of course. The men were on strike, but there was no tear gas thrown, there were no weapons used or any blackjacking or anything. Merely by doing this to industry and denying them the right to use noxious gases around their plant in industrial processes I think just is not right.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—112

Adams,	Gailey,	Lutty,	Reibman,
Anderson, S. A.,	Gallagher,	Maxwell,	Reidenbach,
Arlene,	Gelfand,	McCann,	Renwick,
Auker,	Goldstein, M. H.,	McCormack,	Riley,
Bachman	Gray,	McDevitt,	Rovansek,
Bonner,	Greenlee,	McDonald,	Rubin,
Bower,	Gremminger,	McKeever,	Rudisill,
Branca,	Guesman,	McLaughlin,	Sakulsky,
Breth,	Hamilton,	McNally,	Scarcelli,
Buchanan,	Hankins,	Meholchick,	Schaaf,
Capano,	Hartley,	Mills,	Schuster,
Capitolo,	Heavey,	Monroe,	Shelton,
Cauley,	Heffner,	Morley,	Sherman,
Cianfrani,	Irviss,	Mullen,	Shupnik,
Cioffi,	Jenkins,	Munley,	Stank,
Clarke,	Jim,	Murphy,	Stone,
Comer,	Jones,	Murray,	Sullivan, J. A.,
Cooley,	Kamyk,	Needham,	Sullivan, T. F.,
Crossin,	Kelly,	O'Donnell, J. A.,	Taylor,
Curwood,	Klein,	O'Donnell, J. P.,	Tomasick,
Dougherty,	Kornick,	Parlante,	Trusio,
Doughten,	Kramer,	Pashley,	Varner,
Ellberg,	Lamb,	Perry,	Walsh,
Filo,	Lawson,	Petrosky,	Wargo,
Fineman,	Leonard,	Polaski,	Welsh,
Flynn,	Limper,	Polen,	Williams, A. D.,
Foerster,	Long, Wm. Jas.,	Prendergast,	Worley,
Frascella,	Long, Wm. Jos.,	Price,	Yetter,

## NAYS—90

Anderson, J. H.	George,	Korns,	Slack,
Ashton,	Gibb,	Lee, A. M.,	Snare,
Backenstoe,	Gibbons,	Lee, K. B.,	Steckel,
Blair,	Goldstein, J. H.,	Lippincott,	Stimmel,
Bossert,	Goodrich,	Magee,	Stiteler,
Bowman,	Gramlich,	Manbeck,	Strausser,
Bush,	Gross,	Markley,	Thompson,
Davis,	Haudenschild,	Marsh,	Tompkins,
Dengler,	Helm,	May,	Ujobal,
Dennison,	Henzel,	McCandless,	Wall,
Donaldson,	Hocker,	McInroy,	Weidner,
Down,	Holl,	Merry,	Wescott,
Edwards,	Holliday,	Miller,	Whittaker,
Elvey,	Holman,	O'Dell,	Willard,
Eshback,	Horst,	Odorisio,	Willaredt,
Eshleman,	Isaacs,	Ogilvie,	Williams, E. S.,
Esler,	Johnson, R. P.,	Piper,	Wilt,
Ewing,	Kelser,	Pursley,	Wood,
Fetterolf,	Kernaghan,	Royer,	Wynd,
Foor,	Kessler,	Rutherford,	Zember,
Fox,	Kistler,	Seltzer,	Zimmerman,
Fry,	Knecht,	Simmons,	Andrews,
Fulmer,	Kooker,		Speaker

## NOT VOTING—8

Boies,	Guthrie,	King,	Musto,
Farabaugh,	Johnson, A. W.,	Mihm,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 888, entitled:

An Act to promote the safety of employes upon railroads by requiring industrial or plant railroads to man locomotive trains with competent employes \* \* \*.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I believe the question of the full crew has been pretty well debated on this floor. This bill applies, of course, to industrial railroads. I have the figures upstairs. The figures that I have would indicate that this would cost the steel industry and kindred industries in this State about \$20 million a year. The question is whether you people would want to put that type of additional expense on these railroads.

Most of them are in and around the yards, they travel six to eight miles an hour, some of them as low as four miles an hour, and there is some question as to whether a five-man crew is needed on this type of operation around the yards of our steel mills. As I say, it would cost the steel companies, and other companies, about \$20 million a year. We also have a statement that there has been unexcelled safety, an unusual safety record in this type of activity. To repeat what I said a long time ago, it is too bad to put a type of regulation like this on the backs of industry when we are trying to bring more, and more, and more of them into the State. We have a PIDA bill on our calendar now to make it easier to loan money by communities to bring in industry. This is just another bill to heap onto industry, rules and regulations by law, especially today when they are struggling to try to keep going.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—92

Arlene,	Gallagher,	Long, Wm. Jos.,	Polen,
Bachman,	Gelfand,	Lutty,	Prendergast,
Bonner,	Greenlee,	Maxwell,	Renwick,
Branca,	Gremminger,	McCann,	Riley,
Breth,	Hamilton,	McCormack,	Rubin,
Capano,	Hartley,	McDevitt,	Sakulsky,
Capitolo,	Heavey,	McDonald,	Scarcelli,
Cauley,	Horst,	McKeever,	Schuster,
Cianfrani,	Irviss,	McLaughlin,	Shelton,
Cioffi,	Jenkins,	Meholchick,	Sherman,
Clarke,	Jim,	Mills,	Shupnik,
Comer,	Jones,	Monroe,	Stank,
Cooley,	Kamyk,	Morley,	Stone,
Crossin,	Kelly,	Mullen,	Sullivan, J. A.,
Curwood,	Klein,	Munley,	Sullivan, T. F.,
Dougherty,	Kornick,	Murphy,	Taylor,
Doughten,	Korns,	Needham,	Tomasick,
Ellberg,	Krammer,	O'Donnell, J. P.,	Trusio,
Filo,	Lamb,	Parlante,	Walsh,
Fineman,	Lawson,	Pashley,	Wargo,
Flynn,	Leonard,	Perry,	Welsh,
Foerster,	Limper,	Petrosky,	Yetter,
Frascella,	Long, Wm. Jas.,	Polaski,	Andrews,
			Speaker

## NAYS—107

Adams,	Fulmer,	Kistler,	Seltzer,
Anderson, J. H.,	Galley,	Knecht,	Simmons,
Anderson, S. A.,	George,	Kooker,	Slack,
Ashton,	Gibb,	Lee, A. M.,	Snare,
Auker,	Gibbons,	Lee, K. B.,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lippincott,	Stimmel,
Blair,	Goldstein, M. H.,	Magee,	Stiteler,
Bossert,	Goodrich,	Manbeck,	Strausser,
Bower,	Gramlich,	Markley,	Thompson,
Bowman,	Gross,	Marsh,	Tompkins,
Buchanan,	Guesman,	May,	Ujobal,
Bush,	Hankins,	McCandless,	Varner,
Davis,	Haudenshield,	McInroy,	Wall,
Dengler,	Heffner,	McNally,	Weidner,
Dennison,	Helm,	Merry,	Wescott,
Donaldson,	Henzel,	Miller,	Whittaker,
Down,	Hocker,	Murray,	Willard,
Edwards,	Holl,	O'Dell,	Willaredt,
Elvey,	Holliday,	O'Donnell, J. A.,	Williams, A. D.,
Eshback,	Holman,	Odorisio,	Williams, E. S.,
Eshleman,	Isaacs,	Ogilvie,	Wilt,
Esler,	Johnson, A. W.,	Piper,	Wood,
Ewing,	Johnson, R. P.,	Price,	Worley,
Fetterolf,	Kelser,	Pursley,	Wynd,
Foor,	Kernaghan,	Royer,	Zember,
Fox,	Kessler,	Rutherford,	Zimmerman,
Fry,	King,	Schaaf,	

## NOT VOTING—11

Boies,	Guthrie,	Reibman,	Rudisill,
Farabaugh,	Mihm,	Reidenbach,	Verona,
Gray,	Musto,	Rovansek,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 518, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for no passing zones.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, I would like to interrogate Mr. Fineman, if I may.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FINEMAN. I will not, Mr. Speaker. This bill has been so emasculated that I do not recognize it. I yield to whoever amended the bill.

Mr. McCANN. The gentleman from Cameron, Mr. Tompkins.

The SPEAKER. The Chair did not understand the gentleman from Dauphin.

Mr. BOWMAN. Maybe I had better withdraw my interrogation now.

As the gentleman from Philadelphia, Mr. Fineman, indicated, the bill has not been emasculated; it has been changed substantially. My only inquiry, Mr. Speaker, goes to the question of whether or not signs must now be posted to indicate "no passing" zones as they are required to be posted under existing law? We have changed the section of the bill that is being amended and I am in doubt as to whether signs are now required to be posted.

The SPEAKER. The Chair recognizes the gentleman from Cameron.

Mr. TOMPKINS. Mr. Speaker, I would prefer that this bill be passed over until I have a chance to review these

amendments, which I have not had an opportunity to do since they have been drafted into the bill.

I might say this: The amendments I put in yesterday—

The SPEAKER. Does the gentleman desire to make a motion to place this bill on the final passage postponed calendar?

## BILL POSTPONED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1397, entitled:

An Act making an appropriation to the Department of Public Instruction for payment into The State School Fund of Pennsylvania for assisting public school districts and state teachers' colleges to comply with required safety standards in certain cases.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, do I understand that this bill makes an appropriation of \$989,650 to provide for reimbursement under a certain formula for repairs made under orders issued by the Department of Labor and Industry on what we call our so-called fire panic repairs?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. May I ask further: Does this bill provide for reimbursement to all those schools which carried out the orders of the Department of Labor and Industry?

Mr. POLEN. Mr. Speaker, this bill provides for all who carried out the orders of the Department of Labor and Industry and had the plans approved by the Department of Public Instruction up to March 20, 1961.

Mr. TOMPKINS. Mr. Speaker, then I take it, this bill does not provide for all those who proceeded with the repairs under the direction of Labor and Industry; it only provides for those who have filed their plans and which have also been additionally approved by the Department of Public Instruction?

Mr. POLEN. Mr. Speaker, that is correct. The present law requires that all plans, whether there is any reimbursement or not, must be approved by the Department of Public Instruction.

Mr. TOMPKINS. Mr. Speaker, are there not a great number of other classes, other school districts, that did make repairs under the direction of Labor and Industry, which have not received reimbursement and, under the formula in this bill, cannot receive reimbursement?

Mr. POLEN. It is true that many school districts proceeded and complied with the orders of the Department of Labor and Industry, but they did not comply with the law which provides that any plan such as this, in fact, any changes are required to be approved by the Department of Public Instruction. Any of them that would come in this category, of course, are not included in this bill.



Mr. TOMPKINS. I thank the gentleman, Mr. Speaker. Mr. Speaker, I intend to vote for this bill because it is going to help some of these schools that went ahead and made these repairs under the double approval that is provided in the formula. But I want to register my protest in connection with the failure to take care of these other schools that, under the direction of another department on this hill, went ahead and spent their money. I think merely providing for one section of these schools is very discriminatory and you have imposed upon these school districts a financial burden which is further putting them into bankruptcy.

Now, so far as the examination by Labor and Industry is concerned, there are a series of articles written here regarding the bungling and the confusion and the chaos that exists over in that department which has brought about a lot of the expenditures of our school districts. So far as I am concerned, the Department of Labor and Industry, by its program, is crucifying all our school districts, and I cannot stand here and not register my protest for crucifying school districts upon the cross of confusion, bungling and chaos. I want my protest put into the record on this particular bill, as well as this series of articles.

Mr. Speaker, I do hope that some remedy will be had to take care of these other districts that, under the direction of a department of this government, went ahead and did these repairs and have put themselves in this plight.

Mr. TOMPKINS submitted the following for the record:

THE ERA  
BRADFORD, PA.  
MAY 8, 1961

Mason Denison

Legislators Should Look  
Into Labor-Industry Agency

(First of a Series of Three)

HARRISBURG—Pennsylvania's lawmakers would do well to take a good, hard and long look at the State Department of Labor and Industry to see what makes this gangling state agency tick—or rather perhaps, why it doesn't tick!

Few departments on Capitol Hill seemingly evidence the sloppiness and carelessness in operation; ineptness in administration, and disorganization in organization as that evidenced so blatantly by this conglomeration of bureaucrats.

This is the same department that a few years ago it will be recalled, was blown into the open with discovery of a so-called "secret payroll" where a host of political favorites reposed without doing any work.

This is the department where again only a few years ago the Secretary of Labor and Industry was booted out of office for condoning—by virtue of the fact that they existed—such activities.

And this is the department that now has irate school boards, school officials and worried and concerned parents of school children in an uproar—unnecessarily. This is the time the public itself has been slapped in the face—instead of individuals in isolated instances as heretofore.

This is the department that week before last—grandly and with much mimeographing from its publicity section—issued a statement with accompanying list of 1639 Pennsylvania schools cited for "noncompliance with state fire and panic regulations" and which "must be repaired by September 1, 1961, or they will be closed."

During the past week as these lists of local schools began being published in local newspapers throughout the state, the storm began to break.

Local school board officials, glancing over the "non-compliance" schools listed by the Department of Labor and Industry could hardly believe their eyes.

Reasons: some of the local schools listed had complied alright—the building in question had long ago been demolished! Yet they were being cited by non-compliance and "faced closure!"

In other instances, school boards were already in the process of carrying out department demands with work under day, in theory with full clearance by the department (via its "little kingdom" district office system—but without knowledge by headquarters here!), with the question naturally arising: what more can we do?

And then there were the parents—who in certainly understandable parental and taxpayer ire, as they noted the "dangerous fire-trap school" their children were attending (at least according to the listing by the Department of Labor and Industry), demanded of local school officials:

"Why are our children being housed in this potential fire danger?"

Local school boards in some sections called special emergency sessions to cope with the local hue and cry—to explain, to apologize, tragically, not for their own misdeeds, but in reality those of the Department of Labor and Industry here in Harrisburg!

By week's end the department was being besieged. The department allowed as how in actuality "about half" of the schools actually were in compliance with department orders—which the department didn't know about at the time the list was issued!

Harrisburg school district for example rose up in its wrath and informed the department in no uncertain terms that, in effect it was nuts. The department publicly apologized to that local school district for its grievous errors. This is an illustration but it was compounded throughout the state.

But this is only part of the story!

THE ERA  
BRADFORD, PA.  
MAY 9, 1961

Mason Denison

Why Did Department Wait  
To Enforce Fire-Panic Act?

(Second of a Series of Three)

HARRISBURG—The manner in which Pennsylvania's politically loaded Department of Labor and Industry hit the "panic" button in suddenly deciding to enforce provisions of the State's Fire and Panic Act insofar as the Keystone State's schools are concerned is typical of its hair-brained modus operandi.

The ruckus started following a tragic and disastrous school fire in Chicago back in the fall of 1958 when 92 school children perished they couldn't get out of the burning school.

It was at this point that "the great crusade"—with proper fanfare and publicity was launched by the Pennsylvania Department of Labor and Industry "to make Pennsylvania's public schools safe and—avoid a repetition of the Chicago tragedy."

The goal unquestionably was and is commendable but that isn't quite the point. The question occurred at the time and it recurs with some savagery now in the current school fire hazard elimination fiasco in which the department is currently embroiled:

Why did the department have to wait until after the horse had been stolen to close the barn door? Or, more bluntly put: Why did the department have to wait until an incident such as the Chicago fire (and it could just as well have been a Pennsylvania school instead of a Chicago school!) to initiate its school fire hazard elimination program?

The point is: the department had not been doing its job previously over the years of routinely making sure Pennsylvania's public schools were up to snuff on the fire hazard elimination front. This became obvious—and should

be painfully so now—when the department in its crusade suddenly decided to check all schools at once to make certain they were in compliance!

The upshot now is history. Some 2,000 schools suddenly found themselves cited for fire hazard instances required unexpectedly heavy and unbudgeted expenditures, so heavy in fact that the 1959 Legislature set up a near \$4 million dollar fund to help out these districts.

On the other hand, had the department over the years ordered these corrections as they developed, the piecemeal expenditures, rather than the entire works at one heavy shot.

In other words, prior to the department's sudden "crusade" it had not been doing its job year in and year out as required by law—or there would not have been the tremendous bunch-up that has now developed.

But perhaps more incriminating than anything else aside from the fiscal knot school districts were thrown into by the department's sudden "devout" action, was the danger school children in those bygone years apparently faced—thanks to this delinquent state agency!

It certainly is becoming more and more obvious why a legislative investigation into the modus operandi of this department is more than in order.

But again, look at how the department has operated in the current school fire hazard correction fiasco.

"Corrective orders" issued by departmental representatives initially required correction of the defect within 30 or 60 or 90 days, etc.—but yet some of the corrective orders were so extensive that plans couldn't even be prepared within the time specified, to say nothing of completion of the actual physical correction itself! In other words, the same completely unrealistic time schedule was used for requiring removal of fire dangerous rubbish as that for construction of fire-proof stair wells!

These are merely illustrations of the sort of things you have to contend with in fiddling with the Department of Labor and Industry. But again—all of this is only part of the story!

THE ERA  
BRADFORD, PA.  
MAY 10, 1961

Mason Denison

School Fire Hazard Orders  
Are Seldom Followed Up

(Last of a Series of Three)

HARRISBURG—Ever wonder how Pennsylvania's lush tax-supported Department of Labor and Industry checks its work—let's say on the school fire hazard correction front.

The department issues a "corrective order" to be completed within say a 30-day period and what happens?

Newsmen have discovered to their amazement in checking through some of these school fire hazard orders issued gloriously by the department that even after as much as half a year has elapsed the department doesn't have a report on its status!

And then there is the "little kingdom" district office system referred to by this column in the first of this series. This is as ridiculous a system as any politico could conceivably devise.

Under this "program" the Department of Labor and Industry has its "corps" of district inspectors each of whom covers a specified geographical district and is responsible for seeing to it that departmental requirements are carried out in the districts.

To all intents and purposes, with this system in operation the way it is with the Department of Labor and Industry, there might just as well not be a department here in Harrisburg!

It is these district people who apparently rule the roost in their own particular and respective way. Check with the department on the detail status of a school fire correction order for example, and it's "we've got to check that with our district people—they have the file and detail."

Who issues the orders? The district people. They are the ones who tell the locals in their district what is to be done and whether it is satisfactory or not.

Architects and builders frequently have complained

over this very condition—pointing out that conditions or requirements vary from one district to another, in effect depending upon the "whim" of the individual district inspector.

One of the big complaints is that under this "little kingdom" system, what may be acceptable in one district, may not be acceptable in another district.

Take that list of 1689 Pennsylvania schools cited by the department week before last as "being delinquent in complying with school fire hazard requirements of the department." There were three schools in one district cited on the list for "non-compliance" and threatened with closure Sept. 1—which we knew had been cleared.

A check-back with the department brought the comment that it would be necessary to check with the district office—which had indeed cleared the schools (now get this, last June!) but which the flobbering department here at "headquarters" knew nothing about, as evidenced succinctly by the fact that the schools in question were on the list of 1,689 "non-compliance" schools!

How ridiculous can you get? Well, here's another little anecdote that perhaps illustrates just "how":

The initial publicity release by the department listing the 1,689 "delinquent" schools throughout the state appeared April 28. It was immediately thereafter that the uproar started as school district after school district began howling over schools improperly cited.

It got so bad that on May 1 the department's publicity section issued a somewhat frantic explain-it-away communique which stated that "a re-check" of the 1,689 cited schools had been ordered. Re-check? Why wasn't there a "re-check" in the first place! Now it seems that "as many as half" of the schools cited actually were in compliance!

This isn't the full story, of course, and it covers only one phase of the operation of the Department of Labor and Industry but Pennsylvania's taxpayers seemingly would do well to think twice or three times about this "model of efficiency" they are supporting.

Seemingly too, as representatives of these taxpayers the legislative branch would do well to take an official look-see for itself. And—it's difficult to imagine an administration "investigating itself"—but perhaps the Lawrence administration is different from other administrations in this respect!

Bureaucratic squatting is one thing—bureaucratic fumbling at the expense of taxpayers is quite another.

THE ERA  
BRADFORD, PA.  
MAY 11, 1961

Mason Denison

Illustration of What State  
Taxpayers Putting Up With

(Post Script and Post Mortem)

HARRISBURG—This is both a "post script" and a "post mortem" on the series of columns appearing during the past three days on the abortive foul-up on the part of the State Department of Labor and Industry and its citation of nearly 1,700 schools it listed as "being in violation of the state's fire and panic laws."

The standout point seems to center around the fact the department blew the panic whistle on these schools—and literally held them up to public scorn—when the department itself didn't know the score; rattled off with an official statement without knowing what its own head and arms were doing; and wound up by conceding that as many as half of the 1,700 schools listed perhaps would not be found in violation after all.

Such a situation is about as ridiculous as anyone can conceive. It's almost as simple as A-B-C, the point being: if a state agency can't be relied upon in what it says and does, where do you turn?

In the case of the state agency, it means turning to the "you-alibi-it-for-us" section: the "public relations" division, the corps of specialists paid (by taxpayers) to get out the "right" word in the "right" light insofar as their parent state agency is concerned.

And that is exactly what happened in the case of the school foul-up. Look at the record itself:



On April 28, an official Department of Labor and Industry "news release" listing school by school the 1689 schools supposed to be in "non-compliance" and facing closure by Sept. 1, read as follows in the first, or lead, paragraph of a 33-line "cover story":

"The Department of Labor and Industry today released a list of 1689 Pennsylvania schools which have been cited for non-compliance with state fire and panic regulations. They must be repaired by Sept. 1, 1961, or they will be closed, Department officials said."

After the uproar started from local school districts and irate and understandably concerned parents over schools being cited even though compliance corrections had been made or were in the process of being made, the departmental "explain and defend" unit went into action and on May 1 issued this ten-line alibi:

"A re-check of approximately 1,700 schools listed as being in violation of the state's fire and panic laws has been ordered by the chief of the Bureau of Inspection, J. F. Dwyer, in Harrisburg.

"At the time he made the list public last week, Mr. Dwyer explained that it was likely that many of the schools had completed their repairs, but had not yet notified his office.

"This part of Mr. Dwyer's statement was omitted by the press in many instances, resulting in some misunderstandings. Mr. Dwyer pointed out that most of the violations against the schools date back more than a year, some back to January, 1959."

Compare this follow-up fluff with the lead paragraph (quoted five paragraphs back) of the original 33-line departmental release of April 28!

But perhaps nothing was more condemning of the department's foul-up than the point brought out in its subsequent "alibi" statement of May 1 quoting Dwyer as saying "it was likely that many of the schools had completed their repairs but had not yet notified his office."

This in itself is in complete contradiction of the lead paragraph of the original statement—but more importantly, if it was the intent of the department to note that some schools had been "cleared" why were they included in the list of cited schools? You don't spell out an exception in such "general" terms as the department did in its listing of April 28 and let the public be damned and guess—or do you?

The whole thing serves as just an illustration of what Pennsylvania's taxpayers are putting up with—unknowingly in most instances of course. It's past time for a little head-knocking on Capitol Hill.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, I would like to explain to the House that the reason these school districts are not included is that there is no relationship to the formula which they are paid by and there was nothing in the law that provided any change that required them not to apply for these approvals. The facts are these: Section 731 of the school laws reads: "No public school building shall be contracted for, constructed, reconstructed in any school district of the second, third or fourth class, until the plans and specifications therefor have been approved by the Department of Public Instruction. When any structural change is involved, such as moving or adding doors, windows, partitions, making additions, or any excavations or any work which may affect the safety or health of the pupils, or any work which comes under the jurisdiction of another department of the Commonwealth, approval of the Department of Public Instruction shall be required regardless of the cost of such structural changes."

Mr. Speaker, it is this section of the school law that precludes the Department of Public Instruction making reimbursement under this formula for those school districts that did not comply with the law. This law was in effect and it had absolutely nothing to do in any way with

this reimbursement program. The school districts simply violated the law and proceeded to do these things, the school districts ignored the law in section 731, no doubt, and with good intent they hurriedly went ahead and did these things, But I do not know of any way that we can amend and provide that payment will be made to school districts that have violated section 731.

We attempted to work it out and the best opinion that was given to me was that it could not be done unless you wanted to repeal act 731 and make it retroactive, that this would not cover these particular situations. I do not see how you can do it. There is nothing that the Department of Public Instruction can do as long as section 731 is in the school laws, but do what they did, disapprove those that did not have prior approval of their plans.

The SPEAKER pro tempore. For what purpose does the gentleman from Cameron, Mr. Tompkins, rise?

Mr. TOMPKINS. Mr. Speaker, will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, as I understand the provisions of this bill, the cut-off date is in March of 1961. Is that right?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. Does the gentleman have knowledge as to whether or not there are any additional applications that have come in since that date that would qualify under this act?

Mr. POLEN. I understand that applications will probably be coming in, and, as I believe I previously advised the gentleman, they would have to be included in another appropriation bill at another time.

Mr. TOMPKINS. Now, Mr. Speaker, I hope I am not out of order in asking this question, but I want to ask the gentleman from Washington, did I not come to your office and confer with you about this very situation earlier in the year and ask if we could not get something worked out on this problem to take care of these people, if we had to amend the School Code even?

Mr. POLEN. Mr. Speaker, the gentleman is correct. He did come to my office and he did discuss it with me and when I checked into the matter the answer was given to me that they could find no way in which payment could be made when these school districts had violated section 731 of the school law, unless we wanted to repeal it and make the repeal retroactive so far as this situation is concerned for those who went ahead and performed work without prior approval by the Department of Public Instruction.

Mr. TOMPKINS. Mr. Speaker, I want to ask one more question. I want to ask the gentleman whether or not he thinks school districts, with pistols at their heads by a department of this State, that went ahead and spent their money prior to the time this bill was enacted to set up this formula, should not be entitled to some consideration?

Mr. POLEN. Mr. Speaker, for the school districts that went ahead and performed the work and did not get prior approval of their plans, of course, at that time there was no reimbursement arrangement in effect. It was later that we passed the act, in 1959, that provided reimbursement, and those who complied with the law in section 731 have been reimbursed. This additional amount is for those applications that came in after that date and after the

funds were exhausted which we are now providing for. It is my feeling that for those who continued to do this work we will, of necessity, and I think as a matter of right, provide in the next session an appropriation to pay on the same basis we are paying those.

Now as to those who violated the law and did not get prior approval, and that had nothing whatever to do with fire and panic, that covers all situations, even if they themselves want to change a door or anything, I have great sympathy for them. I believe many of them probably, in their haste to comply with the Department of Labor and Industry, did go ahead and make these repairs. Perhaps they were in ignorance of section 731; perhaps they just simply proceeded to get the work done. That I do not know. I would say to the gentleman, I believe there is justice in that in some manner they should be reimbursed. Frankly, I have been unable to find any solution as to how it can be done. I believe I advised the gentleman to that effect previously.

Mr. TOMPKINS. Mr. Speaker, I thank the gentleman.

Number 1, we put a bill in since this bill appeared on the calendar to amend that school law to qualify these people.

Number 2, I dislike any statement to the effect that any school districts in this Commonwealth violated any law when they did so under orders of a government agency of this Commonwealth.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—200

Adams,	Fry,	Lee, K. B.,	Renwick,
Anderson, J. H.,	Fulmer,	Leonard,	Riley,
Anderson, S. A.,	Galley,	Limper,	Rovansek,
Arlene,	Gallagher,	Lippincott,	Royer,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rubin,
Auker,	Gibb,	Long, Wm. Jos.,	Rudisill,
Bachman,	Gibbons,	Lutty,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Magee,	Sakulsky,
Blair,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Bonner,	Goodrich,	Markley,	Schaaf,
Bossert,	Gramlich,	Marsh,	Schuster,
Bower,	Greenlee,	Maxwell,	Seltzer,
Bowman,	Gremminger,	May,	Shelton,
Branca,	Gross,	McCandless,	Sherman,
Breth,	Guesman,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Capitolo,	Haudenshield,	McInroy,	Steckel,
Cauley,	Heavey,	McKeever,	Stiteler,
Cianfrani,	Heffner,	McLaughlin,	Stone,
Cioffi,	Helm,	McNally,	Strausser,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Comer,	Hocker,	Merry,	Sullivan, T. F.,
Cooley,	Holl,	Miller,	Taylor,
Crossin,	Holliday,	Mills,	Thompson,
Curwood,	Holman,	Monroe,	Tomaschk,
Davis,	Irvis,	Morley,	Tompkins,
Dengler,	Isaacs,	Mullen,	Trusio,
Dennison,	Jenkins,	Munley,	Ujobai,
Donaldson,	Jim,	Murphy,	Varner,
Dougherty,	Johnson, A. W.,	Murray,	Wall,
Doughten,	Johnson, R. P.,	Needham,	Walsh,
Down,	Jones,	O'Dell,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kelser,	O'Donnell, J. P.,	Welsh,
Elvey,	Kelly,	Odorisio,	Wescott,
Eshback,	Kernaghan,	Ogilvie,	Whittaker,
Eshleman,	Kessler,	Parlante,	Willard,
Esler,	King,	Pashley,	Willaredt,
Ewing,	Kistler,	Perry,	Williams, A. D.,
Farabaugh,	Klein,	Petrosky,	Williams, E. S.,
Fetterolf,	Knecht,	Piper,	Wilt,

Filo,  
Fineman,  
Flynn,  
Foerster,  
Foor,  
Fox,  
Frascella,

Kooker,  
Kornick,  
Korns,  
Kramer,  
Lamb,  
Lawson,  
Lee, A. M.,

Polaski,  
Polen,  
Prendergast,  
Price,  
Pursley,  
Reibman,  
Reidenbach,

Wood,  
Worley,  
Wynd,  
Yetter,  
Zember,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—10

Boies,  
George,  
Gray,

Guthrie,  
Horst,  
Mihm,

Musto,  
Shupnik,

Stimmel,  
Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1452, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364), clarifying the provisions of the act relating to the setting aside of funds by cemetery and burial corporations and bringing additional corporations within the provisions of the act.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams,	Galley,	Lee, A. M.,	Riley,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gelfand,	Leonard,	Royer,
Arlene,	George,	Limper,	Rubin,
Ashton,	Gibb,	Lippincott,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Lutty,	Scarcelli,
Blair,	Gramlich,	Magee,	Schaaf,
Bonner,	Greenlee,	Manbeck,	Schuster,
Bossert,	Gremminger,	Markley,	Seltzer,
Bower,	Gross,	Marsh,	Shelton,
Bowman,	Guesman,	Maxwell,	Sherman,
Branca,	Guthrie,	May,	Shupnik,
Breth,	Hamilton,	McCandless,	Simmons,
Buchanan,	Hankins,	McCann,	Slack,
Bush,	Hartley,	McDonald,	Snare,
Capano,	Haudenshield,	McInroy,	Stank,
Capitolo,	Heavey,	McKeever,	Steckel,
Cauley,	Heffner,	McLaughlin,	Stimmel,
Cianfrani,	Helm,	McNally,	Stiteler,
Cioffi,	Henzel,	Meholchick,	Stone,
Clarke,	Hocker,	Merry,	Strausser,
Comer,	Holl,	Miller,	Sullivan, J. A.,
Cooley,	Holliday,	Mills,	Sullivan, T. F.,
Crossin,	Holman,	Monroe,	Taylor,
Curwood,	Horst,	Morley,	Thompson,
Davis,	Irvis,	Mullen,	Tomaschk,
Dengler,	Isaacs,	Munley,	Tompkins,
Donaldson,	Jenkins,	Murphy,	Ujobai,
Dougherty,	Jim,	Murray,	Varner,
Doughten,	Johnson, A. W.,	Needham,	Wall,
Edwards,	Johnson, R. P.,	O'Dell,	Walsh,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Wargo,
Elvey,	Kelser,	O'Donnell, J. P.,	Weidner,
Eshback,	Kelly,	Odorisio,	Welsh,
Eshleman,	Kernaghan,	Ogilvie,	Whittaker,
Esler,	Kessler,	Parlante,	Willard,
Ewing,	King,	Pashley,	Willaredt,
Farabaugh,	Kistler,	Perry,	Williams, A. D.,
Fetterolf,	Klein,	Petrosky,	Williams, E. S.,
	Knecht,	Piper,	Wilt,
			Wood,
			Worley,
			Wynd,
			Yetter,
			Zember,



Frascella, Fry, Fulmer,	Lamb, Lawson,	Reibman, Renwick,	Zimmerman, Andrews, Speaker
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## NAYS—2

Goodrich,	Wescott,
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## NOT VOTING—11

Boles, Dennison, Down,	Gray, McCormack, McDevitt,	Mihm, Musto, Reidenbach,	Trusilo, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1453, entitled:

An Act reenacting and amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof \* \* \*" extending the provision thereof to include business corporations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Adams,	Fulmer,	Lawson,	Rovansek,
Anderson, J. H.,	Galley,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rudisill,
Arlene,	Gelfand,	Leonard,	Rutherford,
Ashton,	George,	Limper,	Sakulsky,
Auker,	Gibb,	Lippincott,	Scarcelli,
Bachman,	Gibbons,	Long, Wm. Jas.,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Schuster,
Blair,	Goldstein, M. H.,	Lutty,	Seltzer,
Bonner,	Goodrich,	Manbeck,	Shelton,
Bossert,	Gramlich,	Markley,	Sherman,
Bower,	Greenlee,	Marsh,	Shupnik,
Bowman,	Gremmlinger,	Maxwell,	Slimmons,
Branca,	Gross,	May,	Slack,
Breth,	Guesman,	McCann,	Snare,
Buchanan,	Guthrie,	McCormack,	Stank,
Bush,	Hamilton,	McDevitt,	Steckel,
Capano,	Hankins,	McDonald,	Stimmel,
Capitolo,	Hartley,	McInroy,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cianfrani,	Heavey,	McLaughlin,	Strausser,
Cioffi,	Heffner,	McNally,	Sullivan, J. A.,
Clarke,	Helm,	Meholchick,	Sullivan, T. F.,
Comer,	Henzel,	Merry,	Taylor,
Cooley,	Hocker,	Miller,	Thompson,
Crossin,	Holl,	Mills,	Tomasck,
Curwood,	Holliday,	Monroe,	Tompkins,
Davis,	Holman,	Morley,	Trusilo,
Dengler,	Horst,	Mullen,	Ujobal,
Dennison,	Irvis,	Munley,	Varner,
Donaldson,	Isaacs,	Murphy,	Wall,
Dougherty,	Jenkins,	Murray,	Walsh,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	O'Donnell, J. P.,	Weidner,
Eilberg,	Johnson, R. P.,	Odorisio,	Welsh,
Elvey,	Jones,	Ogilvie,	Wescott,
Eshback,	Kamyk,	Parlante,	Whittaker,
Eshleman,	Kelser,	Pashley,	Willard,
Esler,	Kelly,	Perry,	Williams, A. D.,
Ewing,	Kernaghan,	Petrosky,	Williams, E. S.,
Farabaugh,	Kessler,	Piper,	
Fetterolf,	King,	Polaski,	
Filo,	Kistler,	Polen,	
Fineman,	Klein,	Prendergast,	

Flynn, Foerster, Foor, Fox, Frascella, Fry,	Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—11

Boles, Doughten, Gray,	Mages, McCandless, Mihm,	Musto, Needham, O'Dell,	Rubin, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1454, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364), changing the law with respect to devises bequests and gifts in trust for the perpetual care and maintenance of cemeteries burial grounds or the cemetery lots therein and imposing powers on the trustees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Adams,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.,	Galley,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Lippincott,	Rubin,
Ashton,	George,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcelli,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Bonner,	Goodrich,	Markley,	Schuster,
Bossert,	Gramlich,	Marsh,	Seltzer,
Bower,	Greenlee,	Maxwell,	Shelton,
Bowman,	Gremmlinger,	May,	Sherman,
Branca,	Gross,	McCandless,	Shupnik,
Breth,	Guesman,	McCann,	Slimmons,
Buchanan,	Guthrie,	McCormack,	Slack,
Bush,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McDonald,	Stank,
Capitolo,	Hartley,	McInroy,	Steckel,
Cauley,	Haudenshield,	McKeever,	Stimmel,
Cianfrani,	Heffner,	McLaughlin,	Stiteler,
Cioffi,	Helm,	McNally,	Stone,
Clarke,	Henzel,	Meholchick,	Strausser,
Comer,	Hocker,	Merry,	Sullivan, J. A.,
Cooley,	Holl,	Miller,	Sullivan, T. F.,
Crossin,	Holliday,	Mills,	Taylor,
Curwood,	Holman,	Monroe,	Thompson,
Davis,	Horst,	Morley,	Tomasck,
Dengler,	Irvis,	Mullen,	Tompkins,
Dennison,	Isaacs,	Munley,	Trusilo,
Donaldson,	Jenkins,	Murphy,	Ujobal,
Dougherty,	Jim,	Murray,	Varner,
Down,	Johnson, A. W.,	Needham,	Wall,
Edwards,	Johnson, R. P.,	O'Dell,	Walsh,
Eilberg,	Jones,	O'Donnell, J. A.,	Wargo,
Elvey,	Kamyk,	O'Donnell, J. P.,	Weidner,
Eshback,	Kelser,	Odorisio,	Welsh,
Eshleman,	Kelly,	Ogilvie,	Wescott,
Esler,	Kernaghan,	Parlante,	Whittaker,
Ewing,	Kessler,	Pashley,	Willard,
Farabaugh,	King,	Perry,	Williams, A. D.,
Fetterolf,	Kistler,	Petrosky,	Williams, E. S.,
Filo,	Klein,	Piper,	Willard,

Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Wilt, Wood, Worley, Wynd, Yetter, Zemaber, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—6

Boles, Gray,	Heavey, Mihm,	Musto,	Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1455, entitled:

An Act amending the "Nonprofit Corporation Law" proved May 5, 1933 (P. L. 289), making additional corporations subject to certain provisions of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—201

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast,	Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varnier, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley,
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Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Price, Pursley, Reibman, Reidenbach, Renwick,	Wynd, Yetter, Zemaber, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—9

Boies, Cooley, Gray,	Horst, McCormack,	Mihm, Musto,	Stimmel, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1456, entitled:

An Act amending the "Nonprofit Corporation Law" approved May 5, 1933 (P. L. 289), requiring additional provisions to be included in the articles of incorporation of cemetery and burial companies and further providing for the establishment and operation of funds created by such companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper,	Riley, Royer, Rovanseck, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varnier, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt,
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Flo,	Klein,	Polaski,	Wood,
Fineman,	Knecht,	Polen,	Worley,
Flynn,	Kooker,	Prendergast,	Wynd,
Foerster,	Kornick,	Price,	Yetter,
Foor,	Korns,	Pursley,	Zember,
Fox,	Kramer,	Reibman,	Zimmerman,
Frascella,	Lamb,	Reidenbach,	Andrews,
Fry,	Lawson,	Renwick,	Speaker

## NAYS—0

## NOT VOTING—7

Boles,	McCormack,	Musto,	Verona,
Gray,	Mihm,	Stiteier,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection House bill No. 1450, printer's No. 1758, was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1451, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes \* \* \*" requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries \* \* \* paid to officers and employes of the Commonwealth domiciled or performing services within that city \* \* \*.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—116

Anderson, S. A.,	Greenlee,	Maxwell,	Reibman,
Arlene,	Gremminger,	McCann,	Renwick,
Auker,	Guesman,	McCormack,	Riley,
Bachman,	Hamilton,	McDevitt,	Rovansek,
Bonner,	Hankins,	McDonald,	Rubin,
Branca,	Hartley,	McKeever,	Rudisill,
Breth,	Heavey,	McLaughlin,	Sakulsky,
Capano,	Irvins,	McNally,	Scarcelli,
Capitolo,	Jenkins,	Meholchick,	Schaaf,
Cauley,	Jim,	Merry,	Schuster,
Clanfrani,	Jones,	Mills,	Seltzer,
Cloffi,	Kamyk,	Monroe,	Shelton,
Clarke,	Kelly,	Morley,	Sherman,
Comer,	Kessler,	Mullen,	Shupnik,
Cooley,	King,	Munley,	Stank,
Crossin,	Klein,	Murphy,	Stone,
Dougherty,	Kornick,	Murray,	Sullivan, J. A.,
Doughten,	Kramer,	Needham,	Sullivan, T. F.,
Ellberg,	Lamb,	O'Dell,	Taylor,
Ewing,	Lawson,	O'Donnell, J. A.,	Thompson,
Farabaugh,	Lee, K. B.,	O'Donnell, J. P.,	Tomasclck,
Fineman,	Leonard,	Parlante,	Trusio,
Flynn,	Limper,	Pashley,	Wargo,
Foerster,	Long, Wm. Jas.,	Perry,	Welsh,
Fox,	Long, Wm. Jos.,	Petrosky,	Williams, E. S.,
Frascella,	Lutty,	Polaski,	Wynd,
Galley,	Magee,	Polen,	Yetter,
Gelfand,	Manbeck,	Prendergast,	Zimmerman,
Goldstein, M. H.,	Marsh,	Price,	Andrews,

Speaker

## NAYS—85

Adams,	Foor,	Johnson, A. W.,	Simmons,
Anderson, J. H.,	Fry,	Johnson, R. P.,	Slack,

Ashton,	Fulmer,	Kelser,	Snare,
Backenstoe,	Gallagher,	Kernaghan,	Steckel,
Blair,	George,	Kistler,	Stimmel,
Bossert,	Gibb,	Knecht,	Stiteler,
Bower,	Gibbons,	Kooker,	Strausser,
Bowman,	Goldstein, J. H.,	Korns,	Tompkins,
Buchanan,	Goodrich,	Lee, A. M.,	Ujobal,
Bush,	Gramlich,	Lippincott,	Varnar,
Curwood,	Gross,	Markley,	Wall,
Davis,	Haudenschild,	May,	Weidner,
Dengler,	Heffner,	McCandless,	Wescott,
Dennison,	Helm,	McInroy,	Whittaker,
Donaldson,	Henzel,	Miller,	Willard,
Down,	Hocker,	Odorisio,	Willaredt,
Edwards,	Holl,	Ogillive,	Williams, A. D.,
Elvey,	Holliday,	Piper,	Wilt,
Eshback,	Holman,	Pursley,	Wood,
Eshleman,	Horst,	Royer,	Worley,
Esler,	Isaacs,	Rutherford,	Zember,
Fetterolf,			

## NOT VOTING—9

Boles,	Guthrie,	Musto,	Verona,
Flo,	Mihm,	Reidenbach,	Walsh,
Gray,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 735, entitled:

An Act regulating the manufacture of stuffed toys intended for sale gift or use in Pennsylvania providing for registration of such manufacturers the paying of a fee for such registration the issuance of a seal of approval to such manufacturers \* \* \* and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Adams,	Galley,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gallagher,	Leonard,	Rovansek,
Anderson, S. A.,	Gelfand,	Limper,	Royer,
Arlene,	George,	Long, Wm. Jas.,	Rubin,
Bachman,	Gibb,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Gibbons,	Lutty,	Rutherford,
Blair,	Goldstein, J. H.,	Magee,	Sakulsky,
Bonner,	Goodrich,	Manbeck,	Scarcelli,
Bossert,	Gramlich,	Markley,	Schaaf,
Bower,	Greenlee,	Marsh,	Schuster,
Bowman,	Gremminger,	Maxwell,	Seltzer,
Branca,	Gross,	May,	Shelton,
Breth,	Guesman,	McCandless,	Sherman,
Buchanan,	Guthrie,	McCann,	Shupnik,
Bush,	Hamilton,	McCormack,	Simmons,
Capano,	Hankins,	McDevitt,	Slack,
Capitolo,	Hartley,	McDonald,	Snare,
Cauley,	Haudenschild,	McInroy,	Stank,
Cianfrani,	Heavey,	McKeever,	Steckel,
Cloffi,	Heffner,	McLaughlin,	Stimmel,
Clarke,	Helm,	McNally,	Stone,
Comer,	Henzel,	Meholchick,	Strausser,
Cooley,	Hocker,	Merry,	Sullivan, J. A.,
Crossin,	Holl,	Miller,	Sullivan, T. F.,
Curwood,	Holliday,	Mills,	Taylor,
Dengler,	Holman,	Monroe,	Thompson,
Dennison,	Horst,	Morley,	Tomasclck,
Donaldson,	Irvins,	Mullen,	Tompkins,
Dougherty,	Jenkins,	Munley,	Trusio,
Doughten,	Jim,	Murphy,	Ujobal,
Down,	Johnson, A. W.,	Murray,	Varnar,
Edwards,	Johnson, R. P.,	Needham,	Wall,
Ellberg,	Jones,	O'Dell,	Walsh,
Elvey,	Kamyk,	O'Donnell, J. A.,	Wargo,

Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Ketser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Kramer, Lamb, Lawson, Lee, A. M.,	O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reidenbach, Renwick,	Welsh, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Wynd, Yetter, Zemmer, Zimmerman, Andrews, <b>Speaker</b>
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## NAYS—12

Ashton, Auker, Davis,	Isaacs, Korns, Lippincott,	Price, Reibman, Stiteler,	Weldner, Wescott, Worley,
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## NOT VOTING—7

Boles, Filo,	Goldstein, M. H., Gray,	Mihm, Musto,	Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 754, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—198

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Down, Edwards, Elberg,	George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Ketser,	Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Wall, Walsh, Wargo,
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Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Fineman, Flynn, Foerster, Foor, Fox, Fry, Fulmer, Galley, Gallagher, Gelfand,	Kelly, Kernaghan, Kessler, King, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott,	Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zemmer, Zimmerman, Andrews, <b>Speaker</b>
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## NAYS—1

Bossert,

## NOT VOTING—11

Blair, Boles, Doughten,	Filo, Frascella, Gramlich,	Gray, Kistler, Mihm,	Musto, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 755, entitled:

An Act defining and prohibiting waste in the production of oil and gas defining the powers and duties of the Oil and Gas Conservation Commission and the Oil and Gas Division of the Department of Mines and Mineral Industries with respect to the prevention of waste in the production of oil and gas from certain geological horizons \* \* \* imposing penalties and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—194

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Bonner, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W.,	Leonard, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Needham, O'Dell,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Trusio, Ujobai, Varner, Wall, Walsh,
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Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer, Galley,	Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, Kling, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Price, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—2

Bossert, Tompkins,

## NOT VOTING—14

Bachman, Boles, Bowman, Filo,	Gramlich, Gray, Knecht, Limper,	Mihm, Murray, Musto,	Perry, Prendergast, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1023, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242), giving the Secretary of Highways authority and discretion to issue permits to qualified individuals or corporations desiring to conduct seismic operations on certain State highways.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, when we reached this bill in our caucus, I indicated that I was going to offer amendments to it. Well since the caucus we found that the amendments are unnecessary. This bill is a companion bill to 754 and 755, which will permit seismic operations along the highways to determine by very intricate machinery whether there is an existence of an oil pool or a gas pool, and the bill provides safeguards in it toward restoring any surface destroyed, and there is a penalty of \$1,000 in the bill if the rules and regulations of the Highway Department are ignored. Therefore, I ask all members to vote for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton,	Galley, Gallagher, Gelfand, George, Gibb,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas.,	Riley, Rovanseck, Royer, Rubin, Rudisill,
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Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvls, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, Kling, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Rutherford, Sakulsky, Scarcelli, Schaaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasclck, Tompkins, Trusio, Ujbal, Varner, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—11

Boles, Dougherty, Filo,	Gray, Kistler, Mihm,	Murray, Musto, Verona,	Wall, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 890, entitled:

An Act repealing acts pertaining to Berks County prison inspectors.

On the question,

Will the House agree to the bill on third reading?

Mr. McDEVITT asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 2, page 2, line 8 by striking out "take effect immediately" and inserting: "not take effect until a referendum in Berks County approving the same shall have been held, in which event it shall become effective ten days after such approval. Thereupon, the administration of the prisons shall be governed as provided by laws relating to the administration of county prisons in counties of the third, fourth and fifth classes.

The county commissioners shall cause the question to be submitted at the next general election. The question

shall be submitted on the ballot or on voting machines in the manner provided by the election laws of this Commonwealth and shall be submitted in the following form:

Do you favor the repeal of the acts under which members of the Board of Inspectors of Berks County Prison are elected and their expenses are fixed?

The election on this question shall be governed in all respects by the election laws of this Commonwealth in so far as they are applicable."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

#### CONSTITUTIONAL POINT OF ORDER

The SPEAKER. For what purpose does the gentleman rise?

Mr. BOWMAN. I rise to a point of constitutional inquiry.

The SPEAKER. The gentleman will state it.

Mr. BOWMAN. As to whether the amendments here offered are within the constitutional provisions relating to local as well as special legislation?

The SPEAKER. Does the gentleman present that point of view as a point of order?

Mr. BOWMAN. I do, Mr. Speaker.

The SPEAKER. The gentleman from Dauphin, Mr. Bowman, raises the point that the amendment to House bill No. 890, printer's No. 979, is unconstitutional violating Article III, section 8, which provides the method by which local and special laws may be passed.

The Speaker, under rule 4, is required to submit to the House the question as to the constitutionality of an amendment for its decision, which the Chair now does, and recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, again today for the second time, we have a question both on the Constitution and on our own Rules of the House of Representatives. I speak at this time on the point that the amendment, as offered, is unconstitutional and in violation of the constitution, specifically article 3, section 8 of the Constitution, and in violation of our own House rule 43.

Now, it is an intricate question and I always hesitate to have these intricate legal questions imposed upon the members of this House. But I trust that you will bear with us. I am advised that some very able counsel for the opposition is going to speak on this same question, namely, the gentleman from Philadelphia, Mr. McCormack, and he is going to present, apparently, an opposing point of view. So if you will bear with me I will try to, as nontechnically and as nonlegally as possible, present my position.

Now, the constitutional section that I referred to and the House rule simply says this, that "no local or special bills shall be passed by the House unless notice of intention to apply therefor has been published." Now the House rule paraphrases that constitutional provision.

Now, before us today, without the amendment, we have a local or special bill, "if as advertised according to law," and with that I have no quarrel.

The issue, the narrow issue, before us today, is what does the Constitution mean when it says, "notice of intention to apply must be followed"? What does that mean? Now, unfortunately, this is a case of first impression. By

that I mean, there are apparently no court decisions on this point and there are no former precedents in this House of Representatives on this particular point. Therefore, today, whatever decision we make will be the first decision on this point in Pennsylvania.

As you know, this bill in effect is repealing the law relating to the Berks County Prison officials, the board that operates the prison. Now what did the proponents of this bill do when they notified, according to the Constitution, what did they do in notifying the people, the affected people, namely, the people of Berks County? What did they notify them? Now, I have before me the official publication of what the proponents of this bill said they were going to do when they presented it to the House of Representatives.

And I will briefly read from it:

"Notice is hereby given that during the regular session of the General Assembly, there will be introduced a bill entitled, 'An act repealing acts pertaining to Berks County prison inspectors.'"

And I call your attention, specifically, to this point: The object of the bill is to repeal the provisions of special laws relating to prison inspectors in Berks County and, by the repeal, to have the appointment powers and duties of inspectors of the jail or county prison governed by general law. Now here is what the proponents of the bill have presented to the people of Berks County as to what they propose to do by this special legislation, and with that I have no quarrel whatsoever.

But subsequent to advising the people of their notice of intent to present a bill and to present a particular type of bill to do a particular thing, we are now considering amendments to that bill. And, in my opinion, the amendments completely change the purpose and intent and certainly go far beyond the scope and purpose of the advertisement as presented to the people of Berks County, because, as we all know, the amendments now up before us for consideration provide for a referendum, whereby the people will be asked to vote upon this question and whichever they vote, the local acts will be repealed or will not be repealed.

It is my opinion that we are back to what is the meaning of notice of intention. And having given them notice of intention to do one thing, it is now proper for this House to consider amendments which would certainly substantively change what they said they were going to do when they notified the people what they were going to do, and now they are going to do something else, namely, a referendum. In my opinion, you cannot give a notice of intention, under the Constitution, to do one thing and then substantially change it after it is before the House. And, in my opinion, when you are taking the responsibility from this House as to whether the act should or should not be repealed and now say that the people shall pass upon it, that is not postponing the repeal, that is giving the people themselves the prerogative of determining whether it should or should not be repealed.

It is, therefore, my opinion and I am privileged to say this, on behalf of the Speaker, because of his inability to speak, he is doing his duty, the Speaker agrees with me in my position that this amendment cannot properly be considered by the House under the respective local provisions of the Constitution. Thank you.



Mr. McCORMACK. Mr. Speaker, I recognize, of course, that I am at a disadvantage, inasmuch as I did not consult, nor did the speaker consult with me as to his opinion, but with all due respect to his legal ability and his wisdom, I, of course, disagree with him. I disagree with him after consultation with the authorities.

The reason for advertising notice of intention to apply to the General Assembly or to introduce a bill in the General Assembly is the constitutional provision, Article III, section 8, which has been spelled out verbatim in rule 43 of the House. And, of course, in that constitutional provision and this rule, it says that no local or special bill shall be passed by the House unless notice of the intention to apply therefor has been published in the locality where the matter or the thing to be affected may be situated, which notice shall be at least thirty days prior to the introduction in the General Assembly of such bill and in the manner provided by law. There is additional language which is not necessary to this debate. Of course, the language includes "in the manner provided by law," which means that legislation must be adopted to implement this provision of the Constitution.

Under the act of 1937, the Statutory Construction Act which carries out this constitutional provision, it states, "no local or special law shall be passed by the legislature unless notice of the intention to apply therefor shall be published," and it goes on to spell out the fact that notice shall set forth the full title and the purpose of the bill and shall be signed by one of the parties therefor. There is no question but that the notice provision has been complied with, but we must look into the reason why the framers of the Constitution adopted Article III, section 8, and that is the heart of this debate. I say that the reason for this is to discourage the General Assembly from passing bills or repealing bills that are peculiarly pertaining to one locality, in this instance, Berks County. And they said that if the legislature did do that, then they certainly ought to give the people of that particular locality affected notice of the fact that they are intending to repeal the present law affecting them, and affecting them only. So that in this situation, the advertisement was lodged in the paper giving notice to the people of Berks County clearly of the fact that there was going to be legislation introduced spelling out in the title that they are going to repeal these local laws pertaining to prison inspectors. The people had the notice, they were put on their guard, and they would have the right to come up here and either lobby for or against it. The notice was complied with and there is no reason why the legislature cannot now amend that bill by saying to the people, "We not only gave you notice but now we are going to turn it back into your lap and give you the opportunity of repealing it." The repealer merely is procedural; it has to do with the effective date of the repeal.

As the learned gentleman from Dauphin County, Mr. Bowman, said, this is a case of first impression. In going through the Supreme Court of Pennsylvania the cases that discuss Article III, section 8 of the Constitution, there is one very significant case and it involves the city of Pittsburgh and the school districts. I say this case is significant because the Supreme Court clearly states therein what the legislature can or cannot do with respect to notice of repeal or enactment of special laws. That

is the case of Chalfont vs. Edwards, an 1896 case. If you will bear with me, I will just briefly give you the facts and tell you the important language contained in that decision which is the keynote of this debate. It says that this thing they are discussing affects the people of the city of Pittsburgh. They have the right to notice of the intention to apply for it.

Now in this case it seems that there was no advertising of notice and that point was admitted by both sides in this case before the Supreme Court. The Supreme Court says it now feels that without notice the parties interested procured the passage of this local law in plain violation of the Constitution and therefore there is no question but that the bill was unconstitutional, but the Supreme Court says, and this is very important: "If it appears that this question had been considered by the legislature and this body had decided that sufficient notice had been given, or if the committee to which the bill had been referred reported that the constitutional requirement of notice had been complied with, we might feel ourselves concluded by such action."

Now here today on the floor of this House and in this Journal will appear this debate which clearly establishes that the legislature discussed the notice that was given to the people of Berks County and that it is for us to decide whether that notice was sufficient and in compliance with the law. As I say, the law as in the constitutional provision provides that the purpose of the bill shall be advertised and also the title.

With this amendment which we ask you to adopt today, you will still have no change in the title. The title will not be affected, nor will the purpose of the bill be affected. The purpose of the bill is to repeal these local acts. The amendments will provide for a repealer to become effective when the people of Berks County so decide in a referendum vote.

This amendment was carefully considered by the Legislative Reference Bureau, under the director, Harry Hershey, whom I am sure the Speaker will agree is a man well-versed and learned in the law.

The SPEAKER. The Speaker does not agree.

Mr. McCORMACK. Well, the House, Mr. Speaker, with unanimity decided that he was the man for the job and we should respect his opinion, his legal ability and his authority.

Mr. Hershey, in writing to the sponsor of this amendment, discussed it very carefully and he clearly is of the opinion that this is not in violation of the constitutional provision being discussed, that it merely is a procedural change. It merely has to do with the effective date when this repeal, if it is to be repealed, shall become effective. Therefore, armed with the decision by the director of the Legislative Reference Bureau, and bearing in mind the fact that the Supreme Court said that if the legislature had discussed the notice, then we might very well be concluded, and bearing in mind further the reason for this constitutional provision, to give the people of Berks County notice that we are going to bring out on the floor and introduce in the General Assembly a bill to repeal it, that is all that is required. The people have had sufficient notice. There is no question here at all. It is just inconceivable to me that a man as learned in the law as Jim Bowman would get up here and state that this is in violation of the Constitution. Never have I

been convinced that this is clearly within the intent of the constitutional provision and also the act of 1937, the Statutory Construction Act, which sets forth what is to be required.

Therefore, I ask the members on both sides of the House to adopt this amendment.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Piper.

Mr. PIPER. Mr. Speaker, I would like to interrogate the gentleman from Berks, Mr. McDevitt.

The SPEAKER. Will the gentleman from Berks, Mr. McDevitt, permit himself to be interrogated?

Mr. McDEVITT. I shall, Mr. Speaker.

Mr. PIPER. Mr. Speaker, this bill was advertised during the month of February in the Reading city papers. I ask now whether or not you were aware of this advertising of what this bill was to do?

Mr. McDEVITT. I was aware of the bill from statements that you had made in Berks County for the period of time that it was advertised in the local newspapers.

Mr. PIPER. You then say that you were aware of this advertising as to the intention to repeal this present act?

Mr. McDEVITT. Yes, Mr. Speaker.

Mr. PIPER. Thank you, Mr. Speaker. In view of that, Mr. Speaker, and in view of what was said by the learned gentlemen who have spoken before me, they certainly know the law, and I believe if we pass these amendments we are doing something against the wishes of the people of Berks County. We advertised one thing, now we are doing something else.

I urge everybody to vote these amendments down.

The SPEAKER. Does the gentleman from Dauphin, Mr. Bowman, desire to be recognized?

Mr. BOWMAN. Just briefly, Mr. Speaker. It came as somewhat of a shock to me that in my disagreement with the gentleman from Philadelphia, Mr. McCormack, that he expresses surprise that I can reach the conclusion I did. But be that as it may, both the director of the Legislative Reference Bureau in his written opinion to the sponsor of the amendment and the gentleman from Philadelphia, Mr. McCormack, in his remarks here on the floor of the House, either purposely or inadvertently did not get down to the crux or the meat of this issue. I did not want to refer to a lot of legislation, but the notice of intent, is the phrase we are considering. The Statutory Construction Act in implementing that says the purposes of the proposed legislation shall be advertised.

Simply, the issue is very narrow and it does not take a lawyer to decide the issue. I think we all agree as to the purpose of this provision of the Constitution, it is to notify the people who are affected locally. The sole issue is one of reason or logic. Have the people of Berks County been advised by the advertisement which has been put in the paper of what we are now considering? To me the answer is simply, no, they have not been.

Again, I want to refer to the advertisement and, incidentally, the type of advertisement has precedent. Over the years our precedent for advertising notices of special bills is that you first print the title as required by the act, and then, secondly, you state the purposes or objects of the act. Specifically, what did they tell the people of Berks County was going to be done up here? Simply that they were going to repeal this legislation. Nothing more, nothing less. Now the amendment says you are

not going to repeal it, you are going to pass it on to a referendum, and that is not a postponement of the effective date of repeal, that is a subsequent issue. It is a matter of great concern to the people of Berks County, because it is going to cost them money by way of a special referendum during election.

I say without hesitation, and I will stake my reputation on it, contrary to Mr. McCormack's feeling as to why I am saying it, that this is a violation of the Constitution in that the people have not been advised of the objects and purposes of the amendment which we are considering.

I therefore urge you to vote against the consideration of the amendment on the grounds that it is unconstitutional to do so and I raise that as a constitutional point at this time.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. I do not know who has the last word here, Mr. Speaker, but I will try to conclude it by saying very briefly in reply that the reason for the notice of the intention is to give the people the opportunity to come up here and do something about it. They have had that notice. Now we are saying to them: Look, you do not have to come up here, we are putting it back in your lap. You can decide whether you want to repeal these local laws. If you do not want to do it, fine, vote it down in a referendum. They are getting the notice. We are putting it back in their laps. There it is, you have all the notice you wanted. This is not a holy writ or something that you cannot change a letter in it. It is ridiculous to say that just because you advertise in the paper you cannot come up here and change the bill around as long as the people have notice of the intention, and I say they have had plenty of notice.

The SPEAKER. The question before the House is on the point of order raised by the gentleman from Dauphin, Mr. Bowman, that the amendment to House bill 890, printer's No. 979, is unconstitutional.

Those voting "aye" will vote to sustain the point of order, thereby declaring the amendment to be unconstitutional.

Those voting "no" will vote that the point of order is not well taken and thereby declare the amendment to be constitutional.

On the question,

Will the House sustain the point of order raised by the gentleman from Dauphin, Mr. Bowman?

The yeas and nays were required by Mesrs. BOWMAN and A. W. JOHNSON and were as follows:

#### YEAS—105

Anderson, J. H.,	Gelfand,	Knecht,	Sherman,
Ashton,	George,	Kooker,	Simmons,
Auker,	Gibb,	Lee, A. M.,	Slack,
Backenstoe,	Gibbons,	Lee, K. B.,	Snare,
Blair,	Goldstein, J. H.,	Lippincott,	Steckel,
Bower,	Goldstein, M. H.,	Magee,	Stimmel,
Bowman,	Goodrich,	Manbeck,	Stiteler,
Buchanan,	Gramlich,	Markley,	Strausser,
Bush,	Gross,	Marsh,	Thompson,
Capitolo,	Hocker,	May,	Tompkins,
Cauley,	Haudenschild,	McCandless,	Ujobal,
Comer,	Heffner,	McInroy,	Wall,
Dengler,	Helm,	McKeever,	Walsh,
Dennison,	Henzel,	Merry,	Wescott,
Donaldson,	Holl,	Miller,	Whittaker,
Down,	Holliday,	O'Dell,	Willard,
Edwards,	Holman,	Odorisio,	Willardt,
Elvey,	Horst,	Ogilvie,	Williams, A. D.,



Eshback, Eshleman, Esler, Ewing, Fetterolf, Foor, Fox, Fry, Fulmer,	Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler, King, Kistler,	Parlante, Piper, Price, Pursley, Royer, Rudisill, Rutherford, Seltzer,	Williams, E. S., Wilt, Wood, Worley, Wynd, Zember, Zimmerman, Andrews, Speaker
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## NAYS—97

Adams, Anderson, S. A., Arlene, Bachman, Bonner, Bossert, Branca, Breth, Capano, Cianfrani, Cioffi, Clarke, Cooley, Crossin, Curwood, Davis, Dougherty, Doughten, Ellberg, Farabaugh, Fineman, Flynn, Foerster, Frascella, Galley,	Gallagher, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Irvis, Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick, Korns, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jos., Lutty,	Maxwell, McCann, McCormack, McDevitt, McDonald, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Donnell, J. A., O'Donnell, J. P., Pashley, Perry, Petrosky, Polaski, Polen, Prendergast,	Reibman, Reidenbach, Renwick, Riley, Rovanseck, Rubin, Sakulsky, Scarcelll, Schaaf, Schuster, Shelton, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Trusio, Varnier, Wargo, Weidner, Welsh, Yetter,
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## NOT VOTING—8

Boles, Filo,	Gray, Guthrie,	Long, Wm. Jas., Mihm,	Musto, Verona,
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So the question was determined in the affirmative and the point of order was sustained and the amendments were declared unconstitutional.

On the question recurring,

Will the House agree to the bill on third reading?

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. McDevitt.

Mr. McDEVITT. Mr. Speaker, I being a newer member of the House, am not fully acquainted with parliamentary procedure. I ask if I am in order to ask to have this bill recommitted? I ask, of course, because I move to have the bill recommitted.

The SPEAKER. To what committee does the gentleman desire to have the bill recommitted? To the committee from which it came?

What is that committee?

Mr. McCANN. Mr. Speaker, he was asking if he was in proper parliamentary procedure and he was never answered. He is proper in making a motion.

The SPEAKER. It is proper for him, if he so desires, to make a motion to recommit the bill to the committee from which it came.

## BILL RECOMMITTED

Mr. McDEVITT. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

The SPEAKER. Is it the understanding of the Chair that a roll call is desired on the motion to recommit?

Mr. PIPER. Mr. Speaker, I request a roll call and ask every member to vote against the recommitment of the bill.

On the question recurring,

Will the House agree to the motion to recommit the bill to the Committee on Rules?

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Weidner.

Mr. WEIDNER. Mr. Speaker, since the ruling has been made that the amendments to House bill 890 are not unconstitutional, I cannot support the bill in its entirety, or in its original form.

I have reason to believe that its support has been very much in the minority and that the people of Berks County should be given the opportunity . . .

The SPEAKER. The Chair would remind the gentleman that the question before this House is a motion to recommit.

Mr. WEIDNER. I simply wanted to bring out several points to show my reasons why I am in favor of the recommitment of this bill.

The SPEAKER. The Chair will recognize the gentleman on the bill, if the bill is not recommitted.

Mr. WEIDNER. I simply wanted to point out that the people would not be given an opportunity . . .

I, therefore, ask all the members of this House to support the recommitment of this bill.

The SPEAKER. The gentleman is all right in that statement.

The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I support the motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Zember.

Mr. ZEMBER. Mr. Speaker, this is quite a serious problem, should you or should you not recommit a local or special bill. This has stirred up quite a problem down in Berks County. I am not going to speak on the merits of the bill. You gentlemen, as well as myself, are all elected public officials. You are sent up here to make up your minds, are you for or are you against something. You are not here to use devices of parliamentary procedure, or otherwise, to get you off the hook. This is a hot potato. Do not throw it into the soup of the voters of Berks County.

I show you the cartoon in yesterday's Reading Eagle. We are under obligation. Let us debate the bill. Vote against recommitment.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. PIPER and McCANN and were as follows:

## YEAS—102

Adams, Anderson, S. A., Arlene, Ashton, Bachman, Blair, Bonner, Branca, Breth, Capano, Cauley, Cianfrani, Cioffi, Clarke, Cooley, Crossin, Curwood,	Fry, Galley, Gallagher, Greenlee, Gremminger, Guesman, Hankins, Hartley, Heavey, Helm, Irvis, Jenkins, Jim, Kamyk, Klein, Kornick, Korns,	McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Donnell, J. A., Odoristo,	Pursley, Reibman, Reidenbach, Royer, Renwick, Riley, Rovanseck, Ruber, Rubin, Rudisill, Sakulsky, Schaaf, Schuster, Shelton, Slack, Stank, Sullivan, J. A., Sullivan, T. F.,
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Davis,	Kramer,	Ogilvie,	Taylor,
Dengler,	Lamb,	Parlante,	Trusio,
Dougherty,	Leonard,	Pashley,	Ujobal,
Doughten,	Limper,	Perry,	Walsh,
Farabaugh,	Lippincott,	Petrosky,	Wargo,
Filo,	Long, Wm. Jas.,	Polaski,	Weidner,
Fineman,	Lutty,	Polen,	Welsh,
Flynn,	Maxwell,	Prendergast,	Yetter,
Foerster,	McCann,		

## NAYS—98

Anderson, J. H.	Gelfand,	King,	Snare,
Auker,	George,	Kistler,	Steckel,
Backenstoe,	Gibb,	Kooker,	Stimmel,
Bossert,	Gibbons,	Lawson,	Stiteler,
Bower,	Goldstein, J. H.,	Lee, A. M.,	Stone,
Bowman,	Goldstein, M. H.,	Lee, K. B.,	Strausser,
Buchanan,	Goodrich,	Long, Wm. Jos.,	Thompson,
Bush,	Gramlich,	Magee,	Tomasick,
Capitolo,	Gross,	Manbeck,	Tompkins,
Comer,	Hamilton,	Markley,	Varner,
Dennison,	Haudenschild,	Marsh,	Wall,
Donaldson,	Henzel,	May,	Wescott,
Down,	Hocker,	McCandless,	Whittaker,
Edwards,	Holl,	McInroy,	Willard,
Ellberg,	Holliday,	Merry,	Willaredt,
Elvey,	Holman,	Miller,	Williams, A. D.,
Eshback,	Horst,	O'Dell,	Williams, E. S.,
Eshleman,	Isaacs,	Piper,	Wilt,
Esler,	Johnson, A. W.,	Price,	Wood,
Ewing,	Johnson, R. P.,	Rutherford,	Worley,
Fetterolf,	Jones,	Scarcelll,	Wynd,
Foor,	Kelser,	Seltzer,	Zimmer,
Fox,	Kelly,	Sherman,	Zimmerman,
Frascella,	Kernaghan,	Simmons,	Andrews,
Fulmer,	Kessler,		Speaker

## NOT VOTING—10

Boles,	Heffner,	Musto,	Shupnik,
Gray,	Knecht,	O'Donnell, J. P.,	Verona,
Guthrie,	Mihm,		

So the question was determined in the affirmative and the motion was agreed to.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, may I take a moment of time at this point, because everyone is watching the clock?

Mr. Speaker, I will ask that this House continue to operate, voting on bills until 7 o'clock, and no night session.

Mr. A. W. JOHNSON. Mr. Speaker, why do you not compromise and make it 6:30? We have had a pretty long day.

Mr. WEIDNER. I would like to briefly state my reasons for voting for recommitment of House bill 890.

The SPEAKER. The gentleman will send his reasons in writing to the desk. That is the procedure.

## REASONS FOR VOTE

Mr. WEIDNER filed the following reasons for his vote on recommitment of House bill No. 890.

After conferring with and seeking the advise of many of the interested citizens of Berks County, my reasons for opposing House bill 890 are as follows:

(1) No provisions have been made in the bill for the supervision of the Berks County Prison, providing the Board is abolished, and the question arises—can our local County Officials devote the necessary amount of time to see the operation of the prison is as efficient as under the prison board.

(2) We believe that instead of a saving in money to the taxpayers, it possibly could cost many times the amount that is being paid to the Prison Board Member. For example, some years ago our county home was

operated under the supervision of three elected officials, known as "Directors of the Poor" who were paid a total of a few hundred dollars for their services. However, when this form of government was changed and the directors were eliminated, a county institution district was created which is presently comprised of several employees, at a total cost in salaries of thousands of dollars, plus the cost of equipment and operation of an office which is many times the amount paid to the elected directors.

(3) Our greatest fear is that our present high standard rating for the prison may be cast to the wayside. At the last inspection made by the Pennsylvania Department of Justice, Bureau of Correction, they highly commended the Berks County Prison and the Prison Board. The report from Robert A. Itri, Penal Inspection Director, gave the prison a "good plus" rating and issued "Excellent" on administration and management, housekeeping and sanitation, and medical and health.

(4) A survey and analysis of the bill was prepared by G. Richard Bacon, Executive Secretary of the Pennsylvania Prison Society, and amongst many of his statements he has this to say: "What disturbs us in our professional view is that it repeals something that evidently has been functioning satisfactorily for the citizens of Berks County with our spelling out its replacement to control the penal facility. Professionally, we are deeply concerned in, and dedicated to, constructive legislation on programs, first, that insure the best interests of the citizens in the custody and treatment of those who are in penal confinement. Secondly, that prison progress have continuity and provide for security with tenure for the personnel who will administer the programs. The enactment of House bill No. 890 makes no provisions for either, and, therefore, we could not endorse this proposed legislation on the basis of a professional constructive view.

## REASONS FOR VOTE

Mr. ADAMS filed the following reasons for his vote on recommitment of House bill No. 890.

Mr. Speaker, had the amendments to HB 890 been adopted I would have voted for the bill. These amendments would have provided a referendum for the people of Berks County to determine whether or not they wanted to abolish the Berks County Board of Prison Inspectors.

It is my considered opinion that no one has a better right to determine how their tax dollars shall be spent than the people who pay the taxes.

My mind has not been satisfied that abolition of the Prison Board of Berks would not result in creation of an administrative position or positions of a political nature that could conceivably exceed in cost, if not in efficiency, present administrative operations of the Berks County Prison.

Inasmuch as a referendum was denied Berks County by legislative action, I feel it was only fitting and proper that I vote for recommitment.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1331, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County.



On the question,

Will the House agree to the bill on third reading?

Mr. FETTEROLF asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend bill, page 3, by inserting after line 13:

Section 5. The project authorized by this act shall be commenced on or before December 31, 1962.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, I should like to interrogate the gentleman from Montgomery, Mr. Fry, on these amendments.

The SPEAKER. Will the gentleman from Montgomery, Mr. Fry, permit himself to be interrogated?

Mr. FRY. I shall, Mr. Speaker.

Mr. FETTEROLF. Mr. Speaker, these amendments provide that House bill 1331, which would authorize the Department of Highways to build a \$3 million bridge in the area of Norristown, Montgomery County, that the work on this project would start on or before the 31st of December, 1962.

Now, I want to ask the gentleman from Montgomery whether or not he is prepared to support this amendment, and, if so, whether or not he would ask the other members of this side to join him in his support?

Mr. FRY. No, I will not join in supporting these proposed amendments and I urge everybody to vote against them.

Mr. FETTEROLF. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman from Montgomery.

Mr. FETTEROLF. Mr. Speaker, I want to point out a few facts with respect to the reason for this amendment. In view of this interrogation I think it will throw some light upon it. I am not through with the interrogation.

Now for several years Montgomery County has been in need of a second bridge over the Schuylkill in the Norristown area. Originally, in 1959, the Honorable Thomas H. W. Jones, who represented the second district in Montgomery, introduced legislation which would authorize the Department of Highways to accomplish this much needed project. At the same time a duplicate bill was introduced in the other House by the Senator from Montgomery. At that time the Senate was Republican and this House was Democratic.

Mr. FRY. Mr. Speaker, this sounds more like a speech than a question to me.

Mr. FETTEROLF. Mr. Speaker, I believe I have the floor.

The SPEAKER. The gentleman from Montgomery, Mr. Fetterolf, has the floor.

Are you continuing the interrogation of the gentleman from Montgomery?

Mr. FETTEROLF. This is prefacing the interrogation, Mr. Speaker.

The SPEAKER. Mr. Fetterolf will continue.

Mr. FETTEROLF. In the Senate the bill passed and came to this House and died in committee in 1959.

The SPEAKER. For what purpose does the gentleman from Clearfield, Mr. Breth, rise?

Mr. BRETH. Mr. Speaker, I believe the Speaker should inform the gentleman from Montgomery, Mr. Fry, of his right that he does not need to submit to interrogation unless he so desires.

The SPEAKER. Any member of the House can decline to be interrogated. That is a voluntary matter for any member of the House to decide. He does not have to be interrogated unless he wants to.

Mr. FETTEROLF. Mr. Speaker, I believe the gentleman accepted the request for interrogation.

The SPEAKER. Does the gentleman from Montgomery, Mr. Fry, consent to be interrogated?

Mr. FRY. I have agreed to submit to interrogation.

The SPEAKER. The Chair gathers that the gentleman from Montgomery, Mr. Fry, is not disposed to submit to interrogation.

Mr. FETTEROLF. I did not understand that, Mr. Speaker.

The SPEAKER. The microphones are working so poorly that the Chair has trouble in hearing.

I understand that the gentleman from Montgomery, Mr. Fry, is not disposed to consent to interrogation. Am I right?

Mr. FETTEROLF. He has accepted interrogation, Mr. Speaker.

Mr. FRY. I agree, Mr. Speaker.

The SPEAKER. He has agreed to interrogation.

The SPEAKER. For what purpose does the gentleman from Westmoreland, Mr. Petrosky, rise?

Mr. PETROSKY. Mr. Speaker, just to clear up a point in controversy. Mr. Fry has agreed to interrogation, as I have heard.

However, Mr. Fry, I believe, will be glad to sit down in the event the gentleman is going to go through his discourse in speaking on the amendments. If he is through interrogating, Mr. Fry should be so advised.

Mr. FETTEROLF. Mr. Speaker, as I said earlier, I am prefacing my remarks, prefacing my interrogation.

The SPEAKER. The gentleman from Montgomery, Mr. Fetterolf, has the floor.

Mr. FETTEROLF. Mr. Speaker, as I said here a few moments ago, in 1959 the Senate passed this bill and passed it to this House and it died in committee.

The very same bill was introduced again this year in January by another sponsor and myself and has been languishing in the Committee on Highways since January 24th, I believe.

At the same time from the other house an identical bill was introduced by the Senator from Montgomery and that bill has not seen the light of day.

The SPEAKER. The gentleman is slightly out of order in recounting the history of a bill in the other house.

Mr. FETTEROLF. Very will, sir.

Now in April of this year the gentleman from Montgomery, Mr. Fry, introduced House bill 1441, an exact duplicate of the bill which I introduced and the one introduced in 1959 by the late—

#### POINT OF ORDER

Mr. BRETH. I raise a point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BRETH. The gentleman, I do not believe, is speaking on the amendment. I think he is speaking on the bill, on its merits, or something else.

Mr. FETTEROLF. I am speaking on the amendments, Mr. Speaker, and, as I said, I am prefacing my interrogation with these statements.

The SPEAKER. The gentleman will confine his remarks to the amendment. As to the bills that are pending in either house the bill now before the House is the only one subject for discussion and then only the amendments are pertinent for discussion at this time.

Mr. FETTEROLF. Mr. Speaker, is it proper for me to give reasons for the introduction of the amendments.

The SPEAKER. It is proper for the gentleman to confine himself to the merits of his amendments.

Mr. FETTEROLF. Thank you, sir.

Well, in April of this year this bill was introduced, and I am now introducing amendments which would provide that this bridge will actually start by the end of December, 1962. The reason for doing that is that from the April date, when this bill was introduced, the newspapers in the Montgomery area and specifically in Norristown have been talking about the high optimism of the gentleman from Montgomery, Mr. Fry, with respect to the success of this bridge project, and I would like to read several excerpts from a local paper with regard to that and then point out why I am introducing the amendment now.

Mr. FRY. Mr. Speaker, is he finished with the interrogation?

The SPEAKER. I think he probably is.

Mr. FETTEROLF. Mr. Fry, I would like to interrogate you longer. If you would like to sit down now, I will call you back.

Mr. FRY. Mr. Speaker, once I sit down I am not getting up here again to be interrogated by him.

The SPEAKER. I hope that the gentleman from Montgomery, Mr. Fetterolf, cooperates with the Chair, the House seems to be a bit touchy at the present time, and confines himself to a discussion of his amendments. When he gets the bill amended, then he can discuss why he wants the bill passed.

What do the amendments do?

#### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Delaware, Mr. Lippincott, rise?

Mr. LIPPINCOTT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LIPPINCOTT. I would like to know whether these gentlemen are from Berks County or Montgomery County.

The SPEAKER. I think they would probably declare they were from Montgomery.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, the reasons for the amendment which would set this December 31st date in 1962 are these: For week upon week we have been hearing optimistic reports from the gentleman from Montgomery, Mr. Fry, with regard to the prospects of this bridge bill. I have talked with Secretary of High-

ways, Mr. Martin, and have received rather discouraging news with regard to its possibility of becoming a fact.

Therefore, I have set this date at the end of the current administration, which would be the end of December 1962, in order to find out whether or not the department actually wants to do something about the bridge which we need in Montgomery County.

The sponsor of the bill says very definitely that he is highly optimistic and believes this is going to be accomplished. I question that somewhat. I am inclined to believe that perhaps there is some benefit to be derived by this publicity and, therefore, I want to bring this to a head.

I would suggest this, that if the Democratic Party and the present administration is sincere in its plans to give a bridge to Montgomery County, this much needed bridge across the Schuylkill River, that the Democratic side will support this amendment. Barring that I have only one assumption and that is that they plan possibly to start specifications and plans and work on those up until the final day of the administration, then turn them all over to the new Republican administration which will take office in 1963.

Mr. Speaker, I should like to ask for a roll call on the amendments.

Mr. McCANN. Mr. Speaker, we certainly will consent to a roll call as requested on the amendments offered by the gentleman from Montgomery, Mr. Fetterolf.

These amendments I ask the membership to vote down, and I bring to the attention of this House that I want you to check the history on any other bill in any other administration in this field, in the field of bridge construction, in any other year, and show me the bill that you passed in which you had specific dates.

Therefore, I ask that you oppose these amendments offered by the gentleman in this field, and, of course, I also wish, at a proper time, to speak about the official communiques from the highway department on this subject.

Mr. A. W. JOHNSON. Mr. Speaker, I would like the privilege of interrogating the majority leader.

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. To understand what is before us, we only have the amendments offered by Mr. Fetterolf at the present time, is that not correct?

Mr. McCANN. If I understand the amendments, they are to begin the construction at a certain date, is that right?

Mr. A. W. JOHNSON. That is right. Beginning when?

Mr. McCANN. I believe it read December 31 or December 1, 1962.

The SPEAKER. December 31, 1962.

Mr. A. W. JOHNSON. I am asking a further question—are there other amendments to be offered?

Mr. McCANN. There are.

Mr. A. W. JOHNSON. Is the gentleman from Montgomery, Mr. Fry, going to offer amendments?

Mr. McCANN. That is right, sir.

Mr. A. W. JOHNSON. Well, so that the House can intelligently vote on Mr. Fetterolf's amendments, answer this question: Will the amendments of Mr. Fry comple-



ment or in any way be antagonistic to the amendments offered by Mr. Fetterolf?

Mr. McCANN. For the information of the membership, I think it would be most proper for Mr. Fry to bring me one copy of the amendments which we can read. They do not have an effective construction date. Would the gentleman from Montgomery consent to the amendments that are to be offered following Mr. Fetterolf's amendments as to the wordage and language of the amendments?

The SPEAKER. I think if the respective floor leaders do not have a copy of the amendments that Mr. Fry intends to introduce, he should furnish both the majority and minority leaders with copies of the amendments which he has in mind to present.

Mr. A. W. JOHNSON. That is right. I do not have a copy of the amendments. If Mr. Fry has given me a copy, I am sorry. I mislaid them.

Mr. McCANN. He did, Mr. Speaker. The gentleman did give a set of amendments. The amendments that Mr. Fry will offer do not have a construction effective date.

Mr. A. W. JOHNSON. What do they propose?

Mr. McCANN. They deal with "the highway department shall begin the preparation of the plans and specifications . . ."

Mr. A. W. JOHNSON. On what date?

Mr. McCANN. ". . . for the bridge herein mentioned by October 15, 1961," this year—plans and specifications, not construction.

Mr. A. W. JOHNSON. Then there will be before us, so the House will know, Mr. Fry's amendments which say start the plans in October of this year. Mr. Fetterolf says, all right, you start the plans in October, start building the bridge December 31, 1962, one year and three months later, is that right? I mean that is what the two amendments will be.

Mr. McCANN. Mr. Fetterolf's amendments, of course, which were clearly defined, indicated a date of construction for this bridge.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. Speaker, I would like to speak on the amendments of Mr. Fetterolf.

Mr. Speaker, as a result of the interrogation, I believe that the House should vote not only for Mr. Fetterolf's amendments, but also for Mr. Fry's amendments. I think they are both very, very excellent amendments. This bridge is needed and we are the legislature and we are providing the money for all these things, and there is nothing wrong with our saying start designing the bridge next October. It certainly will not take forever to draw a set of plans for a bridge. Then when the plans are made there is nothing wrong with saying start building on December 31, 1962. I cannot see anything wrong with that. I think I realize that Mr. Fry's amendments are not infallible, but I am asking the House to vote for Mr. Fetterolf's amendments and support the amendments of Mr. Fry. I think that would be consistent and proper for us to do so.

Mr. McCANN. Mr. Speaker, I ask the membership of this House to vote "no" on the amendments offered by Mr. Fetterolf and ask that when the roll is called the membership indicate by voting "no" on the construction date of the bridge.

Mr. A. W. JOHNSON. Mr. Speaker, may I further interrogate the majority leader?

The SPEAKER. Will the majority leader permit himself to be further interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. I realize this might not be proper, but I think the House should know, are you going to then ask the House to support the amendments submitted by Mr. Fry?

Mr. McCANN. Absolutely.

Mr. A. W. JOHNSON. Oh, you are going to say vote for these, but do not vote for Mr. Fetterolf's, is that right?

Mr. McCANN. That is right, sir.

Mr. A. W. JOHNSON. Okay, just so we know.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, may I interrogate the majority leader?

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. FETTEROLF. Mr. Speaker, you have just stated to the minority leader that you will oppose my amendments and support the amendments of the gentleman from Montgomery, Mr. Fry. I cannot quite see the reasoning for supporting specs and plans at such and such a date and then allowing a year and three months to go by and not supporting the construction beginning date, and I want to know if I am making a point there which is worthwhile considering and why your side will not take a different position on this amendment.

Mr. McCANN. Mr. Speaker, I can certainly answer that emphatically.

No. 1, as I mentioned before, no bill, bridge bill, which you ever passed when you were in charge ever had an effective construction date in it. We remove the effective construction date in this very bill. We do not in any way propose to have an effective construction date in any bill dealing with the date the construction should start. If it can be completed, it certainly will start sooner. There are many items that enter into it, but also various items enter into this situation which certainly occurred in Montgomery County regarding this bridge that were of extreme importance.

Mr. FETTEROLF. Mr. Speaker, I cannot see the reason for one amendment setting up a date for the beginning of specs and plans and supporting that, and not the construction angle.

May I ask the majority leader, is there any money in the construction budget of the highway department for the bridge at Norristown, \$3 million as specified by the bill?

Mr. McCANN. Mr. Speaker, I am most pleased that the gentleman brings up the point because this opens the door to the quotes in the "Times Herald," the Norristown newspaper in which I have a certification from Mr. Park Martin, the secretary, which I quote in full.

The quote is as follows:

"Representative Fetterolf was quoted at some length and generally to the effect that the present administration had no thought whatsoever of allocating \$3 million for the construction of a second bridge and implied that the bill that was introduced was a bland assumption of the citizens of Montgomery County. Such statements attributed to Representative Fetterolf are untrue and

obviously designed to fool the public for political purposes."

And I say to you that the Secretary of Highways says when the plans and specs are moving right along, that the allocation of this study for this bridge is assured as he progresses with the plans.

Mr. FETTEROLF. Mr. Speaker, I asked the majority leader if there were \$3 million set aside in the construction budget for 1961-62 for this bid? I did not ask for that.

Mr. McCANN. Mr. Speaker, the 1961-62 construction budget is now in force and would not have this money. But it certainly would be there as soon as the plans and specs are received.

Mr. FETTEROLF. Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fry.

Mr. FRY. Will the gentleman from Montgomery consent to be interrogated?

The SPEAKER. Will the gentleman from Montgomery, Mr. Fetterolf, permit himself to be interrogated?

Mr. FETTEROLF. I shall, Mr. Speaker.

Mr. FRY. Mr. Fetterolf, is this proposed amendment not an effort on your part to get in on the act.

Mr. FETTEROLF. Mr. Speaker, I was in on the act four months before my colleague from Montgomery, Mr. Fry. However, the highway committee did not see fit to release the bill.

Mr. FRY. Mr. Fetterolf, did I not wait almost three months before I introduced a bill similar to yours.

Mr. FETTEROLF. Yes sir, you did. You waited three months and yet in publicity releases, which I see here before me, you talk about this tremendous emergency and how this has to go right ahead at one time, how we have to get this thing going immediately, and so forth, but for the three months my bill was in the committee until the time yours was introduced I saw no action on your part, sir.

Mr. FRY. Did you at any time ask me for any assistance?

Mr. FETTEROLF. Mr. Speaker, if you will recall the day that I introduced my bill for this bridge we had a meeting in the office of the Secretary of Highways, Mr. Martin, together with all members of the Montgomery County delegation, both House and Senate, the commissioners from Montgomery County, the heads of the Chamber of Commerce, and various other civic groups.

The SPEAKER. We are still on the amendments.

Mr. FRY. Did you invite me to attend that meeting?

Mr. FETTEROLF. I did not invite the attendants and I was not invited myself; we all just turned up there.

The SPEAKER. The discussion is so far off center from a parliamentary point of view, and so there may be no suspicion of bias by the Chair, I am asking the gentleman from Armstrong to preside while the Chair signs some bills.

Mr. HELM IN THE CHAIR

The SPEAKER pro tempore. The question before the House is the amendments offered by the gentleman from Montgomery, Mr. Fetterolf. Will the gentleman confine the remarks to the business before the House, and also the interrogation?

Mr. FRY. Would you repeat that, Mr. Speaker?

The SPEAKER pro tempore. The Chair will be happy to repeat it. The gentleman will confine his remarks to

the amendments before this House and the interrogation should be confined to the amendments before the House.

Mr. FRY. Thank you. Mr. Speaker, I would like to know how this December 1962 date was arrived at?

Mr. FETTEROLF. Are you asking that question?

Mr. FRY. Yes.

The SPEAKER pro tempore. That is a proper question.

Mr. FETTEROLF. The date was arrived at because it is the last date when the current administration would be in office and I have had such glowing reports in the paper that you plan to get this bridge through that I want to put it to a test and find out whether we are going to get the bridge, and, therefore, I introduced this amendment. My assumption of it is it is to be beaten down by the other side that there is no intent of putting this bridge in by the date.

Mr. FRY. Did you consult the Secretary of Highways, regarding this date?

Mr. FETTEROLF. No, not on the date. No, sir. However, in the newspapers the secretary said if those specs were started or planning generally was started it would take a year to eighteen months before construction could start, and I am giving it a year and three or four months. I think that is pretty close to the length of time required.

Mr. FRY. Are you for or against the construction of this bridge?

Mr. FETTEROLF. I am very much for it.

Mr. FRY. Thank you.

The SPEAKER pro tempore. Does the gentleman from Delaware, Mr. Lippincott, desire to be recognized?

Mr. LIPPINCOTT. Mr. Speaker, I am confused on these amendments and I would like to interrogate the majority leader, if I may.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. LIPPINCOTT. I understood the gentleman to state that he knew of no previous bill in which there was an effective date for construction inserted in the bill and he is probably correct in that. Now I want to ask him this, does he know of any previous bill in which there was an effective date for plans and specifications? I am asking that sincerely, because I really do not know if there have been such effective dates?

Mr. McCANN. Mr. Speaker, I have to answer honestly, that in Rules Committee we discussed the effective date which was originally in Mr. Fry's bill. It was agreed that the effective date would be stricken out of the bill. We checked to see if there was any effective date on construction. I do not know nor can I answer you to say whether there was ever an effective date on plans and specifications.

Mr. LIPPINCOTT. I thank the gentleman. It seems to me, Mr. Speaker, in supporting Mr. Fetterolf's position that if we are establishing new policies as to plans and specifications as apparently we are going to do, it seems good policy to start to establish an effective date as far as construction is concerned. Especially since at this time the Highway Department seems to have enough money to do what it wants to do, if it really wants to.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. I could not answer that in the affirmative and the gentleman knows that, that an effective construc-



tion date would be inserted into this program, and if you were in charge I am sure you would have the same responsibility. Now, there is no question about the plans and specifications, because that is officially confirmed in communications as of June 8th and other communications and other letters from the Secretary of Highways, Mr. Martin.

Mr. FETTEROLF. Mr. Speaker, one more question of the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. FETTEROLF. Mr. Speaker, I should like to know if the bridge plans have not already been made by a contract engineer for the highway department?

Mr. McCANN. Have the plans already been made? The answer is no. A contract engineer has been engaged to make the plans to proceed, but the plans are not complete. In fact, the location meeting is scheduled very shortly to deal with the location of the bridge, and I believe the date is scheduled in the very near future. I have it here, specifically, for planning the actual location of the bridge at the river in Montgomery County.

Mr. FETTEROLF. I thank the gentleman. Mr. Speaker. Half a loaf is better than none and I ask all members of the House to support these amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. FETTEROLF and LIPPINCOTT and were as follows:

## YEAS—96

Adams,	George,	Kooker,	Slack,
Anderson, J. H.,	Gibb,	Korns,	Snare,
Ashton,	Gibbons,	Lee, A. M.,	Steckel,
Auker,	Goldstein, J. H.,	Lee, K. B.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lippincott,	Stiteler,
Blair,	Goodrich,	Magee,	Strausser,
Bossert,	Gramlich,	Manbeck,	Thompson,
Bowman,	Gross,	Markley,	Tompkins,
Buchanan,	Haudenshield,	Marsh,	Ujobal,
Bush,	Helm,	May,	Varnier,
Davis,	Henzel,	McCandless,	Wall,
Dengler,	Hocker,	McInroy,	Weidner,
Dennison,	Holl,	Merry,	Wescott,
Donaldson,	Holliday,	Miller,	Whittaker,
Down,	Holman,	O'Dell,	Willard,
Edwards,	Horst,	Odorisio,	Willaredt,
Elvey,	Isaacs,	Ogilvie,	Williams, A. D.,
Eshback,	Johnson, A. W.,	Piper,	Williams, E. S.,
Eshleman,	Johnson, R. P.,	Price,	Wilt,
Esler,	Keiser,	Pursley,	Wood,
Ewing,	Kernaghan,	Royer,	Worley,
Fetterolf,	Kessler,	Rutherford,	Wynd,
Foor,	King,	Seltzer,	Zember,
Fox,	Kistler,	Simmons,	Zimmerman,

## NAYS—103

Anderson, S. A.,	Galley,	Maxwell,	Reibman,
Arlene,	Gallagher,	McCann,	Reidenbach,
Bachman,	Gelfand,	McCormack,	Renwick,
Bonner,	Greenlee,	McDevitt,	Riley,
Branca,	Gremminger,	McDonald,	Rovasek,
Breth,	Guesman,	McKeever,	Rubin,
Capano,	Hamilton,	McLaughlin,	Rudisill,
Capitolo,	Hankins,	McNally,	Sakulsky,
Cauley,	Hartley,	Meholchick,	Scarcelli,
Cianfrani,	Heavey,	Mills,	Schaaf,
Cloff,	Irviss,	Monroe,	Schuster,
Clarke,	Jenkins,	Morley,	Shelton,
Comer,	Jim,	Mullen,	Sherman,
Cooley,	Jones,	Munley,	Shupnik,
Crossin,	Kamyk,	Murphy,	Stank,
Curwood,	Kelly,	Murray,	Stone,
Dougherty,	Klein,	Needham,	Sullivan, J. A.,
Doughten,	Kornick,	O'Donnell, J. A.,	Sullivan, T. F.,
Elberg,	Kramer,	O'Donnell, J. P.,	Taylor,

Farabaugh,	Lamb,	Parlante,	Trusio,
Filo,	Lawson,	Pashley,	Walsh,
Fineman,	Leonard,	Perry,	Wargo,
Flynn,	Limper,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jas.,	Polaski,	Yetter,
Frascella,	Long, Wm. Jos.,	Polen,	Andrews,
Fry,	Lutty,	Prendergast,	Speaker

## NOT VOTING—11

Boles,	Gray,	Knecht,	Tomasick,
Bower,	Guthrie,	Mihm,	Verona,
Fulmer,	Heffner,	Musto,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FRY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend bill, page 3, by inserting after line 13:

Section 5. The Department of Highways shall begin the preparation of the plans and specifications for the construction of the bridge herein mentioned by October 15, 1961.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1160, entitled:

An Act amending the "Urban Redevelopment Law" approved May 24, 1945 (P. L. 991), extending the provisions of the act to include certain boroughs except in counties of the second class.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY. Mr. Speaker, this bill, as I think the membership of the House knows, will extend the right—

The SPEAKER pro tempore. Does the gentleman desire to debate the bill?

Mr. GAILEY. I desire to make a motion, Mr. Speaker.

The SPEAKER pro tempore. The motion is in order.

## MOTION TO RECOMMIT

Mr. GAILEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, I oppose the motion to recommit.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. GAILEY and KORNICK and were as follows:

## YEAS—57

Anderson, S. A.,	Greenlee,	McDonald,	Riley,
Arlene,	Gremminger,	McKeever,	Rovansek,
Ashton,	Hankins,	McNally,	Rubin,
Bowman,	Hartley,	Meholchick,	Seltzer,
Branca,	Jones,	Monroe,	Shelton,
Cianfrani,	King,	Morley,	Sherman,
Crossin,	Lawson,	Munley,	Shupnik,
Doughten,	Limper,	Murphy,	Slack,
Elberg,	Mages,	Needham,	Snare,
Farabaugh,	Manbeck,	O'Dell,	Stiteler,
Fineman,	McCandless,	O'Donnell, J. A.,	Sullivan, T. F.,
Galley,	McCann,	O'Donnell, J. P.,	Tomasck,
Gallagher,	McCormack,	Pashley,	Wargo,
Gelfand,	McDevitt,	Perry,	Andrews,
Gramlich,			<b>Speaker</b>

## NAYS—138

Adams,	Fox,	Kornick,	Sakulsky,
Anderson, J. H.,	Frascella,	Korns,	Scarcelll,
Auker,	Fry,	Kramer,	Schaaf,
Bachman,	George,	Lamb,	Schuster,
Backenstoe,	Gibb,	Lee, A. M.,	Simmons,
Blair,	Gibbons,	Lee, K. B.,	Stank,
Bonner,	Goldstein, J. H.,	Lippincott,	Steckel,
Bossert,	Goldstein, M. H.,	Long, Wm. Jas.,	Stimmel,
Bower,	Goodrich,	Long, Wm. Jos.,	Stone,
Breth,	Gross,	Markley,	Strausser,
Buchanan,	Guesman,	Marsh,	Sullivan, J. A.,
Bush,	Hamilton,	Maxwell,	Taylor,
Capano,	Haudenshield,	May,	Thompson,
Cauley,	Heavey,	McInroy,	Tompkins,
Cioffi,	Helm,	McLaughlin,	Trusio,
Clarke,	Henzel,	Merry,	Ujobai,
Comer,	Hocker,	Miller,	Varnar,
Cooley,	Holl,	Mills,	Wall,
Curwood,	Holliday,	Mullen,	Walsh,
Davis,	Holman,	Murray,	Weidner,
Dengler,	Horst,	Odoriso,	Welsh,
Dennison,	Irviss,	Ogilvie,	Wescott,
Donaldson,	Isaacs,	Parlante,	Whittaker,
Dougherty,	Jenkins,	Petrosky,	Willard,
Down,	Jim,	Polaski,	Willaredt,
Edwards,	Johnson, A. W.,	Polen,	Williams, A. D.,
Elvey,	Johnson, R. P.,	Prendergast,	Williams, E. S.,
Eshback,	Kamyk,	Price,	Wilt,
Esler,	Kelser,	Pursley,	Wood,
Ewing,	Kelly,	Reibman,	Worley,
Fetterolf,	Kernaghan,	Reidenbach,	Wynd,
Filo,	Kessler,	Renwick,	Yetter,
Flynn,	Kistler,	Royer,	Zember,
Foerster,	Klein,	Rudisill,	Zimmerman,
Foor,	Kooker,		

## NOT VOTING—15

Boies,	Gray,	Leonard,	Piper,
Capitolo,	Guthrie,	Lutty,	Rutherford,
Eshleman,	Heffner,	Mihm,	Verona,
Fulmer,	Knecht,	Musto,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Very briefly, Mr. Speaker. Apparently, from the roll call on the recommittal motion, the House desires to pass the legislation. I would like to place on the record, however, very briefly, the reasons why I think the House is making an ill-considered move.

The right to engage in urban redevelopment programs at the present time, I understand, is extended to cities and to counties. Certainly, under the framework of the present law any borough that wishes to engage in urban redevelopment can do and should do so through their

proper county redevelopment agencies. To extend the right to urban renewal, the administrative staff would have to be hired. To extend this down to units as small as boroughs will cause very substantial overlapping in programs and will increase substantially the administrative costs of such programs. I suggest that they can have their urban renewal plans under present legislation and that to extend it in this way would be a serious mistake on our part.

Mr. KORNICK. Mr. Speaker, this is a local government commission bill. All we ask is that you give the same consideration to boroughs as we already give to third class cities. This applies to boroughs with a population of 5,000 or more.

There is nothing wrong with this type of legislation. If it is good for one local municipality or local government it is good for another.

Therefore, I ask the members on both sides to vote for this piece of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—154

Adams,	Foerster,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Frascella,	Limper,	Royer,
Arlene,	Fry,	Lippincott,	Rubin,
Auker,	George,	Long, Wm. Jas.,	Rudisill,
Bachman,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gibbons,	Lutty,	Scarcelll,
Blair,	Goldstein, J. H.,	Markley,	Schuster,
Bonner,	Goldstein, M. H.,	Marsh,	Simmons,
Bossert,	Goodrich,	Maxwell,	Snare,
Bower,	Gross,	May,	Stank,
Bowman,	Guesman,	McCann,	Steckel,
Branca,	Hamilton,	McCormack,	Stimmel,
Breth,	Hartley,	McDevitt,	Stiteler,
Buchanan,	Haudenshield,	McDonald,	Stone,
Bush,	Heavey,	McInroy,	Sullivan, T. F.,
Capano,	Helm,	McLaughlin,	Thompson,
Capitolo,	Henzel,	McNally,	Tomasck,
Cauley,	Hocker,	Meholchick,	Tompkins,
Cianfrani,	Holl,	Merry,	Trusio,
Cioffi,	Holliday,	Miller,	Ujobai,
Clarke,	Horst,	Mills,	Varnar,
Comer,	Irviss,	Monroe,	Wall,
Cooley,	Isaacs,	Morley,	Walsh,
Crossin,	Jenkins,	Mullen,	Weidner,
Curwood,	Jim,	Murray,	Welsh,
Davis,	Johnson, A. W.,	O'Donnell, J. P.,	Wescott,
Dengler,	Johnson, R. P.,	Odoriso,	Whittaker,
Dennison,	Jones,	Ogilvie,	Willard,
Donaldson,	Kamyk,	Parlante,	Willaredt,
Down,	Kelser,	Petrosky,	Williams, A. D.,
Edwards,	Kernaghan,	Polaski,	Williams, E. S.,
Elvey,	Kessler,	Polen,	Wilt,
Eshback,	Kistler,	Prendergast,	Wood,
Esler,	Klein,	Price,	Worley,
Ewing,	Kooker,	Pursley,	Yetter,
Farabaugh,	Kornick,	Reibman,	Zember,
Fetterolf,	Korns,	Renwick,	Zimmerman,
Filo,	Kramer,	Riley,	Andrews,
Flynn,	Lamb,		<b>Speaker</b>

## NAYS—42

Anderson, S. A.,	Gramlich,	McKeever,	Seltzer,
Ashton,	Greenlee,	Munley,	Shelton,
Dougherty,	Gremminger,	Murphy,	Sherman,
Doughten,	Hankins,	Needham,	Shupnik,
Elberg,	Holman,	O'Dell,	Slack,
Fineman,	Kelly,	O'Donnell, J. A.,	Strausser,
Foor,	King,	Perry,	Sullivan, J. A.,
Fox,	Lee, K. B.,	Reidenbach,	Taylor,
Galley,	Mages,	Schaaf,	Wargo,
Gallagher,	Manbeck,		Wynd,
Gelfand,	McCandless,		



## NOT VOTING—14

Boles,  
Ehlerman,  
Fulmer,  
Gray,

Guthrie,  
Heffner,  
Knecht,  
Lawson,

Leonard,  
Mihm,  
Musto,

Piper,  
Rutherford,  
Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, chairman, Room 131-A, Wednesday, June 14, at 9:30 a.m.

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Parlante, chairman, Room 131-A, Wednesday, June 14, at 9:15 a.m.

CITIES-COUNTIES FIRST CLASS, Mr. Dougherty, chairman, Room 521, Wednesday, June 14, at 9:45 a.m.

CITIES-COUNTIES SECOND CLASS and SECOND CLASS A, Mr. Luty, chairman, Room 131-B, Wednesday, June 14, at 9 a.m.

CITIES-THIRD CLASS, Mr. Walsh, chairman, Room 131-C, Wednesday, June 14, at 9:30 a.m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Wednesday, June 14, at 9:30 a.m.

ELECTIONS, Mr. Eilberg, chairman, Room 323, Wednesday, June 14, at 9:45 a.m.

LIQUOR CONTROL, Mr. Reidenbach, chairman, Room 131-F, Wednesday, June 14, at 9:30 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Wednesday, June 14, at 9:30 a.m.

## ALL TIMES ARE DAYLIGHT SAVING TIME

## RESOLUTION

## COMMEMORATION

Messrs. POLEN, CAPANO, FLYNN, McCANN and MURPHY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, June 13, 1961.

General Edward Martin, a former Governor of the Commonwealth and a man respected by all was an enthusiastic proponent of highway construction during the entire span of his public life.

General Martin fought in three wars, the Spanish American War, World War I and World War II. He also served his State as a dedicated public servant. He was elected State Treasurer, Auditor General and Governor. He was a member of the cabinet in the capacity of Adjutant General and he represented the people of Pennsylvania in Washington as a member of the United States Senate.

Because of his background and the service he has rendered to the citizens of our State, it is fitting and appropriate that legislative recognition be accorded General Edward Martin; therefore be it

Resolved, That Highway Route Number 71 from the Pennsylvania Turnpike at New Stanton to Washington, Pennsylvania be dedicated to the man during whose administration the first section of the road was built and that the highway be known as the "General Edward Martin Highway," and be it further

Resolved, That the Department of Highways shall erect along the highway suitable tablets and markers and shall

carry out suitable landscape development to perpetuate this resolution. This highway shall also continue to be known as route 71, and upon completion as route 70, as currently planned.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 10.

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession control dealing in and use of certain drugs and keeping records thereof \* \* \*" clarifying the definition of "drug" to include heroin in any quantity.

## HOUSE BILL No. 218.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), changing provisions requiring operators to drive on the right side of the highway and providing penalties.

## HOUSE BILL No. 483.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

## HOUSE BILL No. 555.

An Act amending the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), extending to thirty days the time within which county commissioners or the joint-county health commission may give notice of approval or disapproval of rules and regulations of the board of health.

## HOUSE BILL No. 1017.

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), exempting in certain cases and to a certain extent concert music halls maintained by public or private charities from taxation.

## HOUSE BILL No. 1076.

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services and to prepare codification of laws relating thereto and appropriate legislation in connection therewith.

## HOUSE BILL No. 1186.

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania \* \* \*" extending the provisions thereof to members of the Delaware River Port Authority Police.

## SENATE BILL No. 75.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring operators to depress their headlights when following or overtaking another vehicle and providing penalties.

## SENATE BILL No. 179.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" requiring publication of ordinances not more than sixty days nor less than seven days prior to passage in one newspaper circulating generally in the township.

## SENATE BILL No. 278.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

## SENATE BILL No. 280.

An Act amending the act of May 5, 1945 (P. L. 426), entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents . . ." changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

## SENATE BILL No. 282.

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class . . ." changing the name of The Italian-American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

## SENATE BILL No. 284.

An Act amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps . . ." changing the name of the Italian American World War Veterans of the United States Incorporated Department of Pennsylvania to conform with its charter.

## SENATE BILL No. 286.

An Act amending the act of April 8, 1867 (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with name in its charter.

## SENATE BILL No. 481

An Act providing for and fixing the fees and mileage for witnesses attending a coroner's inquest imposing duties on coroners and repealing inconsistent legislation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

## TIME OF NEXT MEETING

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In The Senate, June 13, 1961.

Resolved, (the House of Representatives concurring), that when the Senate adjourns this week, it reconvene on Monday, June 19, 1961 at two o'clock p.m., e.s.t., and when the House of Representatives adjourns this week, it reconvene on Tuesday, June 20, 1961, at an hour to be fixed by the House of Representatives.

Ordered, that the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, that the clerk inform the Senate accordingly.

## BILLS INTRODUCED AND REFERRED

By Messrs. WEIDNER, HOLLIDAY, BOWER, Mrs.

KERNAGHAN, Mr. A. W. JOHNSON, Mrs.

HENZEL and Mr. HORST. HOUSE BILL No. 1770.

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Referred to the Committee on Congressional Apportionment.

By Messrs. RENWICK, FARABAUGH

and TOMPKINS.

HOUSE BILL No. 1771.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), authorizing taxation of land owned by school districts for certain purposes.

Referred to the Committee on Counties.

By Messrs. TOMPKINS and FINEMAN.

HOUSE BILL No. 1772.

An Act amending the "Arbitration by Contract Law," approved April 25, 1927 (P. L. 381), further regulating motions to vacate, modify or correct awards.

Referred to the Committee on Labor Relations.

## COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 208, 574, 576, 578, 580, 581, 585 587, 588, 589, 857, 870, 871, 874, 875.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 208, printer's No. 210, entitled "An Act regulating the sale of electron receiving and picture tubes used in home type radio and television receivers or other home type electronic devices and fixing penalties."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 574, printer's No. 1160, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' adding and increasing certain penalties and conforming a section to show a previous repeal."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 576, printer's No. 621, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' making it unlawful to assist in the taking killing or wounding of any game and providing penalties."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day



approved and signed House bill No. 578, printer's No. 623, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' changing provision relating to revocation of licenses."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 580, printer's No. 625, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' further regulating the use of automatic and magazine shotguns and providing a penalty."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 581, printer's No. 626, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' prohibiting the use of twenty-two or twenty-five calibre rimfire cartridges for killing big game destroying property."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 585, printer's No. 630, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' clarifying changing and increasing certain fees."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 587, printer's No. 632, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' permitting a non-resident who is not a resident of the United States to purchase a three-day license for hunting on regulated shooting grounds."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 588, printer's No. 1136, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' extending provision relating to when license tags are required to be displayed."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 589, printer's No. 1226, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' changing certain penalties."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 857, printer's No. 1307, entitled "An Act amending the Act of April 9, 1929

(P. L. 177), entitled 'The Administrative Code of 1929' authorizing the Department of Public Welfare to promote local social welfare programs and to disburse Federal and State funds in connection therewith."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 870, printer's No. 955, entitled "An Act amending the Act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' removing from the jurisdiction of the Department of Public Welfare jails prisons and penal institutions and inmates thereof."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 871, printer's No. 1500, entitled "An Act amending the act of April 14, 1925 (P. L. 234), entitled 'An Act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties' further defining terms deleting certain requirements for approval and licenses imposing powers and duties on the Department of Public Welfare deleting the right to enter and inspect premises and the requirement for registration making certain acts illegal providing penalties and making repeals."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 874, printer's No. 959, entitled "An Act amending the act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' creating and redesignating boards of trustees of certain institutions in the Department of Public Welfare."

DAVID L. LAWRENCE.

June 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 875, printer's No. 960, entitled "An Act amending the act of June 12, 1951 (P. L. 533), entitled 'The Mental Health Act of 1951' changing the name of Laurelton State Village and the Pennhurst and Polk State Schools."

DAVID L. LAWRENCE.

Mr. McCANN. Mr. Speaker, I request permission to call up bills for amendment and recommitment. I call up House bill No. 1326, bills on third reading.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1326, entitled:

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521), including Federal Savings and Loan Associations within the provisions relating to reports to the Department of Revenue and requiring reports in case of the death of certain trustees.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1512, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating regulations.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Section 2 (Section 733.1), page 4, line 5, by striking out "desires to be exempt from" and inserting is not availing itself of

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1541, entitled:

An Act relating to the manufacture sale and possession of drugs devices and cosmetics conferring powers on the courts and the Secretary and Department of Health providing penalties and for the revocation or suspension of certain licenses making an appropriation to the Department of Health and repealing certain acts.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Public Health and Sanitation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1598, entitled:

An Act relating to the regulation of the practice of pharmacy including the sale use and distribution of drugs and amending revising consolidating and changes relating thereto.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Public Health and Sanitation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1607, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), empowering the exercise of eminent domain for certain purposes in regard to graveyards and cemeteries.

On the question,

Will the House agree to the bill on third reading?

Mr. BOWMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 2602), page 2, line 6, by striking out "stated in" and inserting: and subject to the provisions of

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1663, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), extending the definition of manufacture.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by striking out "extending the definition of manufacture" and inserting: defining and creating an exemption for processing

Amend Sec. 1, page 2, line 1 by striking out "Clause (c) of Section 2" and inserting: Section 2 of the

Amend Sec. 1, page 2, line 3 by striking out "to read" and inserting: by adding after clause (c) of such section, a new clause to read:

Amend Sec. 1 (Sec. 2), page 2, lines 8 to 13; page 3, lines 1 to 20; page 4, lines 1 to 19 and page 5, line 1 by striking out all of said lines and inserting:

(c.1) "Processing." The performance of the following activities when engaged in as a business enterprise:

(1) The cooking or freezing of fruits, vegetables, mushrooms, fish, seafood, meats or poultry when the person engaged in such business packages such property in sealed containers for wholesale distribution.

(2) The throwing, twisting, or winding of natural or synthetic fibers, or the spinning, bleaching, dyeing, print-



ing or finishing of yarns or fabrics when such activities are performed prior to sale to the ultimate consumer.

(3) The electroplating, galvanizing, enameling, anodizing, coloring, finishing or heat treating of metals for sale or in the process of manufacturing.

(4) The rolling, drawing or extruding of ferrous and non-ferrous metals.

(5) The fabrication for sale of ornamental or structural metal or of metal stairs, staircases, gratings, fire escapes or railings (not including fabrication work done at the construction site).

(6) The preparation of animal feed or poultry feed for sale.

\* \* \*

Section 2. Clauses (j) and (n) of Section 2 of the act, amended August 20, 1959 (P. L. 729) and November 21, 1959 (P. L. 1556) are amended to read:

Section 2. Definitions.—

\* \* \*

(j) "Sale at Retail." (1) Any transfer, for a consideration, of the ownership, custody or possession of tangible personal property, including the grant of a license to use or consume whether such transfer be absolute or conditional and by whatsoever means the same shall have been effected.

(2) The rendition of the service of printing or imprinting of tangible personal property for a consideration for persons who furnish, either directly or indirectly, the materials used in the printing or imprinting.

(3) The rendition for a consideration of the service of:

(i) Washing, cleaning, waxing, polishing or lubricating of motor vehicles of another whether or not any tangible personal property is transferred in conjunction therewith; and

(ii) Inspecting motor vehicles pursuant to the mandatory requirements of "The Vehicle Code."

(4) The rendition for a consideration of the service of repairing, altering or cleaning tangible personal property or applying or installing tangible personal property as a repair or replacement part of other personal property for a consideration, whether or not any tangible personal property is transferred in conjunction therewith, except such services as are rendered in the construction, reconstruction, remodeling, repair or maintenance of real estate. Notwithstanding the meaning ascribed to the term "tangible personal property" by clause (1) of this section 2, for the purposes of this subclause (2) (j) (4) only, the term "tangible personal property" shall also include any and all wearing apparel upon which the services described herein, including such services as drycleaning, dyeing, fitting, laundering, mending or pressing, may be performed, whether the services are performed directly or by means of coin-operated equipment or by any other means; Provided, however, That this subclause shall not be deemed to impose tax upon such services in the preparation for sale of new wearing apparel (other than that described by clause (1) (2) of this section 2, or upon diaper service.

(5) Any retention after March 7, 1956, of possession, custody or a license to use or consume pursuant to a rental contract or other lease arrangement (other than as security).

(6) Any retention of possession, custody or a license to use or consume tangible personal property or any further obtaining of services described in subclauses (2),

(3) and (4) of this clause after April 15, 1959, pursuant to a rental or service contract or other arrangement (other than as security).

(7) Any retention of possession, custody or a license to use or consume tangible personal property or any further obtaining of services described in subclauses (2), (3) and (4) of this clause, after the effective date of this amendment, pursuant to a rental or service contract or other arrangement (other than as security).

The term "sale at retail" shall not include (a) any such transfer or rendition of services for the purpose of resale, or (b) such rendition of services or the transfer of tangible personal property including, but not limited to, machinery and equipment and parts and foundations

therefor and supplies to be used or consumed directly in any of the operations of—

(a) The manufacture of personal property;

(b) Farming, dairying, agriculture, horticulture or floriculture when engaged in as a business enterprise;

(c) The producing, delivering or rendering of a public utility service, or in construction, reconstruction, remodeling, repairing or maintaining the facilities used in such service, whether or not such facilities constitute real estate; Provided, however, "Real Estate" shall not include buildings.

(d) The processing of personal property as defined in clause (c.1) of this section.

The exclusion provided in paragraphs (a), [and] (b) and (d) shall not apply to any vehicle required to be registered under The Vehicle Code or The Tractor Code or to maintenance facilities or to materials or supplies to be used or consumed in any construction, reconstruction, remodeling, repair or maintenance of real estate other than machinery, equipment or parts or foundations therefor that may be affixed to such real estate.

The exclusions provided in paragraphs (a), (b) [and] (c) and (d) shall not apply to tangible personal property or services to be used or consumed in managerial sales or other nonoperational activities.

The exclusion provided in paragraph (c) shall not apply to (a) construction materials used to construct, reconstruct, remodel, repair or maintain facilities not used directly in the production, delivering or rendition of public utility service, or (b) tools and equipment used but not installed in the maintenance of facilities used in the production, delivering or rendition of a public utility service.

Where tangible personal property or services are utilized for purposes constituting a "sale at retail" as herein defined, and for purposes excluded from the definition of "sale at retail," the predominant purpose shall determine whether such purposes constitute a "sale at retail" as herein defined.

The term "sale at retail" with respect to "liquor" and "malt or brewed beverages" shall include the sale of "liquor" by any "Pennsylvania liquor store" to any person for any purpose, and the sale of "malt or brewed beverages" by a "manufacturer of malt or brewed beverages," "distributor" or "importing distributor" to any person for any purpose, except sales by a "manufacturer of malt or brewed beverages" to a "distributor" or "importing distributor," or sales by an "importing distributor" to a "distributor" within the meaning of the "Liquor Code." The term "sale at retail" shall not include any sale of "malt or brewed beverages" by a "retail dispenser" or any sale of "liquor" or "malt or brewed beverages" by a person holding a "retail liquor license" within the meaning of and pursuant to the provisions of the "Liquor Code," but shall include any sale of "liquor" or "malt or brewed beverages" other than pursuant to the provisions of the "Liquor Code."

\* \* \*

(n) "Use." (1) The exercise of any right or power incidental to the ownership, custody or possession of tangible personal property and shall include, but not be limited to transportation, storage or consumption.

(2) The obtaining by a purchaser of the service of printing or imprinting of tangible personal property when such purchaser furnishes, either directly or indirectly, the articles used in the printing or imprinting.

(3) The obtaining by a purchaser of the service of (i) washing, cleaning, waxing, polishing or lubricating of motor vehicles whether or not any tangible personal property is transferred to the purchaser in conjunction with such services, and (ii) inspecting motor vehicles pursuant to the mandatory requirements of "The Vehicle Code."

(4) The obtaining by a purchaser of the service of repairing, altering or cleaning tangible personal property or applying or installing tangible personal property as a repair or replacement part of other personal property whether or not any tangible personal property is transferred to the purchaser in conjunction therewith, except such services as are obtained in the construction, recon-



struction, remodeling, repair or maintenance of real estate. Notwithstanding the meaning ascribed to the term "tangible personal property" by clause (1) of this section 2, for the purposes of this subclause (2) (n) (4) only, the term "tangible personal property" shall also include any and all wearing apparel upon which the services described herein, including such services as drycleaning, dyeing, fitting, laundering, mending or pressing may be performed, whether the services are performed directly or by means of coin-operated equipment or by any other means: Provided, however, That this subclause shall not be deemed to impose tax upon such services in the preparation for sale of new wearing apparel (other than that described by clause (1) (2) of this section 2), or upon diaper service; And provided further, that the term "use" shall not include—

(a) The demonstration of tangible personal property in the regular course of business, and

(b) The interim keeping, retaining or exercising any right or power over tangible personal property for the sole purpose of subsequently transporting it outside this Commonwealth for use outside this Commonwealth, or for the purpose of being processed, fabricated or manufactured into, attached to or incorporated into other personal property to be transported outside the Commonwealth for use solely outside this Commonwealth.

(c) The use or consumption of tangible personal property including, but not limited to machinery and equipment and parts and foundations therefor, and supplies or the obtaining of the services described in subclause (2), (3) and (4) of this clause directly in any of the operations of—

(i) The manufacture of personal property;

(ii) Farming, dairying, agriculture, horticulture or floriculture when engaged in as a business enterprise;

(iii) The producing, delivering or rendering of a public utility service, or in constructing, reconstructing, remodeling, repairing or maintaining the facilities used in such service, whether or not such facilities constitute real estate: Provided, however, "real estate" shall not include buildings;

(iv) The processing of personal property as defined in subclause (c.1) of this section.

The exclusions provided in subparagraphs (i), [and] (ii) and (iv) shall not apply to any vehicle required to be registered under The Vehicle Code or The Tractor Code or maintenance facilities, or to materials or supplies to be used or consumed in any construction, reconstruction, remodeling, repair or maintenance of real estate other than machinery, equipment or parts or foundations therefor, that may be affixed to such real estate. The exclusions provided in subparagraphs (i), (ii) [and] (iii) and (iv) shall not apply to tangible personal property or services to be used or consumed in managerial sales or other non-operational activities.

The exclusion provided in subparagraph (iii) shall not apply to (a) construction materials used to construct, reconstruct, remodel, repair or maintain facilities not used directly in the production, delivering or rendition of public utility service, or (b) tools and equipment used but not installed in the maintenance of facilities used in the production, delivering or rendition of a public utility service.

Where tangible personal property or services are utilized for purposes constituting a "use," as herein defined, and for purposes excluded from the definition of "use," the predominant purpose shall determine whether such purposes constitute a "use" as herein defined.

The term "use" with respect to "liquor" and "malt or brewed beverages" shall include the purchase of "liquor" from any "Pennsylvania liquor store" by any person for any purpose, and the purchase of "malt or brewed beverages" from a "manufacturer of malt or brewed beverages," "distributor" or "importing distributor" by any person for any purpose, except purchases from a "manufacturer of malt or brewed beverages" by a "distributor" or "importing distributor," or purchases from an "importing distributor" by a "distributor" within the meaning of the "Liquor Code." The term "use" shall not include any purchase of "malt or brewed beverages" from a "retail

dispenser" or any purchase of "liquor" or "malt or brewed beverages" from a person holding a "retail liquor license" within the meaning of and pursuant to the provisions of the "Liquor Code," but shall include the exercise of any right or power incidental to the ownership, custody or possession of "liquor" or "malt or brewed beverages" obtained by the person exercising such right or power in any manner other than pursuant to the provisions of the "Liquor Code."

The use of tangible personal property purchased at retail upon which the services described in subclauses (2), (3) and (4) of this clause (n) have been performed shall be deemed to be a use of said services by the person using said property.

\* \* \*

Amend Section 2, page 5, line 3, by striking out "2" and inserting: 3

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1664, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further defining and extending the manufacturing exemption with regard to capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend title, page 1, lines 4 and 5 of title, by striking out "further defining and extending" in line 4 and "the manufacturing exemption" in line 5 and inserting creating an exemption for processing as defined and limited

Amend Section 1 (Section 21), page 3, line 17, by inserting after "manufacturing" or processing

Amend Section 1 (Section 21), page 3, line 19, by inserting after "facturing" or processing

Amend Section 1 (Section 21), page 4, line 2, by inserting after "manufacturing" or processing

Amend Section 1 (Section 21), page 4, line 5, by inserting after "manufacturing" or processing

Amend Section 1 (Section 21), page 4, line 8, by inserting after "manufacturing" or processing

Amend Section 1 (Section 21), page 5, line 3, by inserting after "manufacturing" or processing

Amend Section 1 (Section 21), page 5, line 10, by inserting after "manufacturing" or processing

Amend Section 1 (Section 21), page 5, line 18, by inserting after "manufacturing" or processing

Amend Section 1 (Section 21), page 10, line 7, in inserting after "manufacturing" or processing

Amend Section 1 (Section 21), page 10, line 8, by striking out "manufacturing" and inserting processing



Amend Section 1 (Section 21), page 10, line 8, by striking out "include" and inserting mean and be limited to

Amend Section 1 (Section 21), page 10, line 10, by inserting after "(1)" the

Amend Section 1 (Section 21), page 10, line 10, by striking out "and"

Amend Section 1 (Section 21), page 10, line 10, by striking out "(including"

Amend Section 1 (Section 21), page 10, line 11, by striking out the parenthesis after "rooms"

Amend Section 1 (Section 21), page 10, line 11, by striking out "and" where it appears the first time

Amend Section 1 (Section 21), page 10, line 11, by striking out "and" where it appears the second time and inserting or

Amend Section 1 (Section 21), page 10, line 11, by striking out "and packing same" and inserting when the person engaged in such business packages such property

Amend Section 1 (Section 21), page 10, line 13, by inserting after "(2)" the

Amend Section 1 (Section 21), page 10, line 13, by striking out "and" where it appears the first time and inserting or

Amend Section 1 (Section 21), page 10, line 13, by striking out "and" where it appears the second time and inserting or

Amend Section 1 (Section 21), page 10, line 13, by inserting after "fibers" or the

Amend Section 1 (Section 21), page 10, line 14, by striking out "and" where it appears the first time and inserting or

Amend Section 1 (Section 21), page 10, line 14, by striking out "and" where it appears the second time and inserting or

Amend Section 1 (Section 21), page 10, line 14, by striking out "and" where it appears the second time and inserting or

Amend Section 1 (Section 21), page 10, line 14, by inserting after "fabrics" when such activities are performed prior to sale to the ultimate consumer

Amend Section 1 (Section 21), page 10, line 15, by inserting after "(3)" the

Amend Section 1 (Section 21), page 10, line 16, by striking out "and" and inserting or

Amend Section 1 (Section 21), page 10, line 16, by striking out "which are incorporated as ingredient"

Amend Section 1 (Section 21), page 10, line 17, by striking out "constituents of a product" and inserting for sale or

Amend Section 1 (Section 21), page 10, line 18, by inserting after "(4)" the

Amend Section 1 (Section 21), page 10, line 18, by striking out "and" and inserting or

Amend Section 1 (Section 21), page 10, line 19, by inserting after "(5)" the

Amend Section 1 (Section 21), page 10, line 19, by striking out "of" and inserting for sale of ornamental or

Amend Section 1 (Section 21), page 10, line 19, by striking out "iron and steel and" and inserting metal or

Amend Section 1 (Section 21), page 10, line 20, by striking out "and" and inserting or

Amend bill, page 11, by inserting between lines 1 and 2 (6) the preparation of animal feed or poultry feed for sale

Amend Section 2, page 12, line 14, by striking out "immediately" and inserting retroactively

Amend Section 2, page 12, line 14, by striking out "first"

Amend Section 2, page 12, line 15, by striking out "1961" and inserting 1958 and thereafter

Amend Section 2, page 12, line 16, by striking out "1961" and inserting 1958 and thereafter

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 88, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third fourth fifth sixth seventh and eight classes amending revising consolidating and changing the laws relating thereto" abolishing county institution districts in counties of the fourth fifth and sixth classes transferring their property powers duties and obligations to counties prescribing certain further duties of county commissioners with regard to persons in foster homes and as to children and youth and regulating payments for care.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 6 (Sec. 2174), page 15, line 3, by striking out "PAY" and inserting: payment

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 439, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to manual training schools receiving State aid authorizing contracts to lease and leases by the Department of Public Instruction from the Authority of any additions or improvements to manual training schools receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Title, page 2, tenth line of Title, by inserting after "schools" and agricultural and industrial schools

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendment?  
It was agreed to.

On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 107, printer's No. 1825, on page 5 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 216, printer's No. 1861, on page 6 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 231, printer's No. 239, on page 6 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 371, printer's No. 1743, on page 6 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1109, printer's No. 1239, on page 6 of today's calendar, bills on final passage postponed.

### SENATE MESSAGE

#### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 678, entitled:

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation" extending the provisions of the act to authorize the sealing of abandoned coal mines and filling voids in abandoned coal mines and making money heretofore appropriated available for those purposes.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 678

The SPEAKER pro tempore. The Chair has appointed as a Committee of Conference on the part of the House, Messrs. CROSSIN, WARGO and HEFFNER.

Ordered, that the clerk inform the Senate accordingly.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 264 FROM GOVERNOR

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 8, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House bill No. 264, printer's No. 1301, entitled "An act amending the act of June 3, 1937 (P. L. 1333), entitled 'An act concerning elections including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases," for the purpose of further consideration and amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

### COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

### REPORT OF SPECIAL INVESTIGATION COMMITTEE OF THE UNIVERSITY OF PITTSBURGH

Mr. McCANN presented the report of the special investigation committee of the University of Pittsburgh concerning the conclusions and decisions in the case of Dr. Robert G. Colodny, as follows:

UNIVERSITY OF PITTSBURGH  
Pittsburgh 13, Pennsylvania

Philip H. Powers  
Assistant Chancellor  
Development

June 13, 1961.

Representative Stephen McCann  
Majority Floor Leader  
House of Representatives  
Waynesburg Road  
Carmichaels, Pennsylvania

Dear Mr. McCann:

In accordance with commitments made in my earlier correspondence, I am herewith transmitting a copy of the report made by Chancellor Litchfield today to the University Board of Trustees concerning his conclusions and decision in the case of Dr. Robert G. Colodny.

As chairman of the special investigating committee whose responsibility it has been to supply the Chancellor with complete, relevant, and impartial facts on which his decision could be made, I wish to repeat my earlier assurances that the charges made against Dr. Colodny have been investigated with thoroughness and with full regard for the rights of all concerned.

I hope you will accept the enclosed report with confidence that our special committee, our legal counsel, and the Chancellor have acted in accordance with fairness and the facts.

Very truly yours,

S/ P. H. Power, Chairman

Special Investigation Committee  
Appointed by the Chancellor.



UNIVERSITY OF PITTSBURGH  
Chancellor of the University

June 13, 1961.

My dear Mr. Price:

Once each year the laws of the Commonwealth require that I review the faculty and administration of this University and advise the Commonwealth as to whether or not there are any among us who are known to be subversive. After a more than usually assiduous self-scrutiny I can say that to the best of our careful knowledge there is none.

The faculties, trustees and administration of this institution are poignantly aware of the dangers implicit in our conflict with international communism. If we are vigilant in our efforts to prevent subversion from developing within our institution, that effort arises primarily from our convictions regarding our way of life and the threats to which it is subjected. While our concern is buttressed by the statutory law of the Commonwealth which periodically reminds us of the dangers which an unprincipled competitor forces upon us, we are equally disciplined in this home of constitutional government by a rich tradition of freedom of expression which is the very heart of the society which we are intent upon protecting from subversion either from within or without.

You will be among the first to understand that an American university is by definition a place of free inquiry. It is not a government bureau, nor an industrial corporation nor a church. Its role in society postulates question, criticism, controversy, debate and doubt in all matters, social as well as scientific. The university embraces and supports the society in which it operates, but it knows no established doctrines, accepts no ordained patterns of behavior, acknowledges no truth as given. Were it otherwise the university would be unworthy of the role which our society has assigned it.

In the last analysis, the university must be free to think as its members will, to the same extent and for the same reason that the press must be free to comment as it will, as one branch of government must function independent of another, as the churches must be free to offer doctrinal sanctuary, as the corporations must have opportunity to pursue product and market with an absolute minimum of outside direction.

As you well know, I have divided my life among the private corporation, the government office and the campus, and I understand that each of these is, as is the church and the press, a prime source of strength and thought and aspiration. It must not be obscured that each of these contributes to and perpetuates our society precisely because we do postulate multiple sources of ideas, of values, of ultimate truths.

In fulfilling its function of inquiry, research and experimentation, the university continuously exercises this postulate of pluralistic values. We thus often find ourselves at variance with established public policy and conventional ideology. But, however we may differ from established views, and however wrong we may be, it does not follow that the institution or its members are subversive unless it is demonstrably clear that we advocate the destruction of our constitutional government, which is, in fact, the destruction of our pluralist society.

The principal threat of international communism lies in its clear intent to destroy the pluralism which the press, the corporation, the church and the university represent. We must be certain that that threat does not succeed.

As staunch defenders of a democratic system we must also be concerned about those who would overzealously "defend" our social system in such a way as to destroy it. If I rise and damn my fellow man, I should be prepared with clear and incontrovertible evidence. I should first have conferred with his peers, should have tried established channels for just consideration of my claim, and otherwise should have exhausted all the vehicles and remedies of an orderly society.

Surely in these paragraphs you recognize that we are speaking of principles, of first principles of a society which is in challenge the world over. I review them here as a

framework in which to discuss the particular matter of this report.

During the year, we exercised every care in making certain that we did not admit to our fellowship those who would subvert a society which postulates multiplicity of values, pluralist institutions and the constitutional framework designed to preserve them. We are satisfied today that, on the basis of information which we are able after due and determined effort to obtain, there is no one among our faculty and administration who believes that our society as I have defined it should be replaced by another.

While in a sense our statutory responsibilities will be discharged when this single statement is submitted to the Commonwealth, it is important to speak of a particular situation which has caused much public comment. This is the matter concerning Dr. Robert G. Colodny, Associate Professor of History. I believe the essentials both as to procedure of inquiry and the substance of conclusion are these:

1. A question having been raised in the legislature and in the public press as to Dr. Colodny's association with international communism, I appointed a fact-finding committee to look into the matter. The committee represented the University trustees, the administration and the faculty. It included a lawyer, a former corporation executive, and a faculty member whose whole professional life has been spent in an academic environment. The trustee was Mr. George Lockhart, a partner in the firm of Kirkpatrick, Pomeroy, Lockhart & Johnson. The administration representative and chairman of the committee was Mr. Philip H. Powers, Assistant Chancellor for Development, and a business executive of long standing in this community. The faculty member was Dr. Robert E. Olson, Professor of Biochemistry and Nutrition in the Graduate School of Public Health. At the same time, the committee retained the competent and neutral law firm of Eckert, Seamans and Cherin to undertake the staff work.

2. The intended procedure of objective review of the fact of the case was discussed in advance with Dr. Colodny, with the Committee on Tenure and Academic Freedom of the University Senate and, of course, the Executive Committee of the Board of Trustees. The procedure was acceptable to all of these parties and the investigation therefore went forward with general concurrence as to the wisdom of this method of review.

3. The committee and its counsel have spent more than four months in painstaking investigation, even though the task by its very nature was a distasteful one to them. Every appropriate investigatory agency of the federal government has been consulted and every one has been cooperative and in most instances has been able to provide the committee with useful information. Dr. Colodny's students and colleagues, both in this University and in other institutions, have been contributors to the materials which the committee reviewed. Associates of other years have volunteered information and others have responded to inquiries from the committee and from counsel. A wide variety of other public and private institutions have been involved in supply information which has been helpful to the committee in its deliberations. In addition, the committee has consulted extensively with a variety of highly qualified persons in a positions to make substantive judgments about the significance of Dr. Colodny's writings. Dr. Colodny himself was given every opportunity to state his views and comment on all charges made against him. At the same time the committee was firm in obtaining from him all relevant information. He was cooperative and frank throughout.

In all, six professional people have been engaged in this investigation for four months. The evidence from all over the world runs to several thousand pages. We have invested a very considerable amount of our time and resources, and have utilized every outside resource available to us. This has been a laborious, time-consuming, expensive, but I think thorough examination of the record.

4. In making this examination, we have done so with appropriate recognition of the concepts of legal relevance, hearsay evidence and other safeguards traditional in judicial hearings. The committee also necessarily was

guided by common sense, rational judgment, and general logic. It tried to be fair both to the charges and to the individual being charged. The committee had no powers of subpoena, of course, but depended upon the willingness of a great many persons honestly and voluntarily to set forth facts as they knew them.

I believe, therefore, that we can rightly conclude that this has been a determined, even a monumental, effort to establish the specifics of the matter, in order that we could act dispassionately.

5. The fact-finding committee has now reported on the essential question addressed to it, which was: "Is Dr. Robert Colodny a subversive person as defined by the Pennsylvania Loyalty Act of 1951?" Collaterally, the committee has received information concerning Dr. Colodny's competence as a scholar and a teacher, and concerning his views on controversial issues. On the basis of the considerable evidence it was able to gather, the committee members unanimously drew their conclusions as follows:

"a. Dr. Colodny is a loyal American, is not now and never has been a Communist and is not a subversive person as defined by the Pennsylvania Loyalty Act of 1951.

b. Dr. Colodny is an exceptionally gifted scholar and an inspiring professor who does not teach doctrines subversive to our government.

c. Dr. Colodny exhibits exceptional independence of thought and action, according to his own conscience, in both his scholarly and societal pursuits.

d. Dr. Colodny has in the past knowingly associated with Communists and Communist-front organizations, solely in order to promote causes in which he believed deeply, especially the fight against Fascism and the establishment of a world peace.

e. In common with many other young people during the depression, Dr. Colodny maintained hope for some of the promises of the Soviet Union, but this feeling has given way to disillusionment and criticism of Russia's oppression. He brands Marxist doctrines as fallacious and believes that Communism has no place in a highly developed society such as ours.

f. Dr. Colodny fought with the Abraham Lincoln Brigade in the Spanish Civil War, risking death and suffering serious wounds, because of his hatred for Fascism. For the same reason—hatred of Hitler and Hitlerism—he volunteered in the U. S. Army before Pearl Harbor, despite severe physical disability.

g. Dr. Colodny believes that the Cuban revolution gained its impetus through the peasants' hopes for agrarian reform, but that the Castro government now has slipped into the Soviet orbit. He believes this to be a calamity for the people of Cuba, of the United States and of the entire Western Hemisphere."

From all the evidence at hand I have determined to my satisfaction that these findings of the committee are valid. I therefore wish specifically to say that to the very best of our knowledge, after most careful investigation, Dr. Colodny is a loyal American, is not a Communist or subversive person as defined by the Pennsylvania Loyalty Act of 1951, is an able and objective scholar, and is an inspiring teacher who does not teach doctrines subversive to our way of life.

This decision was made with an acute awareness of its implications. In making this decision, I consulted with a number of persons who could appraise the circumstances equitably. One person is one of the country's most respected attorneys and a chairman of the board of trustees of one of our largest and finest universities. Another is

president of an equally outstanding university. A third is a distinguished historian and a past president of the American Historical Association, Dr. Colodny's own national professional society. Members of the University Senate's Committee on Academic Freedom and Tenure and members of the Senate Council also were consulted. It was the unanimous agreement of all these persons that the decision was just, fair and principled.

We must remind ourselves that in analyzing the facts of this case we had to evaluate an epoch a quarter of a century past. Hitler and Mussolini, first with Franco then with Tojo, were threatening the world through their lust for power. In those days Russia was officially presumed to be our friend and soon an ally, and the brutality and deceitfulness of international communism, while suspected by many of us, had not yet become apparent to millions of people. Unless we constantly remind ourselves of these conditions, we can err seriously in judging the actions and motives of persons who took part in the epoch.

Today, one would wish for a society in which he need not be concerned about his neighbor's views. Let the neighbor go his own way. But this is no longer possible. Our society lives in an atmosphere disturbed on the one hand by those espousing subversive doctrines of Communist origin, and on the other hand by those whose anxieties over Communism would deprive us of our traditional liberties.

I would respectfully suggest that those who publicly try by innuendo and condemn by inference are not different from those who purge without a hearing that intemperance and absolutism are equally dangerous whether they arise from within or without; that vigilance like Janus must look in both directions.

To conclude, I wish to emphasize again that in the matter of allegations concerning Dr. Colodny, our evidence leads us to decide that no action on the part of the University is warranted, and none shall be forthcoming.

Finally, as an institution we have pledged our opposition to the threats of international communism and we have promised ourselves to refuse it our fellowship. This is our unequivocal position. Let no one mistake it.

Sincerely yours,

S/ Edward H. Litchfield

Mr. Gwilym A. Price  
Chairman of the Board of Trustees  
University of Pittsburgh  
P. O. Box 2278  
Pittsburgh 30, Pennsylvania

## BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

## ADJOURNMENT

Mr. TRUSIO. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 14, 1961, at 9 a. m., e. s. t.

The motion was agreed to, and (at 6:17 p. m., e. s. t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

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HARRISBURG, PA., WEDNESDAY, JUNE 14, 1961.

No. 62.

## SENATE

WEDNESDAY, JUNE 14, 1961.

The Senate met at 10:30 a.m., Eastern Standard Time.

The PRESIDING OFFICER (Charles R. Weiner) in the Chair.

## PRAYER

The Chaplain, Rev. WILLIAM J. LIPPERT, Pastor of St. John's Evangelical United Brethren Church, Williamsport, offered the following prayer:

Let us pray.

Our Heavenly Father, we praise Thee for Thy constant abiding presence with us. We acknowledge that we have not always acted with an awareness of Thy presence. Yet, because of these moments of our transgression, Thou hast not withdrawn Thyself from us. Have mercy upon us and forgive us.

As we make plans and project programs in this life, dear Father, may we be so responsive to Thy leading that Thine own wise plans for our lives may fully unfold.

We desire to praise Thee for the faith of our fathers. We pray, Father, such clear expressions of faith and conviction to be the experience of these Senators that the future may be filled with praise to Thee because of the deliberations and decisions made here today.

As we thank Thee for these able men, we pray Thee that by Thy Fatherly care they may be spared temptation and confusion, and that all that they think, speak or do will be for Thy glory and the good of all their fellow citizens.

Through Jesus Christ, our Lord, Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. DONOLOW, further reading was dispensed with, and the Journal was approved.

The PRESIDING OFFICER (George N. Wade) in the Chair.

The PRESIDING OFFICER. The Chair wishes to announce that at the request of the Majority Leader and in the absence of the Lieutenant Governor, I am serving as Presiding Officer for the time being.

## HOUSE MESSAGES

### HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 678, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 678**, and has appointed Messrs. CROSSIN, WARGO and HEFFNER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

### SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 678, AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 678, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. KALMAN, MURRAY and WAGNER as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 678.

Ordered, That the Clerk inform the House of Representatives accordingly.

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate, entitled: Weekly Adjournment

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 36, 1452, 1453, 1454, 1455 and 1456**, which were referred to the Committee on Corporations.

He also presented for concurrence **HB 125, 1160 and 1451**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 350**, which was referred to the Committee on Education.

He also presented for concurrence **HB 379, 735 and 840**, which were referred to the Committee on Law and Order.

He also presented for concurrence **HB 455** and **1397**, which were referred to the Committee on Appropriations.

He also presented for concurrence **HB 519** and **1023**, which were referred to the Committee on Highways.

He also presented for concurrence **HB 754** and **755**, which were referred to the Committee on Mines and Mineral Industries.

He also presented for concurrence **HB 1496**, which was referred to the Committee on Public Health and Welfare.

### STUDENTS WELCOMED TO THE SENATE

Mr. FLACK. Mr. President, I would like to present to the Senate forty students from the Foster Township High School, Freeland, Pennsylvania. They are good residents— young men and young ladies—of Luzerne County. They are accompanied by their adviser, Mr. Edward C. Cologie.

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, welcomes this group who are the guests of Senator Flack. We certainly hope that they enjoy their visit to Harrisburg and the State Capitol, where they will have an opportunity to observe democracy in action.

If the group will please rise, the Senate will extend to them an official welcome.

### REPORTS FROM COMMITTEES

Mr. MURRAY, from the Committee on Insurance, reported, as committed, **SB 691**, **HB 1098**, **1099**, **1101**, **1297** and **1402**; as amended, **SB 568**.

He also, from the Committee on Labor and Industry, reported, as committed, **HB 844**; as amended **HB 254**, **255**, **728** and **1367**.

Mr. MAHADY, from the Committee on Banking, reported, as amended, **SB 375**.

Mr. SILVERT, from the Committee on Law and Order, reported, as committed, **SB 435**, **715** and **735**; as amended, **HB 990** and **1165**.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

**SB 95**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### FINAL PASSAGE CALENDAR

#### BILLS OVER IN ORDER

**HB 410**, **SB 493**, **601** and **713**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

### THIRD READING CALENDAR

#### BILLS OVER IN ORDER

**HB 67**—Mr. BERGER. Mr. President, I request that House Bill No. 67, Printer's No. 885, go over in its order. The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I have no objection to House Bill No. 67, Printer's No. 885, going over in its order.

I would like to suggest that we take some action on this measure. From everything I can see, this is somewhat important to the people living in those communities. I am hopeful we can act because this has been on our Cal-

endar for a little while. I hope we can dispose of this matter without any further delay.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

**SB 76**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 123 (Pr. No. 123)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Kalman,	Mullin,	Stalsey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarrafa,	Wagner,
Donolow,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Halaska,	McMenamin,	Shafer,	Yatron,
Hawbaker,	Miller,	Silvert,	Wade,
Hays,			Presiding Officer

#### NAYS—1

Ehrgood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

**HB 197 (Pr. No. 1156)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, (the following occurred:)

Mr. WEINER. Mr. President, may we be at ease for a moment?

Mr. BERGER. Mr. President, I submit that the gentleman may not interrupt the roll call.

Mr. WEINER. Mr. President, for the purpose of being able to bring back this bill which, at the moment, appears to be defeated, I ask that my vote be changed from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. LANE. Mr. President, in view of the circumstances enumerated by Senator Weiner, I, too, wish to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—22

Camiel,	Hays,	Ripp,	Stalsey,
Devlin,	Kalman,	Rooney,	Stiefel,
DiSilvestro,	Mahady,	Sarrafa,	Van Sant,



Donolow, Ehrgood, Haluska,	McCreesh, McGinnis, Murray,	Seyler, Silvert,	Wagner, Yatron,
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## NAYS—19

Bell, Berger, Chapman, Confair, Hawbaker,	Keller, Kessler, Kromer, Lane, Mallery,	Pechan, Propert, Shafer, Stevenson, Stroup,	Taylor, Ware, III, Weiner, Wade, Presiding Officer
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Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 219 (Pr. No. 883)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert,	Stalsey, Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wagner, Ware, III, Weiner, Wolfe, Yatron, Wade, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

**HB 227 (Pr. No. 2302)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. DONOLOW. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. WEINER. Mr. President, I desire to change my vote from "aye" to "no" in order that we will have the opportunity of bringing this bill back.

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. STIEFEL. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—18

Camiel, Chapman, Devlin, DiSilvestro, Haluska,	Hays, Kalman, Mahady, Murray, Ripp,	Rooney, Sarraf, Seyler, Silvert,	Stalsey, Stiefel, Van Sant, Yatron,
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## NAYS—22

Bell, Berger, Confair, Donolow, Ehrgood, Flack,	Hawbaker, Keller, Kessler, Kromer, Lane, Mallery,	McGinnis, Pechan, Propert, Shafer, Stevenson,	Stroup, Wagner, Ware, III, Weiner, Wade, Presiding Officer
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Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 244 (Pr. No. 2054)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. PECHAN. Mr. President, not having heard my name called, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—43

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Flack, Fleming, Haluska,	Hawbaker, Hays, Kalman, Keller, Kromer, Lane, Madigan, Mahady, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert,	Stalsey, Stiefel, Stroup, Taylor, Van Sant, Ware, III, Weiner, Wolfe, Yatron, Wade, Presiding Officer
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## NAYS—7

Ehrgood, Kessler,	Mallery, Pechan,	Propert, Stevenson,	Wagner,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

**HB 245 (Pr. No. 1631)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, this may sound monotonous, but I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. LANE. Mr. President, I, too, desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. SILVERT. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—18

Camel,	Hays,	Ripp,	Stalsey,
Devlin,	Kalman,	Rooney,	Stiefel,
DiSilvestro,	Mahady,	Sarra,	Yatron,
Donolow,	McGinnis,	Seyler,	Wade,
Haluska,	Murray,		Presiding Officer

## NAYS—22

Bell,	Hawbaker,	Pechan,	Stroup,
Berger,	Keller,	Probert,	Van Sant,
Chapman,	Kessler,	Shafer,	Wagner,
Confair,	Kromer,	Silvert,	Ware, III,
Ehrgood,	Lane,	Stevenson,	Weiner,
Flack,	Mallery,		

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

## BILL OVER IN ORDER

SB 295—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

HB 319 (Pr. No. 348)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHADY. Mr. President, I have observed with a great deal of interest, and perhaps with fear, the number of bills that we are passing this Session which are adding people to the county, State and township payrolls.

This bill provides that you "may," and they say because it is a "may" bill, it is up to them what they want to do. However, I seriously question the need for two additional supervisors in townships of over 10,000 population. I represent a number of townships, and usually supervisors also appoint themselves as roadmen, and they divide the township into a number of districts to equal the supervisors they have.

In a township of 21,000, three supervisors—I know because I know of such townships and represent them—have no need for an additional supervisor.

This bill is merely adding to confusion. Township government, as it is, requires that every penny they have be utilized to the fullest extent. Supervisors, as a whole, have done a very good job with very little money. You have already added an assistant secretary to them and you have added several other things. You have had three bills which would add people to the township payrolls, and also a "may" bill. When you say "may," the people who want the jobs are going to insist that it is a must. Here you are adding to that confusion, to that expenditure and to that expense, and additional time.

Mr. WARE. Mr. President, I hope the good Senator from Westmoreland County will forgive me if I disagree

with him. I also represent townships with populations in excess of 10,000 and, contrary to his practice, the supervisors in those townships are not merely roadmen, but they endeavor to divide the functions of the government of the township among the respective supervisors. It puts a double burden on them with but five supervisors.

I would like to urge the Members of this Senate to give those townships which conduct their affairs in this fashion an opportunity to have seven supervisors if they desire.

Mr. BERGER. Mr. President, now that the odds are all even,—Senator Mahady has spoken and Senator Ware has spoken—I would like to call the Chair's attention to the fact that there is nothing in order except the announcement of the roll call.

The PRESIDING OFFICER. Senator, the bill presently is on final passage.

Mr. BERGER. Mr. President, I beg the Chair's pardon. I thought the roll had been called.

Mr. LANE. Mr. President, I thought the Minority Leader was in error. I, too, would like to say just a few words in support of House Bill No. 319.

Mr. President, in my Senatorial District,—especially in Washington County—we have thirty-four boroughs and thirty-six townships. I also represent townships in Greene County. Several of our townships are a lot larger than the boroughs. As a matter of fact, we have several second class townships which are larger than one of our cities. Therefore, there are extenuating circumstances where there is need for additional supervisors.

I feel this is a step in the right direction. It is going to alleviate the heavy problems that the present supervisors have, and it is also going to bring about more efficiency in government.

I readily understand the position of the gentleman from Westmoreland County, and probably there is no necessity for this in small townships. However, there is a need for this in the large townships. As the years go by, there seems to be a trend to move to the rural areas, and the result is that our townships are really heavily populated. It is not like it used to be. We used to think of townships of the second class as just little villages. Today, townships are becoming huge. As a matter of fact, I sometimes wonder why they do not go into the first class township field, but I guess they feel it is too much trouble.

I think in order to be fair to the township supervisors, we should pass this legislation.

Mr. MAHADY. Mr. President, just to correct the record and not to prolong this debate, Hempfield Township, in Westmoreland County, has 36,000 people, and North Huntingdon Township exceeds that by 5,000. These townships are perfectly content and they are being run very well with three supervisors. The salary for two more supervisors would mean that the additional money would not go into the functions into which it should go.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. ROONEY. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—32

Bell,	Haluska,	Murray,	Stiefel,
Berger,	Hawbaker,	Pechan,	Stroup,
Camel,	Hays,	Propert,	Van Sant,
Chapman,	Keller,	Ripp,	Wagner,
Confair,	Kessler,	Seyler,	Ware, III,
DiSilvestro,	Kromer,	Shafer,	Weiner,
Donolow,	Lane,	Silvert,	Yatron,
Flack,	McGinnis,	Stevenson,	Wade,
			Presiding Officer

## NAYS—9

Devlin,	Mahady,	Mullin,	Sarraf,
Ehrgood,	Mallery,	Rooney,	Stalsey,
Kalman,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

**SB 343 (Pr. No. 362)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. BELL. Mr. President, having voted under a misapprehension, inasmuch as I was under the impression that we were considering House Bill No. 343, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. MALLERY. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—25

Camel,	Kessler,	Murray,	Silvert,
Devlin,	Lane,	Pechan,	Stalsey,
DiSilvestro,	Mahady,	Ripp,	Stiefel,
Donolow,	Mallery,	Rooney,	Weiner,
Haluska,	McGinnis,	Sarraf,	Yatron,
Hays,	Mullin,	Seyler,	Wade,
Kalman,			Presiding Officer

## NAYS—16

Bell,	Ehrgood,	Kromer,	Stroup,
Berger,	Flack,	Propert,	Van Sant,
Chapman,	Hawbaker,	Shafer,	Wagner,
Confair,	Keller,	Stevenson,	Ware, III,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 343 (Pr. No. 1020)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Wade,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**SB 344 and 345**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILL OVER IN ORDER TEMPORARILY

**SB 350**—Mr. KESSLER. Mr. President, I request that Senate Bill No. 350 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I am going to object to Senate Bill No. 350, Printer's No. 369, going over in order.

I think that I have been most indulgent in this matter. A number of persons have asked me about this measure. I understand there are some problems connected with it. If it is insisted upon that this bill go over in order, I am going to make the request that it go over in order temporarily, so that I can get all of our members in here to vote on this measure today.

Time is running out, Mr. President. There is a meeting scheduled for this week with all the Governors and all other persons who are interested in this matter, in Washington. It certainly will not help our Governor or our representatives when they go down to Washington and discover that the bill has not even gotten out of the Senate Chamber and on its way. Every other State has passed it except Pennsylvania.

Therefore, Mr. President, if there is an insistence that this bill go over in order, I will then make the request that it go over in order temporarily, so that I can bring all of our Members here to vote on this measure.

Mr. KESSLER. Mr. President, I see no reason to do that because I understand this bill is still under discussion by the Department of the Interior, in Washington. Until they decide what they want to do, why should we pass a measure here which might be in conflict with the Federal requirements?

If the gentleman wishes to put the bill over in order temporarily and consider it later this morning, I will have no objection to that. However, I certainly would like to have the bill go over in order, at least for awhile.

Mr. WEINER. Mr. President, I think one of the things we are trying to do here—I know all of the Members

are cooperating—is to finish up our business as quickly as possible.

This is one of the important measures of this Session. I want to allay the fears of the Senator, which I think he takes properly, by those people who are rather close to the situation. I have been advised by the Governor and by members of his staff that they are meeting this Thursday with the Secretary of the Interior. He has changed the position which he originally took. They are going to go ahead with this matter. If we are going to wait for the Members of Congress to finish discussing this matter, we will be here until next year. However, they are bringing this matter to a head and they are going to go ahead with it, in conjunction with the attitudes taken by all of the States. Delaware has passed it; New York State passed it back in March of this year; and New Jersey has passed it. Pennsylvania is the only State that has not passed this measure. I do not think it will help the Governor of this Commonwealth if he goes to Washington and cannot even tell them that it has passed the Senate of Pennsylvania, with some action contemplated in the House.

For that reason, Mr. President, I will ask that the bill go over in its order temporarily, this morning. I will now round up all the Members that I possibly can. I will even move that the Lieutenant Governor return here in order to move this measure ahead. I do not want to bring everybody back to the Senate. I understand there are certain Members of the Senate who had certain objections to this measure and that they are now out of the way. They have had full discussions on it, not only at the legislative level but also at the level of the Governor, as well. Everybody who had objections has now removed them. This measure should move.

The PRESIDING OFFICER. Does the Chair properly understand, Senator Kessler, that you are willing to adhere to the request of Senator Weiner and have the bill go over in order temporarily?

Mr. KESSLER. Yes, sir. That is perfectly all right.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order temporarily.

#### BILLS OVER IN ORDER

**SB 351 and HB 428**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

**HB 522, SB 588, 593, 646 and 659**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 667**—Mr. WEINER. Mr. President, I request that Senate Bill No. 667 go over in its order because I have not had the benefit of the gentleman from Cumberland, Senator Wade, giving me his counsel and advice on this bill. I will await that until Monday or perhaps later this afternoon.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

**SB 670**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**SB 686 (Pr. No. 799)**—Read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

Mr. KESSLER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. Mr. President, I will. However, I just want to be sure which bill he is speaking about. Is it Senate Bill No. 686?

The PRESIDING OFFICER. That is correct.

Mr. KESSLER. Mr. President, I would like to ask the Majority Leader whether this bill puts the Commonwealth of Pennsylvania into the atomic energy business. There are certain portions of this bill which, it seems to me, permit the Commonwealth to do that. I just want to make sure that I understand the bill correctly.

Mr. WEINER. Mr. President, I can best answer that by stating that in the bill itself, nowhere does it say that we are going into this business. As stated on page 3 of the bill, under "General Functions Powers and Duties of Office," it merely reads:

"(1) To advise the Governor and the Legislature with regard to the status of atomic energy research development education and regulation and to make recommendations to the Governor and the Legislature . . ."

Also, on page 3 of the bill, line 15, it reads as follows:

"(2) To advise and assist the Governor and the Legislature in developing and promoting a State policy for atomic energy research development education and regulation . . ."

In order to save some time, I am not reading these sections in full.

Mr. KESSLER. Would the gentleman refer to page 4, subsection 7, please?

Mr. WEINER. Yes, sir. It reads as follows:

"(7) To foster and support research and education relating to atomic energy through contracts or other appropriate means of assistance including acquisition of land and construction of facilities . . ."

From the number of persons I have talked to, as I understand it,—unless I am misinformed and I very well indeed could be—I think all this has in mind is that they want to be in a position to do this if they have to provide a place for someone to set up a research laboratory in order to foster this thing on a nonprofit basis. For example, if there is money available from one of the foundations, such as the Ford Foundation or the Federal Government, they will have the facility in which they can put people in order to do the research work. Or, if there is a private industry that wants to do the research work, but may not have the land in the State of Pennsylvania, then we will be able to acquire this for them so that they can do it.

This is not intended for the Commonwealth to get into the atomic energy business at all, as I think is demonstrated by the project in Shippensburg, which is probably the first atomic energy plant established in the Country. The State only sent people to help coordinate this, but took no part in it at all. We are merely implementing that type of work.

Mr. KESSLER. Mr. President, would the gentleman advise us whether we can expect an appropriation bill at some time in the near future, perhaps, which would provide the funds whereby the Commonwealth can support research on atomic energy, such as is indicated in



Subsection (7), on page 4, of the bill? Where are the funds to come from if we do not provide them here?

Mr. WEINER. Mr. President, I would suggest two things as an answer to the gentleman's question.

It might very well be that there may be an appropriation. It also might be that there are certain industries which are maybe not now fully interested, but which may become interested in it. They may not want to do this on their own and we might act as the coordinating activity or perhaps the central agency through which this would be funneled.

Might I point out to the gentleman that on page 5 of this bill, on line 10, it reads as follows:

"The office may subject to the approval of the Governor enter into a contract or contracts with engineers and other experts and make all other arrangements appropriate to locate such sites and facilities.

"(10) To enter into subject to the removal of the Governor an agreement or agreements with the Federal government whereby the State will perform on a cooperative basis with the Federal government inspections or other functions with respect to atomic energy activities State will perform on a cooperative basis with the Federal government . . ."

I think what is intended here is to make a central agency through which all this will clear. If we do not do it now, I believe we will find ourselves in the position, at some later date, where maybe a number of persons are willing to do this or even engage in it, and we will have to do something to regulate it due to the harmful effects that this might have, or which the community might very well be subjected to, as we have found. For example, in sewage disposal, water resources and things of that nature, where we were not foresighted enough to take certain steps, we now find ourselves in a position of regulating people who are already in this business and maybe even hurting them. In this case, I think they are trying to be foresighted and set up the machinery so that if and when this comes, we will have some agency to deal with this matter.

I do not blame the gentleman for his concern. I was also concerned about this very same measure. I can understand why many people in this area would be concerned. I think it is a relatively new science. It is also a relatively expensive science for any one individual or for even any one corporation to undertake. Therefore, if we have a central agency through which to funnel it, I think that would be helpful.

If, in the gentleman's opinion, the measure would be more palatable if we were to restrict them in the sense that they cannot enter into any competition with private enterprise, I feel there might be some consideration given for this type of amendment, or at least an opportunity given to discuss it and go on with that. However, I do not think that is what is intended here, unless I misunderstand it. As I said before, that may very well be.

Mr. KESSLER. Mr. President, there is one other point I would like to bring out. I understand this is to be a separate commission. Just recently, I believe there were some statements from the Governor's Office that he was burdened too much with commissions and wanted to consolidate them so there would be fewer departments and commissions reporting directly to the Governor. It seems to me that we are going in just the other direction in

this case, in setting up another separate commission which might be able to function under one of our existing departments or boards.

Mr. WEINER. May I just point out one other thing along the lines that we were discussing? On page 8—I knew this was in the bill, but I was not sure just where it was—of the bill, on line 6, section 7, it reads as follows:

"Atomic Energy Special Fund (a) There is hereby established in the State Treasury a special fund to be known as the 'Atomic Energy Special Fund.'

"(b) All moneys received from grants or other contributions accepted pursuant to clause (6) of Section 4 of this act shall be deposited directly in the Atomic Energy Special Fund . . ."

And then it goes on and tells what they are going to do with it.

As I understand it, there are certain industries, persons, foundations and grants that are available for this type of work. What we are doing is setting up the machinery to participate in this type of area. At the moment, we have no separate department that can handle this type of science or technique. I think we should have people who are knowledgeable about handling these things. I think those people who have the expertise to handle it should be in that position. Without this, we have no other machinery, unless I have overlooked the matter. Perhaps the department is already equipped and will be able to handle this.

Mr. KESSLER. Mr. President, I wish to thank the Majority Leader.

Mr. LANE. Mr. President, this bill is similar to a bill which was sponsored by myself several years ago, and I feel that we are doing the right thing. I do not think it is going to cost the State any money to start with. There is an advisory committee feature in this legislation, and I hope that the advisory committee, when they are appointed, will take up the problem of public health with reference to atomic energy. That is the only omission that I see in the bill.

I have not read the functions of the advisory committee in detail. However, I do feel that one of the major problems with atomic energy, according to releases from the United States Government, is the matter of public health and the protection of the people.

I feel that we have to start sometime on this type of legislation. I cannot see where this is going to cost any money at this particular time.

I see on page 10, Section 11, whereby the Governor, on behalf of the State, may enter into contracts with the Federal Government with reference to the operation of atomic energy activities within the State.

I do feel, Mr. President, that we should pass this legislation because it is our responsibility to do so at this time.

Mr. BERGER. Mr. President, there has certainly been a lot said on the subject of this bill. Just to allay the fears of those who might be concerned about the present form of the bill, as one of the sponsors I was approached concerning certain amendments which I understand have been cleared to go into the bill in committee in the House. I can readily understand reluctance to pass a bill in the Senate knowing beforehand that it is going to be amended or probably should be amended. However, the people in industry who are concerned are satisfied to

have the bill passed here because the subject matter is something that I certainly could not debate. It appears to me that if they are satisfied, we are reasonably safe in passing this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Wade,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**SB 688 and 690**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 715 (Pr. No. 2306)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## NAYS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Wade,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 716 (Pr. No. 2307)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## NAYS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Wade,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**SB 721 (Pr. No. 886)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bell,	Hawbaker,	Miller,	Staisey,
Berger,	Hays,	Mullin,	Stevenson,
Camiel,	Kalman,	Murray,	Stiefel,
Chapman,	Keller,	Pechan,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Wade,
			Presiding Officer

## NAYS—2

Kessler, Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

**HB 895, 985 and 1007**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**HB 1082**—Mr. WEINER. Mr. President, I request that House Bill No. 1082 go over in its order for the reason that I have not received a written reply as promised. I am expecting that from the Attorney General's office. I hope to have it by Monday and to have it here in the Senate.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.



## BILL ON THIRD READING AND FINAL PASSAGE

**HB 1136 (Pr. No. 1636)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafi,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Wade,
Hawbaker,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 1139**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 1408 (Pr. 1698)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. CONFAIR. Mr. President, I request that House Bill No. 1408 go over in its order on final passage.

The PRESIDING OFFICER. Hearing no objection, the bill will go over in its order on final passage.

## HB 410 CALLED UP

**HB 410 (Pr. 2145)**—Without objection, the bill which previously went over in its order, was called up, from page 1 of the Final Passage Calendar, by Mr. BERGER.

## RECONSIDERATION OF HB 410

**HB 410 (Pr. No. 2145)**—The amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 410, Printer's No. 2145, passed third reading on June 13, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. STEVENSON. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. STEVENSON. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON, by unanimous consent, offered the following amendments:

Amend Title, page 1, next to last line of Title, by inserting after "of": either a certified public accountant or

Amend Sec. 1 (Sec. 1005), page 2, line 7, by inserting after "employ": either

Amend Sec. 1 (Sec. 1005), page 2, line 7, by striking out the brackets before and after "certified" and inserting immediately thereafter:

public accountant or a

Amend Sec. 1 (Sec. 1005), page 2, line 9, by striking out the brackets before and after "certified" and inserting immediately thereafter:

public accountant or a

Amend Sec. 1 (Sec. 1005), page 2, line 11, by inserting after "a": certified public accountant or a

Amend Sec. 1 (Sec. 1005), page 2, line 20, by inserting after "a": certified public accountant or a

Amend Sec. 1 (Sec. 1005), page 3, line 6, by inserting after "a": certified public accountant or a

Amend Sec. 1 (Sec. 1005), page 3, line 8, by inserting after "the" where it appears the second time: certified public accountant or the

Amend Sec. 1 (Sec. 1005), page 3, line 12, by inserting after "the": certified public accountant or the

Amend Sec. 1 (Sec. 1005), page 3, line 13, by inserting after "the": certified public accountant or the

Amend Sec. 1 (Sec. 1005), page 3, line 15, by inserting after "the": certified public accountant or the

On the question,

Will the Senate agree to the amendments?

They were agreed to.

The PRESIDING OFFICER. The bill, as amended, will appear on Monday's Third Reading Calendar.

## REPORTS FROM COMMITTEE

Mr. MURRAY, by unanimous consent, from the Committee on Education, reported, as committed, **SB 726** and **HB 281**.

## SB 350 CALLED UP

**SB 350 (Pr. No. 369)**—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 5 of the Third Reading Calendar, by Mr. WEINER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 350 (Pr. No. 369)**—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. KESSLER. Mr. President, I move that Senate Bill No. 350, Printer's No. 369, go over in its order.

Mr. STROUP. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I oppose the motion that this bill go over in order for the reasons stated previously. I think we ought to strengthen the representatives of our State at their meeting this week, and the only way we can do that is by starting this measure through the legislative channels. It will take some time for this bill to pass. If there are any changes necessary, I am sure that we will all be able to be here.

I, therefore, ask my colleagues to vote "no" on this motion for the bill to go over in its order.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the negative and the motion was defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. MAHADY. Mr. President, may I inquire how I am recorded as voting?

The PRESIDING OFFICER. The gentleman from Westmoreland, Senator Mahady, is recorded as voting "no."

Mr. MAHADY. Thank you, Mr. President.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bell,	Hays,	Murray,	Stalsey,
Berger,	Kakman,	Pechan,	Stevenson,
Camel,	Keller,	Propert,	Stiefel,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafi,	Wagner,
DiSilvestro,	Mallery,	Scott,	Ware, III,
Donolow,	McCreesh,	Sesler,	Weiner,
Ehrgood,	McGinnis,	Seyler,	Wolfe,
Flack,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Wade,
Hawbaker,	Mullin,		Presiding Officer

#### NAYS—2

Mahady, Stroup.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

### STATEMENT ON SENATE BILL No. 350— DELAWARE COMPACT

(The following prepared statement was made a part of the record at the request of the gentleman from Allegheny, Mr. STAISEY.)

The Senate Committee on Forests and Waters, Game and Fish has carefully considered Senate Bill No. 350 and reports it favorably and without amendment.

Senate 350 will replace litigation in the Supreme Court with water development and control for the Delaware River Basin. It would provide for multi-purpose development of the water resources of the River Basin under a comprehensive plan. It would establish a commission with a governing body consisting of Governors of the four States themselves, plus a representative to be appointed by the President of the United States.

The Compact is the product of extensive studies and negotiations toward which the Congress provided a \$2,000,000 River Basin Survey, about to be completed, directed by the United States Corps of Engineers. An official agency representing the Governors of the four States of Delaware, New Jersey, New York and Pennsylvania, and the Mayors of the two cities of New York and Philadelphia, worked together for over two years to develop a sound and reasonable Compact. The present bill is based upon this work, a special study of the administrative requirements of the Basin made by the Maxwell School of Syracuse University under a Ford Foundation grant, and

other related research and studies by interested departments of all of the four States. The Compact has provoked widespread citizen interest and support and has received well nigh unanimous approval in the editorial columns of the public press.

By its very nature, therefore, this bill presents an unusual piece of legislation. Rarely is a bill so thoroughly grounded in research, experience, negotiation, and broad public support.

The Legislature will appreciate that a Compact must be agreed to in identical form by all four States and consented to by the Congress. The present proposal must also be enacted by the Congress to make the Federal Government a partner in the venture. This means that unlike an ordinary bill, a Compact bill cannot be amended during the legislative process in the Commonwealth without destroying the effect of action taken in the other States, nor can amendments in the other States be made without voiding the effect of action taken by this Legislature. The result is, therefore, that this Committee and the Legislature in turn is being asked to consider the Compact as a whole and to decide whether or not it merits adoption as such; or whether any specific proposal for amendment is so important as to justify withholding approval of the whole, or at least postponing agreement until the amended Compact can be submitted to the other States for their concurrence, if they did concur, in any amendments made by the Commonwealth. This point is especially important at present for the reason that the State of New York has enacted the Compact and its Legislature has adjourned, the States of New Jersey and Delaware have also enacted it, and the Congressional Bill sponsored by Congressman Walter has been reported out of the House Judiciary Committee favorably and without amendment. Your own Committee has held extensive public hearings on the bill at Easton, Philadelphia and Harrisburg. These hearings developed widespread public support and approval of the bill. They also produced some requests from industry for amendment. Your Committee has fully considered all requested amendments, has offered the Delaware River Basin Advisory Committee an opportunity to comment upon them, and has studied the pertinent law and practice. We have concluded that only two questions raised by industrial representatives are worthy of consideration as matters of special concern to industry. These are (1) the question whether or not the Basin Agency might have power to levy navigation tolls; and (2) whether or not the Basin Agency could charge industry for the use or withdrawal of water it is now using free of charge.

Ever since *Gibbons v. Ogden*, the Supreme Court has recognized the paramount power of Congress over navigation. This power is part of the Commerce Laws of the Federal Constitution. Section 1.4 of the Compact Bill expressly states that the Compact shall not be construed to change the present Congressional power over navigation. The Congress has fully occupied the field with a variety of regulatory and controlling statutes which are just as binding on the Basin Agency as on any other edict under the supremacy clause of the Federal Constitution. If this were not enough, the Constitution itself expressly bars any tolls (Article I, Section 10) on navigation which might be levied under State authority. The prohibition of "tonnage duties" contained in the first section has been construed by the Supreme Court to embrace all taxes and duties, regardless of their name or form, whether measured by the tonnage, visual or not, which are in effect charges for the privilege of entering, trading in, or lying in port. Certainly, the levy of navigation tolls is such an unusual



power that the absence of any express delegation of power for this purpose could not be construed to grant it. At best, the whole navigation matter is a question for the Congress.

As to the charges for water that are permissible under Section 3.7 of the Compact, it is again elementary law that a corporate agency of the signatory parties would have only those powers actually delegated to it. Nowhere in the Compact is there any power to make withdrawal charges for water taken from the river in its natural state. The Commission's only power to make charges is "for the use of facilities which it may own or operate and for products and services rendered" by such facilities. The Commission plainly does not own or operate the river, as a facility or otherwise, and, therefore, could make no charge of the kind suggested. This is confined as to present industrial, domestic and municipal users (Section 1.3 (e), which flatly states that one of the purposes of the compact is "to make secure and protect present developments within the states; . . . and to apply the principle of equal and uniform treatment to all water users who are similarly situated . . ."

In recommending that the bill pass without amendment, your Committee concludes that these concerns are not justified by the language of the bill itself, nor can it be anticipated that the Commission, consisting of Governors, would exercise the power even if it did exist; and finally, any possible doubt about the questions will be resolved by the Report of the Judiciary Committee of the United States House of Representatives, which states (87th Cong., 1st Session, House Report No. 310, at Page 16):

" . . . it should be noted that no power is delegated to the Commission to make any charge with respect to navigation or on account of any withdrawal from the river in its natural state."

It is well settled that the interpretation of the Interstate Compact is for the United States Supreme Court (*West Virginia ex rel Dyer Sims*, 341 U.S. 22, 1951). In a long line of cases, the Supreme Court has held that if there should be any doubt as to the meaning of legislation, it will be guided by Congressional Committee reports on the question. (*Bins v. U.S.*, 194, U.S. 486, 495; *U.S. v. Public Utilities Commission of California*, 345, U.S. 295, 1953).

Accordingly, your Committee in recommending the bill to the Legislature of the Commonwealth is insuring it may proceed upon the understanding that the Basin Agency will have no power to levy navigation tolls or to charge for withdrawal of water in its natural state.

It is also important to recognize that the Compact does not authorize any specific projects; it only sets up the administrative structure and powers. Since the new Basin Agency will not be able to raise any substantial revenues of its own (e.g., flood control projects are not revenue-producing), the Agency will not have a credit base to finance major projects. These would come back to the State Legislature and to the Congress for authorization and at that time financing would be agreed upon and arranged. There is nothing in the Compact which obligates the Commonwealth or any other signatory party to any project or expenditure.

It has been variously suggested that Pennsylvania has half the area of the Basin and that this fact should in some way be a cause for preference or concern. Any such notion of relative area completely overlooks the fact that waters of an interstate basin do not "belong" to a State in which they are found. Over the past 50 years, the Supreme Court has firmly established that the rights of States in interstate streams are relative; that

is, dependent upon needs, resources, etc., of sister States. The Court has described these rights under the doctrine of equitable apportionment. Without this doctrine, New York City, exercising New York State rights, could draw upon the Delaware and its headwaters in New York State without limit. In practice, the Court did join the City N.G.D. and that taking was made subject to required compensating releases of water for the benefit of the lower basin. These required releases, incidentally, are estimated to use one-third of the total reservoir capacity built by the City of New York at its own expense.

It is thus clear that neither the past nor the future development of the river is either the prerogative or the obligation of the State in which water or drainage area may be found. To the contrary, each project in the State will be related to the Basin-wide Comprehensive Plan and will be equitably financed by the State or other bodies that want its benefits.

The Compact will result in the first Federal-State partnership for river basin development. It goes on the premise that the States cannot do the job alone; that the Federal Government cannot do it alone; but that a partnership organization can carry out the purposes and interests of both. As the House Judiciary Committee Report states (*Supra* at Page 6):

"The conclusion is inescapable: 'If the powers and functions of law, planning, administration, and finance for a single river basin are to be integrated properly, the solution lies in a single joint agency, composed of the governmental bodies concerned. In your Committee's judgment, this is the only way to express a dynamic federalism. It fashions the instruments of law, nature, and government to meet the requirement of fully effective public action in the Delaware River Basin. It also opens opportunities for greater administrative efficiency and effectiveness, which are of almost equal importance.'"

In conclusion, therefore, your Committee recommends Senate Bill No. 350 as an opportunity to join a constructive Compact which will create a vital new instrument of service to the people, industry and government of the Delaware River Basin.

By: Leonard C. Staisey, Chairman,  
Committee on Forests and Waters, Game and Fish

## SECOND READING CALENDAR

### BILL ON SECOND READING

**HB 6 (Pr. No. 6)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**SB 23** and **HB 48**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

### BILL ON SECOND READING

**SB 52 (Pr. No. 53)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**HB 53**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILL ON SECOND READING

**HB 141 (Pr. No. 1431)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 160**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON SECOND READING

**SB 182 (Pr. No. 188)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 247**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 261 (Pr. No. 272)** and **HB 263 (Pr. No. 783)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 322**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 342, HB 345, SB 353** and **413**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 423 (Pr. No. 1133)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 473**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**SB 496**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILL ON SECOND READING

**HB 530 (Pr. No. 1775)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 587**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 591 (Pr. No. 636)** and **SB 592 (Pr. No. 669)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 598**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON SECOND READING

**SB 604 (Pr. No. 692)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**SB 611** and **613**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 618 (Pr. No. 706)** and **HB 650 (Pr. No. 706)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 659** and **SB 664**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL RECOMMITTED

**SB 683 (Pr. No. 796)**—Upon motion of Mr. MAHADY, seconded by Mr. HALUSKA, and agreed to, the bill was recommitted to the Committee on Constitutional Changes and Federal Relations.

## BILL OVER IN ORDER

**SB 687**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL RECOMMITTED

**SB 725 (Pr. No. 841)**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Highways.

## BILL ON SECOND READING

**SB 736 (Pr. No. 908)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 741**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 742 (Pr. No. 815), HB 743 (Pr. No. 816)** and **SB 748 (Pr. No. 887)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 757**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 817 (Pr. No. 899), HB 823 (Pr. No. 905), HB 966 (Pr. No. 1885), HB 973 (Pr. No. 1074), HB 974 (Pr. No. 1364), HB 979 (Pr. No. 1080)** and **HB 995 (Pr. No. 1097)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 1025, 1085, 1174,** and **1178**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 1181 (Pr. No. 1873)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL POSTPONED

**HB 1220 (Pr. No. 1393)**—Upon motion of Mr. WEINER, seconded by Mr. BERGER, and agreed to, the bill was placed on the Second Reading Postponed Calendar.



## BILL ON SECOND READING

**HB 1222 (Pr. No. 2060)**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 1259**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**HB 1308 (Pr. No. 1524), HB 1327 (Pr. No. 1547), HB 1390 (Pr. No. 1656), HB 1443 (Pr. No. 1751) and HB 1542 (Pr. No. 1925)**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**HB 1545**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 1562 (Pr. No. 1950)**—Read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

HOUSE CONCURRENT RESOLUTION No. 54  
CALLED UP

Mr. WEINER, without objection, called up from page 22 of the Calendar, House Concurrent Resolution No. 54, entitled:

Department of State to Take a Firm Position Against Arab Interference in the Affairs of American Citizens

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT  
RESOLUTION No. 54

Mr. WEINER. Mr. President, I move that the Senate do concur in this resolution.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURRENT RESOLUTION, SERIAL  
No. 76 CALLED UP

Mr. WEINER, without objection, called up from page 22 of the Calendar, House Concurrent Resolution, Serial No. 76, entitled:

Congress Memorialized to Enact Legislation to Increase the Membership of the Federal Power Commission

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT  
RESOLUTION, SERIAL No. 76

Mr. WEINER. Mr. President, I move that the Senate do concur in this resolution.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURRENT RESOLUTION, SERIAL  
No. 122 CALLED UP

Mr. WEINER, without objection, called up from page 22 of the Calendar, Senate Concurrent Resolution, Serial No. 122, entitled:

Directing the Joint State Government Commission to Investigate the Revision, Modernization and Codification of the Agriculture Laws

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL  
No. 122, ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt Senate Concurrent Resolution, Serial No. 122.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

## BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills: **SB 553, HB 10, 218, 483, 555, 1017, 1076 and 1186.**

The PRESIDING OFFICER (George N. Wade) in the Chair.

## BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

**SB 435, 568, 691, 715, 726, 735, HB 254, 255, 281, 728, 844, 990, 1098, 1099, 1101, 1165, 1297, 1367 and 1402.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

## BILLS INTRODUCED AND REFERRED

Messrs. STAISEY and VAN SANT, by unanimous consent, presented to the Chair **SB 773**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing for acceptance of the tax assessment and revision provisions of the act by certain cities.

Which was committed to the Committee on Local Government.

Messrs. MURRAY and KALMAN, by unanimous consent, presented to the Chair **SB 774**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting certain business activity on certain holidays and providing penalties.

Which was committed to the Committee on Law and Order.

Mr. MILLER (by request), by unanimous consent, presented to the Chair **SB 775**, entitled:

An Act relating to trading stamps; providing for the escheat to the Commonwealth of Pennsylvania of unredeemed trading stamps and the value thereof issued in this Commonwealth and providing the procedure in connection therewith; fixing limitations upon such redemption; regulating issuers and redeemers of trading stamps; imposing powers and duties on the Department of Revenue, the Auditor General and the Attorney General, and fixing penalties.

Which was committed to the Committee on State Government.

Messrs. RIPP and WEINER, by unanimous consent, presented to the Chair **SB 776**, entitled:

An Act amending the act of June 2, 1937 (P. L. 1208), entitled "An act to describe, define, and officially adopt a system of coordinates for designating the positions of points on the surface of the earth within the Commonwealth of Pennsylvania," imposing duties on the Department of Internal Affairs and making an appropriation.

Which was committed to the Committee on State Government.

Mr. ROONEY, by unanimous consent, presented to the Chair **SB 777**, entitled:

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities," changing the age at which persons may retire.

Which was committed to the Committee on Local Government.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

### JUSTICE OF THE PEACE

June 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Carolyn G. Farner, R. D. 3, Newville, Cumberland County, for appointment as Justice of the Peace in and for the Township of Lower Mifflin, Cumberland County, until the first Monday of January 1962, to fill a vacancy.

David L. Lawrence.

### ANNOUNCEMENT OF PUBLIC HEARING BEFORE SENATE COMMITTEE ON FORESTS AND WATERS, GAME AND FISH

Mr. STASEY, Mr. President, on Wednesday, June 21st, the Committee on Forests and Waters, Game and Fish will hold a public hearing in the Democratic Caucus Room on House Bill No. 1258 and Senate Bill No. 210, said bills relating to the boating problem.

The PRESIDING OFFICER. The Membership will take note of the gentleman's announcement that a public hearing will be held on House Bill No. 1258 and Senate Bill No. 210.

### ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

MONDAY, JUNE 19, 1961

DEMOCRATIC CAUCUS .....1:00 P. M., D. S. T.  
REPUBLICAN CAUCUS .....1:00 P. M., D. S. T.

### NOTICE

The Committee on Forests and Waters, Game and Fish will hold hearings on Senate Bill 210 and House Bill 1258 on Wednesday, June 21, 1961, in the Democratic Caucus Room, at 9:30 a. m., D. S. T.

### ADJOURNMENT

Mr. WEINER, Mr. President, I move that the Senate do now adjourn until Monday, June 19, 1961, at 2:00 p. m., Eastern Standard Time.

Mr. KALMAN, Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:17 p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, June 14, 1961

The House met at 9 a. m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

As we reaffirm over and over again our faith and loyalty to the Stars and Stripes, we come to this Flag Day with a depth of emotional fervor in each one of us. For, each day the real significance of this flag continues to grow more and more; and we see not only the history of which it is a part, but we see in this flag a way of life; it becomes the hope of a free world and the inspiration for all men. Bless Old Glory, we pray, and all men under its sway, and long may it wave o'er the land of the free and the home of the brave as it unites one nation under Thee with liberty and justice for all. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, May 23, 1961? If not, and without objection, the Journal is approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, June 13, 1961, will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. PRICE, SNARE, ZIMMERMAN  
and FULMER. HOUSE BILL No. 1773.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Forests and Waters, to convey one hundred sixteen acres, more or less, of land situate in Potter Township, Centre County.

Referred to the Committee on State Government.

By Messrs. WILT, ESLER, GUESMAN and  
MURRAY. HOUSE BILL No. 1774.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further providing for the creation of new election districts and fixing the number of registered electors to be contained in election districts not using voting machines.

Referred to the Committee on Elections.

## RESOLUTION INTRODUCED AND REFERRED

By Messrs. FULMER and ANDREWS.  
RESOLUTION No. 84.

In the House of Representatives, June 13, 1961.

The numerous departmental rules, regulations and decisions determining what items are taxable and what items are not taxable under the provisions of the act of March 6, 1956 (P. L. 1226), known as the "Selective Sales and Use Tax Act," make it extremely difficult for individuals or businesses attempting to comply with the law to properly collect the taxes due. Failure to provide such individuals and businesses with adequate informa-

tion is very likely causing a considerable loss of revenue to our Commonwealth.

It is also extremely difficult for members of the General Assembly to intelligently legislate on taxes unless they are supplied with specific listings of items which are presently taxable or exempt from tax. If the Legislature had before it, for its use and study, a complete listing of the commodities which are subject to tax and of the commodities which are not subject to the tax, either by the law itself or under rules, regulations or decisions, such information would assist greatly in determining new sources of revenue and in determining what additional exemptions, if any, would be beneficial to the well-being of our Commonwealth; therefore, be it

Resolved, That the House of Representatives hereby requests that the Bureau of Sales and Use Tax of the Department of Revenue prepare and issue a listing of specific items which are taxable and specific items which are not taxable under the provisions of the "Selective Sales and Use Tax Act," and rules, regulations and decisions pursuant thereto, and, be it further

Resolved, That such listing shall be prepared and copies thereof made available for the use of the General Assembly on or before June 20, 1961.

Referred to the Committee on Rules.

## REPORTS FROM COMMITTEES

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as amended, House bill No. 131, entitled:

An Act defining and relating to installment land contracts in cities of the first class; and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

Mr. GREMMINGER from the Committee on Cities—Third Class, reported as amended, Senate bill No. 293, entitled:

An Act amending the act of May 15, 1874 (P. L. 186), entitled "An act declaring what offices are incompatible," making the offices of mayor controller and treasurer of third class cities and members of the legislature incompatible.

Mrs. S. A. ANDERSON from the Committee on State Government, re-reported as amended, House bill No. 386, entitled:

An Act amending the act of June 17, 1913 (P. L. 507), entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes \* \* \*" changing the date for transmitting returns except in cities coextensive with counties.

Mr. CAPANO from the Committee on Elections, reported as committed, House bill No. 459, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for notice to persons nominated by write-in votes.

Mrs. MONROE from the Committee on Elections, reported as committed, House bill No. 884, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), removing prohibition against unincorporated associations making political contributions.

Mr. KAMYK from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1274, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the sec-

ond class," authorizing officials, officers and agencies thereof to issue subpoenas for the purposes of certain hearings and investigations held by them.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 1306, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, \* \* \*," authorizing boroughs, towns and townships maintaining a police force of one or more members to establish a police pension fund or police annuity.

Mr. CLARKE from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1427, entitled:

An Act amending the act of April 26, 1933 (P. L. 89), entitled "An act authorizing any city of the second class in this Commonwealth to sell or dispose of its interest in property condemned for public park or for any public use \* \* \*" authorizing the property to be leased or to be used for other city purposes and removing certain limitations on sale and disposition of the city's right, title and interest in property.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House Bill No. 1500, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

Mr. THOMPSON from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1565, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 1579, entitled:

An Act amending the act of November 21, 1959 (Appropriation Act No. 47-A), entitled "An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto," removing provisions relating to completion of the Duquesne Marine Terminal facilities.

Mr. McCANDLESS from the Committee on Counties, reported as committed, House bill No. 1585, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), authorizing the reassessment of property in certain cases, and imposing liability for taxes upon the owners thereof; repealing inconsistent acts.

Mr. McCANDLESS from the Committee on Counties, reported as committed, House bill No. 1586, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; \* \* \* authorizing the reassess-

ment of property in certain cases and imposing liability for taxes upon the owner thereof; repealing inconsistent acts.

Mr. GIBB from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1633, entitled:

An Act amending the act of August 10, 1951 (P. L. 1189), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes \* \* \* in bureaus of police in cities of the second class; \* \* \*" changing the method of selection of courts of trial or inquiry.

Mr. NEEDHAM from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1648, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; \* \* \*" further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

Mr. PURSLEY from the Committee on Counties, reported as committed, House bill No. 1665, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), requiring taxes collected upon the transfer of real property or of any interest in real property to be collected at the county seat.

Mr. GRAY from the Committee on Elections, reported as committed, House bill No. 1672, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for returns indicating the number of votes cast by the electors of each party.

Mr. J. A. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1704, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the dates for furnishing information as to offices to be filled; \* \* \* and further regulating the date for certification of nominees by the Secretary of the Commonwealth.

Mr. TAYLOR from the Committee on Liquor Control, reported as committed, Senate bill No. 298, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" providing for the ordering and sale of miniature bottles to certain licensees.

Mr. TAYLOR from the Committee on Liquor Control, reported as committed, Senate bill No. 317, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" prohibiting the refilling of any liquor bottle or other liquor container.

Mr. MANBECK from the Committee on Liquor Control, reported as committed, Senate bill No. 318, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating license fees and default in the payment of such fees.

Mr. McCANDLESS from the Committee on Agriculture and Dairy Industries, reported as committed, Senate bill No. 589, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law" changing certain definitions further



regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

Mr. ELVEY from the Committee on Liquor Control, reported as committed, Senate bill No. 522, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating the issuance of new hotel licenses.

Mr. LUTTY from the Committee on State Government, reported as committed, Senate bill No. 527, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled as amended "Pennsylvania Human Relations Act" increasing the membership of the commission and changing quorum provisions.

Mr. SHERMAN from the Committee on Banking and Building and Loan Associations, reported as committed, Senate bill No. 631, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" authorizing the granting of mortgage loans to industrial development agencies and the acquisition of such loans and participations therein subject to limitations.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 459, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for notice to persons nominated by write-in votes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 884, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), removing prohibition against unincorporated associations making political contributions.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1274, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," authorizing officials, officers and agencies thereof to issue subpoenas for the purposes of certain hearings and investigations held by them.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1306, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, \* \* \*," authorizing boroughs, towns and townships maintaining a police force of one or more members to establish a police pension fund or police annuity.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1427, entitled:

An Act amending the act of April 26, 1933 (P. L. 89), entitled "An act authorizing any city of the second class in this Commonwealth to sell or dispose of its interest in property condemned for public park or for any public use \* \* \*" authorizing the property to be leased or to be used for other city purposes and removing certain limitations on sale and disposition of the city's right, title and interest in property.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1500, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1565, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1579, entitled:

An Act amending the act of November 21, 1959 (Appropriation Act No. 47-A), entitled "An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto," removing provisions relating to completion of the Duquesne Marine Terminal facilities.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1585, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), authorizing the reassessment of property in certain cases, and imposing liability for taxes upon the owners thereof; repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1586, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; \* \* \* authorizing the reassessment of property in certain cases and imposing liability for taxes upon the owner thereof; repealing inconsistent acts.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1633, entitled:

An Act amending the act of August 10, 1951 (P. L. 1189), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes \* \* \* in bureaus of police in cities of the second class; \* \* \*" changing the method of selection of courts of trial or inquiry.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1648, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; \* \* \*" further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1665, entitled:

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145), requiring taxes collected upon the transfer of real property or of any interest in real property to be collected at the county seat.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1672, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for returns indicating the number of votes cast by the electors of each party.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1704, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the dates for furnishing information as to offices to be filled; \* \* \* and further regulating the date for certification of nominees by the Secretary of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 298, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" providing for the ordering and sale of miniature bottles to certain licensees.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 317, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" prohibiting the refilling of any liquor bottle or other liquor container.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 318, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating license fees and default in the payment of such fees.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 589, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 522, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating the issuance of new hotel licenses.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 527, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled as amended "Pennsylvania Human Relations Act" increasing the membership of the commission and changing quorum provisions.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 631, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" authorizing the granting of mortgage loans to industrial development agencies



and the acquisition of such loans and participations there-in subject to limitations.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### BILLS RE-REFERRED

Mr. RUDISILL from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 463, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring the Secretary of Revenue to obtain the fingerprints of each applicant for an operator's license.

The SPEAKER. The bill is re-referred to the Committee on Motor Vehicles.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1714, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the maximum amounts payable on account of instruction expenses.

The SPEAKER. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1716, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the term of office of treasurers of school districts, providing for the collection of taxes, establishing the office of superintendent of schools and assistants and the manner of their election, providing for the reorganization of school districts, creating a commission, abolishing county boards of school directors and certain offices, discontinuing certain district boards of school directors and district offices, providing for the election of school boards in reorganized school districts, levying certain taxes in reorganized school districts, providing for the debts and assets of existing school districts and making an appropriation.

The SPEAKER. The bill is re-referred to the Select Committee on Education.

### GIRL SCOUTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of a group of Girl Scouts, Troops 3 and 24 of Philipsburg. They are here under the direction of Mrs. Strohl, Mrs. Hosut, Mrs. Maxwell and Mrs. Motter. They are the guests of the gentleman from Centre, Mr. Fulmer.

The SPEAKER. The Chair recognizes the gentleman from Somerset, Mr. Stiteler.

Mr. STITELER. Mr. Speaker, I would like to submit the following statement for the record, please.

The SPEAKER. The statement will be sent to the desk and spread upon the record.

Mr. STITELER. Thank you, sir.

Mr. STITELER submitted the following statement for the record:

### HOUSE OF REPRESENTATIVES HARRISBURG, PA.

June 14, 1961.

Honorable Hiram G. Andrews  
Speaker, House of Representatives  
Harrisburg, Pennsylvania

Mr. Speaker:

Upon reflection, I feel I erred in voting for House Bill No. 754 and House Bill No. 755. I had stated in Caucus that I opposed them. I was influenced by my respect for the sponsors, who in no way tried to influence me. However, I would like the record to show I feel I erred, and if voting today I would vote **NO** on House Bill 754 and House Bill No. 755.

s/ W. John Stiteler, Jr.

### BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 192, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the placing of reflectors on vehicles and providing penalties.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 155, entitled:

An Act to validate certain proceedings for municipal improvements municipal investments municipal claims and municipal liens in the several cities of the third class boroughs and townships of this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1354, entitled:

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159), further regulating the time of holding special elections and for certifying desire ordinances to increase the debt of the municipality.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1577, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption" reducing the minimum period of custody in an agency or institution necessary for voluntary relinquishment of custody of a child.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1604, entitled:

An Act amending the "Intangible Personal Property Tax Law" approved June 17, 1913 (P. L. 507), increasing

assessments when returns are filed later than a certain date.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1720, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for forfeiture of funds by school districts or county boards of school directors for employing any person in a supervisory capacity who has not been certified for such position.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 65, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" making the sale of regrooved tires without notice thereof a crime.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 86, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended "An act empowering municipality authorities cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions" extending the act to counties of the third fourth fifth sixth seventh and eighth classes further regulating joint purchases and the supply and exchange of certain services and functions and providing for the appointment of optional joint advisory boards and prescribing their powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 101, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Cods" requiring brake linings to be approved prohibiting the sale of unapproved linings providing for the issuing and revocation of certificates of approval establishing fees and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 361, entitled:

An Act concerning the ownership of securities by minors providing for the transfer of and dealing with such securities and prescribing the powers duties liabilities and immunities of certain persons in their transactions in connection therewith.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 428, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" enlarging the powers of banks bank and trust companies and savings banks to deal in fractional interest of evidences of debt.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 446, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" bringing persons between eighteen and twenty-one years of age within the provisions of the act relating to corrupting the morals of children.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 497, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "Adoption Law" further prescribing which persons must appear in court.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

## LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. VERONA for today because of illness.

Mr. Dougherty for Mr. MUSTO for today because of illness.

Mr. Tompkins for Mr. ESHLEMAN for today to attend funeral.

Mr. Tompkins for Mr. SLACK for today because of illness in the family.

Mr. Tompkins for Mr. DENGLER for today to attend commencement.

## ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, may I take this moment of time to announce our schedule to the House?

We will, on today's schedule, start to vote on bills that were agreed and caucused on yesterday, and then we will break for lunch and a small period of time for caucus, returning to the floor of the House to continue on the calendar today.

The House will convene on Tuesday of next week at 3 o'clock, d.s.t. A Democratic caucus, notice of which you will receive, will be held at 1 p.m., d.s.t., on Tuesday.



There will not be a House session Monday due to the Penn-Harris Hotel rooms.

The House will be in session Tuesday, Wednesday and Thursday of next week.

I repeat again, the House will convene on Tuesday at 3 o'clock, d.s.t. A Democratic caucus will be held at 1 p.m., d.s.t., on Tuesday. I ask every member to please attend the scheduled caucus next week, for major pieces of legislation will be debated and handled on the floor of this House on Tuesday and Wednesday.

### REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, in view of the announcement by the majority leader of reconvening at 3 o'clock on Tuesday, we will ask the Republicans to also appear in our caucus at 1 o'clock on Tuesday. It seems that unless we caucus for two hours on this first day, we cannot seem to get enough work lined up for the week.

So it will be necessary for us to caucus for two hours on Tuesday, as we have heretofore, but the caucus will be at 1 o'clock.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1059, entitled:

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017), increasing the amount the institution district may pay for burial costs in each case.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—185

Adams,	Gallagher,	Limper,	Riley,
Anderson, J. H.,	Gelfand,	Lippincott,	Rovanssek,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Rubin,
Ashton,	Gibb,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibbons,	Lutty,	Rutherford,
Bachman,	Goldstein, J. H.,	Magee,	Sakulsky,
Blair,	Goldstein, M. H.,	Manbeck,	Scarcell,
Bonner,	Goodrich,	Markley,	Schaaf,
Bossert,	Gramlich,	Marsh,	Seltzer,
Bower,	Gray,	Maxwell,	Shelton,
Breth,	Gremminger,	May,	Sherman,
Buchanan,	Gross,	McCandless,	Shupnik,
Bush,	Guesman,	McCann,	Simmons,
Capano,	Guthrie,	McCormack,	Snare,
Capitolo,	Hankins,	McDevitt,	Stank,
Cauley,	Hartley,	McDonald,	Steckel,
Cianfrani,	Haudenshield,	McInroy,	Stimmel,
Cioffi,	Heavey,	McKeever,	Stiteler,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	McNally,	Sullivan, J. A.,
Cooley,	Henzel,	Meholchick,	Sullivan, T. F.,
Crossin,	Hocker,	Merry,	Taylor,
Curwood,	Holl,	Miller,	Thompson,
Dayis,	Holliday,	Mills,	Tomesck,
Dennison,	Holman,	Monroe,	Tompkins,
Donaldson,	Horst,	Morley,	Trusio,
Dougherty,	Irvls,	Mullen,	Ujobal,
Doughten,	Isaacs,	Munley,	Varnier,
Down,	Jenkins,	Murphy,	Wall,
Edwards,	Jim,	Murray,	Walsh,
Elberg,	Johnson, A. W.,	Needham,	Wargo,
Elvey,	Johnson, R. P.,	O'Dell,	Weldner,
Eshback,	Jones,	O'Donnell, J. A.,	Welsh,
Esler,	Kamyk,	O'Donnell, J. P.,	Wescott,
Ewing,	Kelser,	Odoriso,	Whittaker,
Farabaugh,	Kelly,	Ogilvie,	Willard,

Fetterolf,  
Flo,  
Fineman,  
Flynn,  
Foerster,  
Foor,  
Fox,  
Frascella,  
Fry,  
Fulmer,  
Galley,

Kernaghan,  
Kessler,  
King,  
Kooker,  
Kornick,  
Korns,  
Kramer,  
Lamb,  
Lee, A. M.,  
Leonard,

Parlante,  
Pashley,  
Perry,  
Petrosky,  
Polaski,  
Polen,  
Pursley,  
Reibman,  
Reidenbach,  
Renwick,

Willaredt,  
Williams, A. D.,  
Williams, E. S.,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Yetter,  
Zemmer,  
Andrews,  
Speaker

#### NAYS—0

#### NOT VOTING—25

Arlene,  
Backenstoe,  
Boies,  
Bowman,  
Branca,  
Dengler,  
Eshleman,

Greenlee,  
Hamilton,  
Kistler,  
Klein,  
Knecht,  
Lawson,

Lee, K. B.,  
Mihm,  
Musto,  
Piper,  
Prendergast,  
Price,

Royer,  
Schuster,  
Slack,  
Stone,  
Verona,  
Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1083, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the issuance by the board of identification cards and changing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—180

Adams,	Galley,	Lawson,	Riley,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Rovanssek,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Rubin,
Arlene,	George,	Leonard,	Rudisill,
Ashton,	Chbb,	Limper,	Rutherford,
Auker,	Gibbons,	Lippincott,	Sakulsky,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcell,
Blair,	Goldstein, M. H.,	Magee,	Schaaf,
Bonner,	Goodrich,	Manbeck,	Seltzer,
Bossert,	Gramlich,	Markley,	Shelton,
Bower,	Gray,	Marsh,	Sherman,
Breth,	Greenlee,	Maxwell,	Shupnik,
Buchanan,	Gremminger,	May,	Simmons,
Bush,	Gross,	McCandless,	Snare,
Capano,	Guesman,	McCann,	Stank,
Cauley,	Guthrie,	McCormack,	Steckel,
Cianfrani,	Hankins,	McDevitt,	Stimmel,
Cioffi,	Hartley,	McDonald,	Stiteler,
Clarke,	Haudenshield,	McInroy,	Strausser,
Comer,	Heavey,	McKeever,	Sullivan, J. A.,
Cooley,	Heffner,	McLaughlin,	Sullivan, T. F.,
Crossin,	Helm,	McNally,	Taylor,
Curwood,	Henzel,	Meholchick,	Thompson,
Davis,	Hocker,	Merry,	Tomesck,
Dennison,	Holl,	Miller,	Tompkins,
Donaldson,	Holliday,	Mills,	Trusio,
Dougherty,	Holman,	Morley,	Ujobal,
Doughten,	Horst,	Mullen,	Varnier,
Down,	Irvls,	Munley,	Wall,
Edwards,	Isaacs,	Murphy,	Walsh,
Elberg,	Jenkins,	Murray,	Wargo,
Elvey,	Jim,	O'Dell,	Weldner,
Eshback,	Johnson, A. W.,	O'Donnell, J. A.,	Wescott,
Esler,	Johnson, R. P.,	Odoriso,	Whittaker,
Ewing,	Jones,	Ogilvie,	Willard,
Farabaugh,	Kelser,	Parlante,	Willaredt,
Fetterolf,	Kelly,	Pashley,	Williams, A. D.,
Flo,	Kernaghan,	Perry,	Williams, E. S.,

Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer,	Kessler, King, Kooker, Kornick, Korns, Kramer, Lamb,	Petrosky, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick,	Wilt, Wood, Worley, Wynd, Yetter, Zember, Andrews, Speaker
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## NAYS—0

## NOT VOTING—30

Backenstoe, Boles, Bowman, Branca, Capitolo, Dengler, Eshleman, Foerster,	Hamilton, Kamyk, Kistler, Klein, Knecht, Long, Wm. Jas., Lutty, Mihm,	Monroe, Musto, Needham, O'Donnell, J. P., Piper, Price, Reidenbach,	Royer, Schuster, Slack, Stone, Verona, Welsh, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1227, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), including chiropractors within school health program.

On the question,

Will the House agree to the bill on third reading?

## MOTION TO RECOMMIT

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the gentleman from Armstrong, Mr. Helm.

Mr. HELM. Mr. Speaker, I rise to oppose the motion to recommit. I think the bill is very clear in what it does and I do not believe it requires any additional study. Without getting into any merits of the bill, I think every member of this House will have an opportunity to vote upon the bill if we allow it to remain on the calendar. Therefore I ask you to vote against the motion to recommit.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I rise to ask support for the motion to recommit House bill 1227 and, if requested, satisfactory to a roll call.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. McCANN and HELM and were as follows:

## YEAS—60

Anderson, S. A., Arlene, Auker, Capitolo, Cauley, Clanfrani, Clarke, Cooley, Dougherty, Doughten,	Gelfand, Gray, Gremminger, Guesman, Hamilton, Hankins, Hartley, Holman, Irvis, Jones,	Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Marsh, McCann, McDevitt, McKeever, Mills, Monroe,	Piper, Prendergast, Reibman, Riley, Rubin, Rudisill, Shelton, Stone, Sullivan, J. A., Taylor,
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Ellberg, Fox, Fry, Galley, Gallagher,	Kelly, Klein, Kramer, Lamb, Leonard,	Morley, Murray, O'Donnell, J. A., Perry, Petrosky,	Tomasick, Trusio, Wargo, Williams, A. D., Zember,
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## NAYS—123

Adams, Anderson, J. H., Ashton, Bachman, Blair, Bonner, Bossert, Bower, Breth, Buchanan, Bush, Capano, Cioffi, Crossin, Curwood, Davis, Dennison, Donaldson, Down, Edwards, Elvey, Eshback, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foor, Frascella,	Fulmer, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Gross, Haudenshield, Heavey, Hefner, Helm, Henzel, Hocker, Holl, Holliday, Horst, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler, King, Kooker, Kornick, Korns, Lee, A. M., Lee, K. B.,	Lippincott, Magee, Manbeck, Markley, May, McCandless, McCormack, McDonald, McInroy, McLaughlin, McNally, Meholchick, Merry, Miller, Mullen, Munley, Murphy, Needham, O'Dell, O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Polaski, Polen, Pursley, Reidenbach, Renwick, Rovanssek, Rutherford,	Scarcelli, Schaaf, Seltzer, Sherman, Shupnik, Snare, Stank, Steckel, Stimmel, Stiteler, Strausser, Sullivan, T. F., Thompson, Tompkins, Ujobal, Varner, Wall, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Andrews, Speaker
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## NOT VOTING—27

Backenstoe, Boles, Bowman, Branca, Comer, Dengler, Eshleman,	Foerster, Goodrich, Greenlee, Guthrie, Kamyk, Kistler, Knecht,	Lawson, Maxwell, Mihm, Musto, Price, Royer, Sakulsky,	Schuster, Simmons, Slack, Verona, Walsh, Zimmerman,
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So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—141

Adams, Anderson, J. H., Anderson, S. A., Arlene, Bachman, Blair, Bonner, Bower, Breth, Buchanan, Bush, Capano, Capitolo, Cioffi, Clarke, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Doughten,	George, Gibb, Goldstein, J. H., Gramlich, Gray, Gross, Guesman, Hamilton, Hankins, Hartley, Heavey, Helm, Hocker, Holl, Holliday, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Jones,	Long, Wm. Jos., Magee, Manbeck, Markley, May, McCandless, McCann, McCormack, McDonald, McInroy, McLaughlin, McNally, Meholchick, Merry, Miller, Morley, Mullen, Munley, Murphy, Needham, O'Dell, O'Donnell, J. P.,	Rudisill, Rutherford, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Trusio, Ujobal, Varner, Wall, Walsh,
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Down, Edwards, Elvey, Eshback, Esler, Ewing, Farabaugh, Filo, Fineman, Flynn, Foor, Frascelia, Fry, Fulmer,	Kelser, Kernaghan, Kessler, King, Klein, Kooker, Kornick, Korns, Lamb, Lee, A. M., Lee, K. B., Leonard, Long, Wm. Jas.,	Odorisio, Ogilvie, Parlante, Pashley, Perry, Polaski, Polen, Pursley, Reidenbach, Renwick, Riley, Rovanssek, Rubin,	Weidner, Welsh, Wescott, Willard, Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—36

Ashton, Auker, Bossert, Cauley, Cianfrani, Ellberg, Fetterolf, Fox, Galley,	Gallagher, Gibbons, Gremminger, Haudenshield, Henzel, Holman, Johnson, R. P., Kelly, Kistler,	Kramer, Lippincott, Marsh, McKeever, Mills, Murray, O'Donnell, J. A., Petrosky, Piper,	Prendergast, Reibman, Scarcelll, Schaaf, Shelton, Tomascik, Wargo, Willaredt, Williams, A. D.,
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## NOT VOTING—33

Backenstoe, Bodes, Bowman, Branca, Comer, Dengler, Dougherty, Eshleman, Foerster,	Gelfand, Goldstein, M. H., Goodrich, Greenlee, Guthrie, Heffner, Kamyk, Knecht,	Lawson, Limper, Lutty, Maxwell, McDevitt, Mihm, Monroe, Musto,	Price, Royer, Sakulsky, Schuster, Seltzer, Slack, Verona, Whittaker,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## DUPONT AND SUGAR NOTCH HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of students of the DuPont High School and under the direction of Mr. Kundla, and students of the Sugar Notch High School, Luzerne County, under the direction of Miss Albasta and Mr. Sincavage. They are the guests of the gentlemen from Luzerne, Messrs. Mehlochick and Musto.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1241, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), including services of industrial insurance agents within the definition of employment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—113

Anderson, S. A., Arlene, Bachman, Bonner, Breth,	Goldstein, M. H., Gray, Gremminger, Guesman, Hamilton,	McCann, McCormack, McDevitt, McDonald, McKeever,	Reidenbach, Renwick, Riley, Rovanssek, Rubin,
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Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Ellberg, Farabaugh, Filo, Fineman, Flynn, Frascelia, Fry, Galley, Gallagher, Gelfand,	Hankins, Hartley, Heavey, Heffner, Irviss, Jenkins, Jim, Jones, Kelly, Kessler, King, Klein, Kornick, Kramer, Lamb, Lawson, Lee, K. B., Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Maxwell,	McLaughlin, McNally, Mehlochick, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Reibman,	Rudisill, Sakulsky, Scarcelll, Schaaf, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. P., Taylor, Tomascik, Trusio, Varner, Walsh, Wargo, Welsh, Williams, A. D., Williams, E. S., Worley, Yetter, Andrews, Speaker
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## NAYS—79

Adams, Anderson, J. H., Ashton, Auker, Backenstoe, Blair, Bossert, Davis, Dennison, Donaldson, Down, Edwards, Elvey, Eshback, Esler, Ewing, Fetterolf, Foor, Fox, Fulmer,	George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gross, Haudenshield, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan,	Kistler, Kooker, Korns, Lee, A. M., Lippincott, Magee, Manbeck, Markley, Marsh, May, McCandless, McInroy, Merry, O'Dell, Odorisio, Ogilvie, Pursley, Rutherford, Seltzer, Simmons,	Snare, Steckel, Stimmel, Stiteler, Strausser, Thompson, Tompkins, Ujober, Wall, Weidner, Wescott, Whittaker, Willard, Willaredt, Wilt, Wood, Wynd, Zember, Zimmerman,
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## NOT VOTING—18

Boles, Bower, Bowman, Branca, Dengler,	Eshleman, Foerster, Greenlee, Guthrie, Kamyk,	Knecht, Mihm, Musto, Price,	Royer, Schuster, Slack, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1284, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing ordinances and certain resolutions to be in force after attachment to the borough ordinance book and validating certain borough records.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton,	Gallagher, Gelfand, George, Gibb, Gibbons,	Leonard, Limper, Lippincott, Long, Wm. Jos.,	Riley, Rovanssek, Rubin, Rudisill, Rutherford,
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Auker,	Goldstein, J. H.,	Lutty,	Scarcelli,
Bachman,	Goldstein, M. H.,	Magee,	Schaaf,
Backenstoe,	Goodrich,	Manbeck,	Seltzer,
Blair,	Gramlich,	Markley,	Shelton,
Bonner,	Gray,	Marsh,	Sherman,
Bossert,	Greenlee,	Maxwell,	Shupnik,
Bower,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Snare,
Buchanan,	Guesman,	McCann,	Stank,
Bush,	Guthrie,	McCormack,	Steckel,
Capano,	Hamilton,	McDevitt,	Stimmel,
Capitolo,	Hankins,	McDonald,	Stiteler,
Caulley,	Hartley,	McInroy,	Stone,
Cianfrani,	Haudenschild,	McKeever,	Strausser,
Cioffi,	Heavey,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heffner,	McNally,	Sullivan, T. F.,
Comer,	Helm,	Meholchick,	Taylor,
Cooley,	Henzel,	Merry,	Thompson,
Crossin,	Hocker,	Miller,	Tomascik,
Curwood,	Holl,	Mills,	Tompkins,
Davis,	Holliday,	Monroe,	Trusio,
Dennison,	Horst,	Morley,	Ujobal,
Donaldson,	Irvis,	Mullen,	Varnier,
Dougherty,	Isaacs,	Munley,	Wall,
Doughten,	Jenkins,	Murphy,	Walsh,
Down,	Jim,	Murray,	Wargo,
Edwards,	Johnson, A. W.,	Needham,	Weidner,
Ellberg,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Elvey,	Jones,	O'Donnell, J. P.,	Wescott,
Eshback,	Kelser,	Odorisio,	Whittaker,
Esler,	Kelly,	Ogilvie,	Willard,
Ewing,	Kernaghan,	Parlante,	Willardt,
Farabaugh,	Kessler,	Pashley,	Williams, A. D.,
Fetterolf,	King,	Petrosky,	Williams, E. S.,
Filo,	Klein,	Piper,	Wilt,
Fineman,	Kooker,	Polaski,	Wood,
Flynn,	Kornick,	Polen,	Worley,
Foor,	Korns,	Prendergast,	Wynd,
Fox,	Kramer,	Pursley,	Yetter,
Frascella,	Lamb,	Reibman,	Zemmer,
Fry,	Lawson,	Reidenbach,	Zimmerman,
Fulmer,	Lee, A. M.,	Renwick,	Andrews,
Galley,	Lee, K. B.,		Speaker

## NAYS—2

Holman,	Kistler,
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## NOT VOTING—18

Boles,	Foerster,	O'Dell,	Sakulsky,
Bowman,	Kamyk,	Perry,	Schuster,
Branca,	Knecht,	Price,	Slack,
Dengler,	Mihm,	Royer,	Verona,
Eshleman,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1345, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), providing for notification of cancellation of registration in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Adams,	Gallagher,	Lawson,	Reidenbach,
Anderson, J. H.,	Gelfand,	Lee, A. M.,	Riley,
Anderson, S. A.,	George,	Lee, K. B.,	Rovanssek,
Arlene,	Gibb,	Leonard,	Rubin,

Ashton,	Gibbons,	Limper,	Rutherford,
Auker,	Goldstein, J. H.,	Lippincott,	Scarcelli,
Bachman,	Goldstein, M. H.,	Long, Wm. Jas.,	Schaaf,
Backenstoe,	Goodrich,	Lutty,	Seltzer,
Blair,	Gramlich,	Magee,	Shelton,
Bonner,	Gray,	Manbeck,	Sherman,
Bossert,	Greenlee,	Markley,	Shupnik,
Bower,	Gremminger,	Marsh,	Simmons,
Breth,	Gross,	Maxwell,	Snare,
Buchanan,	Guesman,	May,	Stank,
Bush,	Guthrie,	McCandless,	Steckel,
Capano,	Hamilton,	McCann,	Stimmel,
Capitolo,	Hankins,	McCormack,	Stiteler,
Caulley,	Hartley,	McDevitt,	Stone,
Cianfrani,	Haudenschild,	McDonald,	Strausser,
Cioffi,	Heavey,	McNally,	Sullivan, J. A.,
Clarke,	Heffner,	McInroy,	Sullivan, T. F.,
Comer,	Helm,	McKeever,	Taylor,
Cooley,	Henzel,	McLaughlin,	Thompson,
Crossin,	Hocker,	McNally,	Tomascik,
Curwood,	Holl,	Meholchick,	Tompkins,
Davis,	Holliday,	Merry,	Trusio,
Dennison,	Holman,	Miller,	Ujobal,
Donaldson,	Horst,	Mills,	Varnier,
Dougherty,	Irvis,	Monroe,	Wall,
Doughten,	Isaacs,	Morley,	Walsh,
Down,	Jenkins,	Mullen,	Wargo,
Edwards,	Jim,	Munley,	Weidner,
Ellberg,	Johnson, A. W.,	Murphy,	Welsh,
Elvey,	Johnson, R. P.,	Murray,	Wescott,
Eshback,	Jones,	O'Dell,	Whittaker,
Esler,	Kelser,	O'Donnell, J. A.,	Willard,
Ewing,	Kelly,	O'Donnell, J. P.,	Willardt,
Farabaugh,	Kernaghan,	Odorisio,	Williams, A. D.,
Fetterolf,	Kessler,	Ogilvie,	Williams, E. S.,
Filo,	King,	Parlante,	Wilt,
Fineman,	Kistler,	Pashley,	Wood,
Flynn,	Klein,	Petrosky,	Worley,
Foor,	Knecht,	Piper,	Wynd,
Fox,	Kooker,	Polaski,	Yetter,
Frascella,	Kornick,	Prendergast,	Zemmer,
Fry,	Korns,	Pursley,	Zimmerman,
Fulmer,	Kramer,	Reibman,	Andrews,
Galley,	Lamb,		Speaker

## NAYS—0

## NOT VOTING—20

Boles,	Foerster,	Perry,	Rudisill,
Bowman,	Kamyk,	Polen,	Sakulsky,
Branca,	Mihm,	Price,	Schuster,
Dengler,	Musto,	Renwick,	Slack,
Eshleman,	Needham,	Royer,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1356, entitled:

An Act amending "The Notary Public Law," approved August 21, 1953 (P. L. 1323), providing for the registration of notaries public in the clerk of courts' office in counties of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams,	Gelfand,	Lee, A. M.,	Reidenbach,
Anderson, J. H.,	George,	Lee, K. B.,	Renwick,
Anderson, S. A.,	Gibb,	Leonard,	Riley,
Arlene,	Gibbons,	Limper,	Rovanssek,
Ashton,	Goldstein, J. H.,	Lippincott,	Rubin,
Auker,	Goldstein, M. H.,	Long, Wm. Jas.,	Rudisill,



Bachman,	Goodrich,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gramlich,	Lutty,	Sakulsky,
Blair,	Gray,	Magee,	Scarcelli,
Bonner,	Greenlee,	Manbeck,	Schaaf,
Bossert,	Gremminger,	Markley,	Seitzer,
Bower,	Gross,	Marsh,	Shelton,
Breth,	Guesman,	Maxwell,	Sherman,
Buchanan,	Guthrie,	May,	Shupnik,
Bush,	Hamilton,	McCandless,	Simmons,
Capano,	Hankins,	McCann,	Snare,
Capitolo,	Hartley,	McCormack,	Stank,
Cianfrani,	Haudenshield,	McDevitt,	Steckel,
Cioffi,	Heavey,	McDonald,	Stimmel,
Clarke,	Heffner,	McInroy,	Stiteler,
Comer,	Helm,	McKeever,	Stone,
Cooley,	Henzel,	McLaughlin,	Strausser,
Crossin,	Hocker,	McNally,	Sullivan, J. A.,
Curwood,	Holl,	Meholchick,	Sullivan, T. F.,
Davis,	Holliday,	Merry,	Taylor,
Dennison,	Holman,	Miller,	Thompson,
Donaldson,	Horst,	Mills,	Tomascik,
Dougherty,	Irvis,	Monroe,	Tompkins,
Doughten,	Isaacs,	Morley,	Trusio,
Down,	Jenkins,	Mullen,	Ujobal,
Edwards,	Jim,	Munley,	Varner,
Ellberg,	Johnson, A. W.,	Murphy,	Wall,
Elvey,	Johnson, R. P.,	Murray,	Wargo,
Eshback,	Jones,	Needham,	Weldner,
Esler,	Kamyk,	O'Dell,	Welsh,
Ewing,	Kelser,	O'Donnell, J. A.,	Wescott,
Farabaugh,	Kelly,	O'Donnell, J. F.,	Willard,
Fetterolf,	Kernaghan,	Odorisio,	Willaredt,
Filo,	Kessler,	Ogilvie,	Williams, A. D.,
Fineman,	King,	Parlante,	Williams, E. S.,
Flynn,	Kistler,	Pashley,	Wilt,
Foerster,	Klein,	Perry,	Wood,
Foor,	Knecht,	Petrosky,	Worley,
Fox,	Kooker,	Piper,	Wynd,
Frascella,	Kornick,	Polaski,	Yetter,
Fry,	Korns,	Polen,	Zember,
Fulmer,	Kramer,	Prendergast,	Zimmerman,
Galley,	Lamb,	Pursley,	Andrews,
Gallagher,	Lawson,	Reibman,	Speaker

## NAYS—2

Cauley, Walsh,

## NOT VOTING—13

Boles,	Eshleman,	Price,	Slack,
Bowman,	Mihm,	Royer,	Verona,
Branca,	Musto,	Schuster,	Whittaker,
Dengler,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1373, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing boroughs to authorize or provide for the destruction or killing of unowned pigeons by humane means.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—181

Anderson, J. H.,	Gelfand,	Lee, A. M.,	Renwick,
Anderson, S. A.,	George,	Lee, K. B.,	Riley,
Arlene,	Gibb,	Lawson,	Rovansek,
Ashton,	Gibbons,	Leonard,	Rubin,
Auker,	Goldstein, J. H.,	Limper,	Rudisill,
Bachman,	Goldstein, M. H.,	Lippincott,	Rutherford,

Backenstoe,	Goodrich,	Long, Wm. Jas.,	Sakulsky,
Blair,	Gramlich,	Lutty,	Scarcelli,
Bonner,	Gray,	Magee,	Schaaf,
Bossert,	Greenlee,	Manbeck,	Seitzer,
Bower,	Gremminger,	Markley,	Shelton,
Branca,	Gross,	Marsh,	Sherman,
Breth,	Guesman,	Maxwell,	Shupnik,
Buchanan,	Guthrie,	May,	Simmons,
Bush,	Hamilton,	McCandless,	Stank,
Capano,	Hankins,	McCann,	Steckel,
Capitolo,	Hartley,	McCormack,	Stimmel,
Cauley,	Haudenshield,	McDevitt,	Stone,
Cianfrani,	Heavey,	McInroy,	Strausser,
Cioffi,	Heffner,	McKeever,	Sullivan, J. A.,
Clarke,	Helm,	McLaughlin,	Sullivan, T. F.,
Comer,	Henzel,	McNally,	Taylor,
Cooley,	Hocker,	Merry,	Thompson,
Crossin,	Holl,	Miller,	Tomascik,
Davis,	Holliday,	Mills,	Tompkins,
Dennison,	Holman,	Monroe,	Trusio,
Donaldson,	Horst,	Morley,	Ujobal,
Dougherty,	Irvis,	Mullen,	Varner,
Down,	Isaacs,	Munley,	Wall,
Ellberg,	Jim,	Murphy,	Walsh,
Elvey,	Johnson, A. W.,	Murray,	Wargo,
Eshback,	Johnson, R. P.,	Needham,	Weldner,
Esler,	Kamyk,	O'Dell,	Welsh,
Ewing,	Kelser,	O'Donnell, J. F.,	Wescott,
Farabaugh,	Kelly,	Odorisio,	Willard,
Fetterolf,	Kernaghan,	Ogilvie,	Willaredt,
Filo,	Kessler,	Parlante,	Williams, A. D.,
Fineman,	Kistler,	Perry,	Williams, E. S.,
Flynn,	Klein,	Petrosky,	Wilt,
Foerster,	Knecht,	Piper,	Wood,
Foor,	Kooker,	Polaski,	Worley,
Fox,	Kornick,	Polen,	Yetter,
Frascella,	Korns,	Prendergast,	Zember,
Fry,	Kramer,	Pursley,	Zimmerman,
Fulmer,	Lamb,	Reidenbach,	Andrews,
Galley,			Speaker

## NAYS—15

Adams,	Jenkins,	McDonald,	Reibman,
Curwood,	Jones,	Meholchick,	Stiteler,
Doughten,	King,	O'Donnell, J. A.,	Whittaker,
Edwards,	Long, Wm. Jos.,	Pashley,	

## NOT VOTING—14

Boles,	Frascella,	Royer,	Snare,
Bowman,	Mihm,	Schuster,	Verona,
Dengler,	Musto,	Slack,	Wynd,
Eshleman,	Price,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1377, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the expenses of members of boards of school directors attending certain meetings and for the expenses of certain employees incurred in the furthering of the educational program of the school district.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—156

Anderson, S. A.,	Goldstein, J. H.,	Leonard,	Riley,
Arlene,	Goldstein, M. H.,	Limper,	Rovansek,
Ashton,	Gramlich,	Lippincott,	Rubin,

Bachman, Backenstoe, Blair, Bonner, Bower, Branca, Breth, Buchanan, Capano, Capitolo, Cauley, Cioffi, Clarke, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Frascella, Fulmer, Gallagher, George, Gibb, Gibbons,	Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Holl, Holman, Iris, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lee, A. M., Lee, K. B.,	Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, McCann, McCormack, McDevitt, McDonald, McInroy, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Parlante, Polaski, Polen, Prendergast, Reibman, Reidenbach, Renwick,	Rudisill, Sakulsky, Scarcell, Schaaf, Seitzer, Shelton, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Ujobal, Varner, Wall, Wargo, Weidner, Welsh, Willard, Willaredt, Williams, A. D., Wilt, Worley, Wynd, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—37

Adams, Anderson, J. H., Auker, Bossert, Bush, Cianfrani, Ellberg, Elvey, Eshback, Foor,	Fox, Fry, Galley, Gelfand, Goodrich, Gross, Hocker, Holliday, Horst,	Kelser, Lawson, May, McCandless, Miller, Ogilvie, Pashley, Perry, Petrosky,	Piper, Pursley, Rutherford, Sherman, Walsh, Wescott, Whittaker, Williams, E. S., Zember,
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## NOT VOTING—17

Boies, Bowman, Comer, Dengler, Eshleman,	Fineman, Kamyk, McKeever, Mihm,	Musto, Price, Royer, Schuster,	Slack, Truslo, Verona, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1403, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .78 acres more or less of land situate in the Borough of East Stroudsburg, Monroe County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Adams, Anderson, J. H., Anderson, S. A.,	Gallagher, Gelfand, George,	Lee, A. M., Lee, K. B., Leonard,	Reidenbach, Renwick, Riley,
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Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Down, Edwards, Ellberg, Elvey, Eshback, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer, Galley,	Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Iris, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pursley, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Reibman,	Rovansek, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Seitzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Ujobal, Varner, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—14

Boies, Bowman, Dengler, Doughten,	Eshleman, Kamyk, Mihm, Musto,	Price, Royer, Schuster,	Slack, Truslo, Verona,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1415, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), exempting Jewish Community Centers from payment of title or registration fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton,	Gallagher, Gelfand, George, Gibb, Gibbons,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott,	Reidenbach, Renwick, Riley, Rovansek, Rubin,
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Auker,	Goldstein, J. H.,	Long, Wm. Jas.,	Rudisill,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goodrich,	Lutty,	Sakulsky,
Blair,	Gramlich,	Magee,	Scarcelli,
Bonner,	Gray,	Manbeck,	Schaaf,
Bossert,	Greenlee,	Markley,	Seltzer,
Bower,	Gremminger,	Marsh,	Shelton,
Branca,	Gross,	Maxwell,	Sherman,
Breth,	Guesman,	May,	Shupnik,
Buchanan,	Guthrie,	McCandless,	Simmons,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McCormack,	Stank,
Capitolo,	Hartley,	McDevitt,	Stimmel,
Cauley,	Haudenshield,	McDonald,	Stiteler,
Cianfrani,	Heavey,	McInroy,	Stone,
Cioffi,	Helm,	McKeever,	Strausser,
Clarke,	Henzel,	McLaughlin,	Sullivan, J. A.,
Comer,	Hocker,	McNally,	Sullivan, T. F.,
Cooley,	Holl,	Meholchick,	Taylor,
Crossin,	Holliday,	Merry,	Thompson,
Curwood,	Holman,	Miller,	Tomasick,
Davis,	Horst,	Mills,	Tompkins,
Dennison,	Irvist,	Monroe,	Trusio,
Donaldson,	Isaacs,	Morley,	Ujobai,
Doughten,	Jenkins,	Mullen,	Varner,
Down,	Jim,	Munley,	Wall,
Edwards,	Johnson, A. W.,	Murphy,	Walsh,
Eilberg,	Johnson, R. P.,	Murray,	Wargo,
Elvey,	Jones,	Needham,	Weidner,
Eshback,	Kamyk,	O'Dell,	Welsh,
Esler,	Kelser,	O'Donnell, J. A.,	Wescott,
Ewing,	Kelly,	O'Donnell, J. P.,	Whittaker,
Farabaugh,	Kernaghan,	Odorisio,	Willard,
Fetterolf,	Kessler,	Ogilvie,	Willaredt,
Filo,	King,	Parlante,	Williams, A. D.,
Fineman,	Kistler,	Pashley,	Williams, E. S.,
Flynn,	Klein,	Perry,	Wood,
Foerster,	Knecht,	Petrosky,	Worley,
Foor,	Kooker,	Piper,	Wynd,
Fox,	Kornick,	Polaski,	Yetter,
Frascella,	Korns,	Polen,	Zember,
Fry,	Kramer,	Prendergast,	Zimmerman,
Fulmer,	Lamb,	Pursley,	Andrews,
Galley,	Lawson,	Reibman,	Speaker

## NAYS—0

## NOT VOTING—15

Boies,	Eshleman,	Price,	Steckel,
Bowman,	Heffner,	Royer,	Verona,
Dengler,	Mihm,	Schuster,	Wilt,
Dougherty,	Musto,	Slack,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1446, entitled:

An Act amending the "Barbers' License Law," approved June 19, 1931 (P. L. 589), providing credit toward student or apprentice registration periods in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Adams,	Gallagher,	Lawson,	Reidenbach,
Anderson, J. H.,	Gelfand,	Lee, A. M.,	Renwick,
Anderson, S. A.,	George,	Lee, K. B.,	Riley,
Arlene,	Gibb,	Leonard,	Rovansek,
Ashton,	Gibbons,	Limper,	Rubin,
Auker,	Goldstein, J. H.,	Lippincott,	Rudisill,
Bachman,	Goldstein, M. H.,	Long, Wm. Jas.,	Rutherford,

Backenstoe,	Goodrich,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gramlich,	Lutty,	Scarcelli,
Bonner,	Gray,	Magee,	Schaaf,
Bossert,	Greenlee,	Manbeck,	Seltzer,
Bower,	Gremminger,	Markley,	Shelton,
Branca,	Gross,	Marsh,	Sherman,
Breth,	Guesman,	Maxwell,	Shupnik,
Buchanan,	Guthrie,	May,	Simmons,
Bush,	Hamilton,	McCandless,	Snare,
Capano,	Hankins,	McCann,	Stank,
Capitolo,	Hartley,	McCormack,	Steckel,
Cauley,	Haudenshield,	McDevitt,	Stimmel,
Cianfrani,	Heavey,	McDonald,	Stiteler,
Clarke,	Heffner,	McInroy,	Stone,
Comer,	Helm,	McKeever,	Strausser,
Cooley,	Henzel,	McLaughlin,	Sullivan, J. A.,
Crossin,	Hocker,	McNally,	Sullivan, T. F.,
Curwood,	Holl,	Meholchick,	Taylor,
Davis,	Holliday,	Merry,	Thompson,
Dennison,	Holman,	Miller,	Tompkins,
Donaldson,	Horst,	Mills,	Ujobai,
Dougherty,	Irvist,	Monroe,	Varner,
Doughten,	Isaacs,	Morley,	Wall,
Down,	Jenkins,	Mullen,	Walsh,
Edwards,	Jim,	Munley,	Wargo,
Eilberg,	Johnson, A. W.,	Murphy,	Weidner,
Elvey,	Johnson, R. P.,	Needham,	Welsh,
Eshback,	Jones,	O'Dell,	Wescott,
Esler,	Kamyk,	O'Donnell, J. A.,	Whittaker,
Ewing,	Kelser,	O'Donnell, J. P.,	Willard,
Farabaugh,	Kelly,	Odorisio,	Willaredt,
Fetterolf,	Kernaghan,	Ogilvie,	Williams, A. D.,
Filo,	Kessler,	Parlante,	Williams, E. S.,
Fineman,	King,	Pashley,	Wilt,
Flynn,	Kistler,	Perry,	Wood,
Foerster,	Klein,	Petrosky,	Worley,
Foor,	Knecht,	Piper,	Wynd,
Fox,	Kooker,	Polaski,	Yetter,
Frascella,	Kornick,	Polen,	Zember,
Fry,	Korns,	Prendergast,	Zimmerman,
Fulmer,	Kramer,	Pursley,	Andrews,
Galley,	Lamb,	Reibman,	Speaker

## NAYS—0

## NOT VOTING—15

Boies,	Eshleman,	Price,	Tomasick,
Bowman,	Mihm,	Royer,	Trusio,
Cioffi,	Murray,	Schuster,	Verona,
Dengler,	Musto,	Slack,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1447, entitled:

An Act amending the "Milk Sanitation Law," approved July 2, 1935 (P. L. 589), further providing for the tuberculosis and brucellosis ring tests to be given to cows.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams,	Gallagher,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Gelfand,	Lee, K. B.,	Riley,
Anderson, S. A.,	George,	Leonard,	Rovansek,
Arlene,	Gibb,	Limper,	Rubin,
Ashton,	Gibbons,	Lippincott,	Rudisill,
Auker,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goodrich,	Lutty,	Scarcelli,
Blair,	Gramlich,	Magee,	Schaaf,
Bonner,	Gray,	Manbeck,	Seltzer,

Bossert,	Greenlee,	Markley,	Shelton,
Bower,	Gremminger,	Marsh,	Sherman,
Branca,	Gross,	Maxwell,	Shupnik,
Breth,	Guesman,	May,	Simmons,
Buchanan,	Guthrie,	McCandless,	Snare,
Bush,	Hamilton,	McCann,	Stank,
Capano,	Hankins,	McCormack,	Steckel,
Capitolo,	Hartley,	McDevitt,	Stimmel,
Cauley,	Haudenshield,	McDonald,	Stiteler,
Cianfrani,	Heavey,	McInroy,	Stone,
Cioffi,	Heffner,	McKeever,	Strausser,
Clarke,	Helm,	McLaughlin,	Sullivan, J. A.,
Comer,	Henzel,	McNally,	Sullivan, T. F.,
Cooley,	Hocker,	Meholchick,	Taylor,
Crossin,	Holl,	Merry,	Thompson,
Curwood,	Holliday,	Miller,	Tomasick,
Davis,	Holman,	Mills,	Tompkins,
Dennison,	Horst,	Monroe,	Trusto,
Donaldson,	Irvis,	Morley,	Ujohai,
Dougherty,	Isaacs,	Mullen,	Varnier,
Doughten,	Jenkins,	Munley,	Wall,
Down,	Jim,	Murphy,	Walsh,
Edwards,	Johnson, A. W.,	Needham,	Wargo,
Elberg,	Johnson, R. P.,	O'Dell,	Weldner,
Elvey,	Jones,	O'Donnell, J. A.,	Welsh,
Eshback,	Kelser,	O'Donnell, J. P.,	Wescott,
Esler,	Kelly,	Odorisio,	Whittaker,
Ewing,	Kernaghan,	Ogilvie,	Willard,
Farabaugh,	Kessler,	Parlante,	Willaredt,
Fetterolf,	King,	Pashley,	Williams, A. D.,
Filo,	Kistler,	Perry,	Williams, E. S.,
Fineman,	Klein,	Petrosky,	Wilt,
Flynn,	Knecht,	Piper,	Wood,
Foerster,	Kooker,	Polaski,	Worley,
Foor,	Kornick,	Polen,	Wynd,
Fox,	Korns,	Prendergast,	Yetter,
Frascella,	Kramer,	Pursley,	Zember,
Fry,	Lamb,	Reibman,	Zimmerman,
Fulmer,	Lawson,	Reidenbach,	Andrews,
Galley,			Speaker

NAYS—0

NOT VOTING—13

Boles,	Kamyk,	Musto,	Schuster,
Bowman,	Mihm,	Price,	Slack,
Dengler,	Murray,	Royer,	Verona,
Eshleman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 148.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for an assistant secretary of the board of school directors.

## HOUSE BILL No. 179.

An Act amending the act of May 23, 1919 (P. L. 278), entitled "An act supplementary to an act approved the eleventh day of May one thousand, nine hundred and eleven, entitled 'An act to provide for the appointment of county and city inspectors of weights and measures \* \* \* providing for the examination of the glassware used for testing milk and cream \* \* \* providing that bottles pipettes and weights used for testing shall comply with the law as to type and need not be examined and marked individually.

## HOUSE BILL No. 417.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for traffic courts in cities of the third class.

## HOUSE BILL No. 1396.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), increasing the expense allowance for delegates to meetings of the State Association of Boroughs.

With the information that the Senate has passed the same without amendment.

## SENATE MESSAGE

## AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

## SENATE BILL No. 553.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to grant to Upper St. Clair Township, Allegheny County, its successors or assigns a right of way for the purpose of constructing installing and maintaining a sanitary sewer system over property of the Commonwealth of Pennsylvania, known as the Mayview State Hospital Property.

## SENATE MESSAGE

## AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1038.

An Act authorizing the Department of Property and Supplies to sell and convey all of its right title and interest that it may have in a tract of land in the borough of Canonsburg, Washington County, Pennsylvania.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

## SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 442 and 1169.

## REPORT FROM COMMITTEE

Mr. FOERSTER from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1554, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities, and regulating the administration and the payment of such pensions," authorizing the withdrawal of service increment contributions by persons who retire before becoming entitled to any service increment.

## BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1554, entitled:



An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," authorizing the withdrawal of service increment contributions by persons who retire before becoming entitled to any service increment.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

### DEMOCRATIC CAUCUS

Mr. McCANN. Mr. Speaker, I am going to ask that this House recesses for one hour and a half. The Democratic caucus will be held immediately, with lunch following the caucus. I ask that every Democratic member bring their House calendar with them and come immediately to the House caucus room.

Mr. Speaker, I yield to the minority leader.

### REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, we will also caucus immediately for one hour. Will the Republicans please proceed to the caucus room where we will caucus for one hour and then have lunch for one-half hour, and then return to the floor.

### RECESS

The SPEAKER. Without objection, the Chair declares a recess of an hour and a half.

The Chair hears none.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

### PERMISSION TO ADDRESS HOUSE

Mr. HEFFNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not take this occasion often. In fact, this is my third term and this is the first opportunity I have had to address the House by unanimous consent. I do not wish to abuse it but I have something which I feel is of interest to the citizens of the entire Commonwealth of Pennsylvania.

Mr. Speaker, I have read with great interest the story of the staggering scandals that have hit Philadelphia City Hall. They bring to mind a situation years ago, during the last Republican city administration, when Dilworth and Clark rode their clean-up brooms in a Grand Jury investigation into becoming mayor and Senator, respectively. For months these crusaders on white horses ran from street corner to street corner charging Republican job-holders with all kinds of defalcations.

Both these men either used the troubles of that Republican administration to advance their own political ambitions or they were sincere citizens outraged by the wrongdoings of people in public trust. At any rate, we must give them the benefit of the doubt as they most certainly cried to the high heavens for a special grand jury investigation.

Unlike the present Democratic Governor and Attorney General, Governor Duff and Attorney General Chidsey,

of the Republican Administration, did not believe that this was a Democratic plot but answered the demand of the citizenry at that time with a special grand jury investigation.

Now, we understand that neither Lawrence or Miss Alpern are riding any white horses—green horses maybe, but not white ones—and we might add that even Dilworth and Clark's white horses are being tinged with a "tattle-tale green."

Mr. Speaker, why, then, do not Mayor Dilworth and Senator Clark, if they are still sincere citizens outraged by the breach of public trust and now faced with a more serious breach of public trust in a Democratic City Administration, join in then with Senator Scott and other Philadelphia citizens in the request for a special grand jury investigation?

Why is Mayor Dilworth and other top brass in the Philadelphia Democrat administration doing everything within their power to block a grand jury investigation? This very day we read in the Philadelphia newspapers that Dilworth and company will appear in court and testify against and oppose most vigorously the court petition of citizens of Philadelphia who seek a grand jury investigation. Why do they insist on denying the people the right to use the peoples' weapon for ferreting out the truth concerning the mushrooming scandals by the Dilworth Administration?

Let me repeat, why do they insist on denying the people the right to use the peoples' weapon for ferreting out the truth concerning the mushrooming scandals of the Dilworth administration?

No three-man committee, no matter how respectable it may be, can possibly be a substitute for the grand jury investigation provided by law for such purposes. This is especially true when the committee itself recognizes that it is not an investigative committee.

Is it not strange that this besmirched administration through the voice of that great reformer, Dilworth, is now crying "Republican plot," and does not the mayor himself fit the description of a "pious fraud," which he is so quick to call others, as he fights desperately to keep the lid on the City Hall scandals. If the Mayor honestly wants to clean his own skirts, if all his past utterances are not so much hypocritical hogwash, then let him take his place in the vanguard of those demanding a special grand jury investigation, as he did in 1948 when the political shoe was on the other foot.

Mr. Speaker, at that time Mayor Dilworth was calling for the intervention by the State to assist the special grand jury investigation in Philadelphia. Governor Duff and Attorney General Chidsey complied with the request and led the investigation, even though members of their own political party were involved.

If the Democrats now in control of Philadelphia's and Pennsylvania's government, Mayor Dilworth, Governor Lawrence and their legal deputies, District Attorney Crumlish and Anne X. Alpern, show the same political courage displayed by their Republican predecessors in 1948, the public would be impressed and its interests would certainly be served.

Mr. Speaker, I call upon our Governor, the Attorney General and Mayor Dilworth to put the public interest above their political interest and support the public demand for a special grand jury investigation.

Mr. EILBERG. Mr. Speaker, I have listened carefully to the remarks of the gentleman and I say that he cries with crocodile tears. He is concerned with the welfare of the citizens of Philadelphia. I say, Mr. Speaker, he is much more concerned with the majorities that the Democratic Party has been able to show in Philadelphia.

I would call to the gentleman's attention, and to the Speaker and the members of the House, that the Democratic resurgence in Philadelphia was due to a period of 67 years of Republican misrule and it was the Democrats who brought to the attention of the people of Philadelphia the rank conditions that existed at that particular time.

What do we have today? We have the situation where certain individuals, members of the branch who work at City Hall, civil service employes, have proved themselves to be dishonest. I say to you, Mr. Speaker, it is unfair and unwise to accuse the dominant political party in Philadelphia of being dishonest, of being part of any chicanery.

It seems to me that all thinking people who are looking closely at the Philadelphia situation as it has appeared in the two Republican newspapers, will nevertheless agree, even through reading between the lines, that the mayor and his administration have done everything humanly possible to bring wrongdoers to light and to see that the situation is rectified if there is anything wrong in any particular way.

Now they are crying, crying for a Grand Jury investigation. They would love to play up this thing in the newspapers. They do not care, the last speaker does not care, about the inordinate expense that would be involved in a grand jury investigation. He is not concerned with disrupting the government in the city of Philadelphia. While all this attention is being given to these particular matters the government is forced to pay attention to them, and many of the essential functions of the city government are stalled.

Mr. Speaker, it seems to me that the mayor and his administration—the Mayor and the District Attorney, the city solicitor and the city controller—these people who brought these conditions to light are Democrats in a Democratic city.

Let them investigate, let them do what they can, and then, Mr. Speaker, if the elected—elected by both parties—elected officials of the city cannot do the job, then perhaps we can consider such measures as the gentleman suggests.

I say to you, Mr. Speaker, I am perplexed and somewhat annoyed that someone who does not even come from Philadelphia expresses such concern over a problem that is of particular interest to us and which is being properly attended to by our elected city officials.

Mr. SHERMAN. Mr. Speaker, because of the lateness of the hour, I think it is scandalous in itself against the members of the House, both Republican and Democratic, that at 2 o'clock this afternoon we should rise and make political speeches against our beloved city of Philadelphia. I call it scandalous and "hogwash."

It was the leader of the Democratic party who actually dug out anything that may be alleged to be that small that they can call scandalous.

But I will not go into any speech at this late hour, and I think the Speaker has previously made a rule more or

less that 2 o'clock in the afternoon of the last day of the session is certainly a late hour, a bad hour to take advantage of the members of the House in making political speeches.

The SPEAKER. The Speaker would like to have it that way, but the majority of the members of the House do not want it that way.

The Chair has a lot of bills to sign and to refer and requests the gentleman from Armstrong to preside.

Mr. HELM IN THE CHAIR

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1457, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), extending the act to property the owner of which is unknown and has been unknown for a period of not less than ten years.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Adams,	Gallagher,	Lee, K. B.,	Riley,
Anderson, J. H.,	Leonard,	Leonard,	Rovansek,
Anderson, S. A.,	George,	Limper,	Royer,
Arlene,	Gibb,	Lippincott,	Rubin,
Ashton,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goldstein, M. H.,	Lutty,	Sakulsky,
Backenstoe,	Goodrich,	Magee,	Scarcelli,
Bialr,	Gramlich,	Manbeck,	Schaaf,
Bonner,	Gray,	Markley,	Schuster,
Bossert,	Greenlee,	Marsh,	Seltzer,
Bower,	Gremmlinger,	Maxwell,	Shelton,
Bowman,	Gross,	May,	Sherman,
Breth,	Guesman,	McCandless,	Shupnik,
Buchanan,	Guthrie,	McCann,	Simmons,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Steckel,
Cauley,	Haudenshield,	McInroy,	Stimmel,
Cianfrani,	Heavey,	McKeever,	Stiteler,
Cioffi,	Heffner,	McLaughlin,	Stone,
Clarke,	Helm,	McNally,	Strausser,
Comer,	Henzel,	Meholchick,	Sullivan, J. A.,
Cooley,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holl,	Miller,	Taylor,
Curwood,	Holliday,	Mills,	Thompson,
Davis,	Holman,	Monroe,	Tomasick,
Dennison,	Horst,	Morley,	Tompkins,
Donaldson,	Irviss,	Mullen,	Trusio,
Dougherty,	Isaacs,	Munley,	Ujohal,
Doughten,	Jenkins,	Murphy,	Varnier,
Down,	Jim,	Murray,	Wall,
Edwards,	Johnson, A. W.,	Needham,	Walsh,
Eilberg,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Elvey,	Jones,	O'Donnell, J. P.,	Weidner,
Eshback,	Keiser,	Odorislo,	Welsh,
Esler,	Kelly,	Ogilvie,	Wescott,
Ewing,	Kernaghan,	Parlante,	Whittaker,
Farabaugh,	Kessler,	Pashley,	Willard,
Fetterolf,	King,	Perry,	Willaredt,
Filo,	Kistler,	Petrosky,	Williams, A. D.,
Fineman,	Klein,	Piper,	Williams, E. S.,
Flynn,	Knecht,	Polaski,	Wilt,
Foerster,	Kooker,	Polen,	Wood,
Foor,	Kornick,	Prendergast,	Worley,
Fox,	Korns,	Price,	Yetter,
Fracella,	Kramer,	Pursley,	Zember,
Fry,	Lamb,	Reibman,	Zimmerman,
Fulmer,	Lawson,	Reidenbach,	Andrews,
Galley,	Lee, A. M.,	Renwick,	Speaker



## NAYS—1

O'Dell,

## NOT VOTING—10

Boies,  
Branca,  
Dengler,Eshleman,  
Kamyk,  
Mihm,Musto,  
Slack,Verona,  
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1464, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), permitting townships to make appropriations to industrial development agencies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Adams,	Gallagher,	Lee, K. B.,	Renwick,
Anderson, J. H.,	Gelfand,	Leonard,	Riley,
Anderson, S. A.,	George,	Limper,	Rovanssek,
Arlene,	Gibb,	Lippincott,	Royer,
Ashton,	Gibbons,	Long, Wm. Jas.,	Rubin,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Rudisill,
Bachman,	Goldstein, M. H.,	Lutty,	Rutherford,
Backenstoe,	Goodrich,	Magee,	Sakulsky,
Bonner,	Gramlich,	Manbeck,	Scarcelli,
Bossert,	Gray,	Markley,	Schaaf,
Bower,	Greenlee,	Marsh,	Schuster,
Bowman,	Gremminger,	Maxwell,	Seltzer,
Branca,	Gross,	May,	Shelton,
Breth,	Guesman,	McCandless,	Sherman,
Buchanan,	Guthrie,	McCann,	Shupnik,
Bush,	Hamilton,	McCormack,	Simmons,
Capano,	Hankins,	McDevitt,	Snare,
Capitolo,	Hartley,	McDonald,	Stank,
Cauley,	Haudenshield,	McInroy,	Steckel,
Cianfrani,	Heavey,	McKeever,	Stimmer,
Cioffi,	Heffner,	McLaughlin,	Stiteler,
Clarke,	Helm,	McNally,	Stone,
Comer,	Henzel,	Meholchick,	Strausser,
Cooley,	Hocker,	Merry,	Sullivan, J. A.,
Crossin,	Holl,	Miller,	Sullivan, T. F.,
Curwood,	Holliday,	Mills,	Taylor,
Davis,	Holman,	Monroe,	Thompson,
Dennison,	Horst,	Morley,	Tomasck,
Donaldson,	Irviss,	Mullen,	Tompkins,
Dougherty,	Isaacs,	Munley,	Trusio,
Doughten,	Jenkins,	Murphy,	Ujobal,
Down,	Jim,	Murray,	Varnar,
Edwards,	Johnson, A. W.,	Needham,	Wall,
Eilberg,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,
Elvey,	Keiser,	O'Donnell, J. P.,	Wargo,
<del>Eshback,</del>	Kelly,	Odorisio,	Weidner,
Esler,	Kernaghan,	Ogilvie,	Welsh,
Ewing,	Kessler,	Parlante,	Wescott,
Farabaugh,	King,	Pashley,	Whittaker,
Fetterolf,	Kistler,	Perry,	Willard,
Filo,	Klein,	Petrosky,	Willaredt,
Fineman,	Knecht,	Piper,	Williams, A. D.,
Flynn,	Kooker,	Polaski,	Williams, E. S.,
Foerster,	Kornick,	Polen,	Wilt,
Foor,	Korns,	Prendergast,	Wood,
Fox,	Kramer,	Price,	Worley,
Frascella,	Lamb,	Pursley,	Wynd,
Fry,	Lawson,	Reibman,	Yetter,
Fulmer,	Lee, A. M.,	Reidenbach,	Zemmer,
Galley,			Zimmerman,
			Andrews,

Speaker

## NAYS—2

Blair,

O'Dell,

## NOT VOTING—11

Boies,  
Dengler,  
Eshleman,Jones,  
Kamyk,  
Mihm,Musto,  
Slack,  
Verona,Wood,  
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1465, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), permitting townships to make appropriations to industrial development agencies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Adams,	Gallagher,	Leonard,	Riley,
Anderson, J. H.,	Gelfand,	Limper,	Rovanssek,
Anderson, S. A.,	George,	Lippincott,	Royer,
Arlene,	Gibb,	Long, Wm. Jas.,	Rubin,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Auker,	Goldstein, J. H.,	Lutty,	Rutherford,
Bachman,	Goldstein, M. H.,	Magee,	Sakulsky,
Backenstoe,	Goodrich,	Manbeck,	Scarcelli,
Blair,	Gramlich,	Markley,	Schaaf,
Bonner,	Gray,	Marsh,	Schuster,
Bossert,	Greenlee,	Maxwell,	Seltzer,
Bower,	Gremminger,	May,	Shelton,
Bowman,	Gross,	McCandless,	Sherman,
Branca,	Guthrie,	McCann,	Shupnik,
Breth,	Hamilton,	McCormack,	Simmons,
Buchanan,	Hankins,	McDevitt,	Snare,
Bush,	Hartley,	McDonald,	Stank,
Capano,	Haudenshield,	McInroy,	Steckel,
Capitolo,	Heavey,	McKeever,	Stimmel,
Cauley,	Heffner,	McLaughlin,	Stiteler,
Cioffi,	Helm,	McNally,	Stone,
Clarke,	Henzel,	Meholchick,	Strausser,
Comer,	Hocker,	Merry,	Sullivan, T. F.,
Cooley,	Holl,	Miller,	Taylor,
Crossin,	Holliday,	Mills,	Thompson,
Curwood,	Horst,	Monroe,	Tomasck,
Davis,	Irviss,	Morley,	Tompkins,
Dennison,	Isaacs,	Mullen,	Trusio,
Donaldson,	Jenkins,	Munley,	Ujobal,
Dougherty,	Jim,	Murphy,	Varnar,
Doughten,	Johnson, A. W.,	Murray,	Wall,
Down,	Johnson, R. P.,	Needham,	Walsh,
Edwards,	Keiser,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kelly,	O'Donnell, J. P.,	Weidner,
Elvey,	Kernaghan,	Odorisio,	Welsh,
<del>Eshback,</del>	Kessler,	Ogilvie,	Wescott,
Esler,	King,	Parlante,	Whittaker,
Ewing,	Kistler,	Pashley,	Willard,
Farabaugh,	Klein,	Perry,	Willaredt,
Fetterolf,	Knecht,	Piper,	Williams, A. D.,
Filo,	Kooker,	Polaski,	Williams, E. S.,
Fineman,	Kornick,	Polen,	Wilt,
Flynn,	Korns,	Prendergast,	Wood,
Foerster,	Kramer,	Price,	Worley,
Foor,	Lamb,	Pursley,	Wynd,
Fox,	Lawson,	Reibman,	Yetter,
Frascella,	Lee, A. M.,	Reidenbach,	Zemmer,
Fry,	Lee, K. B.,	Renwick,	Zimmerman,
Fulmer,			Andrews,
Galley,			

Speaker

## NAYS—2

O'Dell,

Sullivan, J. A.,

## NOT VOTING—12

Boles,  
Cianfrani,  
Dengler,Down,  
Eshleman,  
Guesman,Holman,  
Kamyk,  
Mihm,Musto,  
Slack,  
Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1450, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing licenses for the retail sale of liquor and malt or brewed beverages on city premises in cities of the first class under certain terms and conditions and to be known as public event licenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia, Mrs. Anderson.

Mrs. S. A. ANDERSON. Mr. Speaker, I want to explain this bill.

House bill 1450 is an amendment to the Liquor Code which will, in effect, permit the sale of alcohol and malt beverages on premises under the jurisdiction of the board of trade and conventions.

Being able to sell alcohol and malt beverages through a concessionaire in places such as Convention Hall would enable Philadelphia to compete for conventions on a par with other large cities. At the present time Philadelphia's three largest competitors for conventions and trade shows are Detroit, Chicago and New York. These cities in addition to their new and expensive facilities, have the added advantage of being able to offer complete "on the premises" services. This includes cocktail lounges and table service of liquors and beer. The Philadelphia board of trade and conventions would like to be put in a competitive position in order to attract more shows and conventions.

The sale of liquor and beer would complement the excellent restaurant services offered by the city on the premises occupied by Convention Hall. This restaurant, which seats 800 people is open during every trade show and convention. In the past, much business was lost at the restaurant because of the inability to serve beverages set forth above.

It is difficult to estimate how many conventions were lost because of this or how much additional revenue would be gained if this bill were passed. However, conservative estimates would show an income of between \$25,000 and \$50,000 to the city for the concession. In addition to this compensation and to the other moneys spent by increased trade shows and conventions, this complete servicing would tend to stimulate sales at the trade shows and conventions.

To repeat, the most important feature of this amend-

ment would be to put Philadelphia on a competitive basis with the other large cities which attract the majority of trade shows and conventions. I ask the members to support the amendments. Thank you.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—87

Arlene,	Greenlee,	Maxwell,	Reidenbach,
Bachman	Gremminger,	McCormack,	Renwick,
Branca,	Guesman,	McDevitt,	Riley,
Capitolo,	Hamilton,	McDonald,	Rovansek,
Cauley,	Hankins,	McKeever,	Rubin,
Cianfrani,	Hartley,	McLaughlin,	Sakulsky,
Cloff,	Irvis,	McNally,	Scarcelli,
Clarke,	Jim,	Meholchick,	Schaaf,
Comer,	Jones,	Mills,	Schuster,
Cooley,	Mullen,	Munley,	Shelton,
Crossin,	Kelly,	Murray,	Sherman,
Doughten,	Klein,	Needham,	Shupnik,
Farabaugh,	Knecht,	O'Donnell, J. A.,	Stank,
Filo,	Kramer,	O'Donnell, J. P.,	Stone,
Fineman,	Lamb,	Odorislo,	Sullivan, T. F.,
Flynn,	Lawson,	Parlante,	Taylor,
Frascella,	Lee, A. M.,	Pashley,	Tomasick,
Galley,	Leonard,	Perry,	Trusio,
Gallagher,	Limper,	Polaski,	Wargo,
Gelfand,	Long, Wm. Jos.,	Prendergast,	Welsh,
Gibbons,	Lutty,	Reibman,	Andrews,
Gray,	Marsh,		<b>Speaker</b>

## NAYS—113

Adams,	Fox,	Kistler,	Rutherford,
Anderson, J. H.	Fry,	Kooker,	Seltzer,
Anderson, S. A.,	Fulmer,	Kornick,	Simmons,
Ashton,	George,	Korns,	Snare,
Auker,	Gibb,	Lee, K. B.,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lippincott,	Stimmel,
Blair,	Goldstein, M. H.,	Long, Wm. Jas.,	Stiteler,
Bonner,	Goodrich,	Magee,	Strausser,
Bossert,	Gramlich,	Manbeck,	Sullivan, J. A.,
Bower,	Gross,	Markley,	Thompson,
Bowman,	Haudenschild,	May,	Tompkins,
Breth,	Heavey,	McCandless,	Ujobal,
Buchanan,	Heffner,	McCann,	Varner,
Bush,	Helm,	McInroy,	Wall,
Curwood,	Henzel,	Merry,	Walsh,
Davis,	Hocker,	Miller,	Weldner,
Dennison,	Holl,	Monroe,	Whittaker,
Donaldson,	Holliday,	Morley,	Willard,
Dougherty,	Holman,	Murphy,	Willardt,
Down,	Horst,	O'Dell,	Williams, A. D.,
Edwards,	Isaacs,	Ogilvie,	Williams, E. S.,
Ellberg,	Jenkins,	Petrosky,	Wilt,
Elvey,	Johnson, A. W.,	Piper,	Wood,
Eshback,	Johnson, R. P.,	Polen,	Worley,
Esler,	Kelser,	Price,	Wynd,
Ewing,	Kernaghan,	Pursley,	Yetter,
Fetterolf,	Kessler,	Royer,	Zember,
Foerster,	King,	Rudisill,	Zimmerman,
For,			

## NOT VOTING—10

Boles,	Eshleman,	Musto,	Verona,
Capano,	Guthrie,	Slack,	Wescott,
Dengler,	Mihm,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1438, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act," approved May 31, 1945 (P. L. 1198), further regulating bituminous strip mining operations changing provisions with respect to bonds filing dates reports registration backfilling and overburden including



certain persons within the provisions of the act and providing for the use of funds in certain cases.

On the question,

Will the House agree to the bill on third reading?

Messrs. DONALDSON, STIMMEL and M. H. GOLDSTEIN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 2 (Sec. 4.3), page 9, lines 2 and 3, by inserting a bracket before "the" where it appears the first time in line 2 and after "reported" in line 3, and inserting immediately thereafter: all operations

Amend Sec. 4 (Sec. 8), page 12, line 11, by striking out "WITHIN FIFTEEN (15) DAYS"

Amend Sec. 4 (Sec. 8), page 12, line 11, by inserting after "bond" with the annual report or completion report.

Amend Sec. 4 (Sec. 10), page 13, line 18, by striking out the bracket before "unmined"

Amend Sec. 4 (Sec. 10), page 13, line 18, by striking out the bracket before "which"

Amend Sec. 4 (Sec. 10), page 13, line 19, by inserting a bracket after "coal" and inserting immediately thereafter: from the top of the highway

Amend Sec. 4 (Sec. 10), page 13, line 20, by striking out the bracket after "(45)"

Amend Sec. 4 (Sec. 10), page 14, line 1, by striking out the bracket before "degrees"

Amend Sec. 4 (Sec. 10), page 14, line 1, by inserting a bracket before "except"

Amend Sec. 4 (Sec. 10), page 14, line 1, by inserting a bracket before "except"

Amend Sec. 4 (Sec. 10), page 14, lines 3 to 8, by striking out "HIGH-" in line 3, all of lines 4 to 7 and "ANGLE NOT TO EXCEED FORTY-FIVE (45) DEGREES" in line 8

Amend Sec. 4 (Sec. 10), page 14, line 10, by inserting after "as" is satisfactory to the secretary and

Amend Sec. 4 (Sec. 10), page 14, line 18, by inserting after "provided" for

Amend Sec. 8 (Sec. 18), page 21, lines 6 and 7, by striking out "THE MINE INSPECTION DISTRICT"

Amend Sec. 8 (Sec. 18), page 21, line 8, by inserting a bracket after "planting" and inserting immediately thereafter: the bituminous coal region particularly when an operator has caused stream pollution or is creating hazardous conditions to the public or property.

Amend Sec. 10, page 22, line 4, by striking out "IN SIXTY DAYS" and inserting: immediately

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Donaldson.

Mr. DONALDSON. Mr. Speaker, House bill 1438, which is the bill to further regulate strip mining within the Commonwealth, was amended on Monday. I believe that it would be fair to say that the principal amendment reduced the requirement for backfilling which, under the original bill, had to be to the top of the high wall. The bill was amended on Monday to cut that to 50 percent of the height, to the top of the high wall.

Mr. Speaker, the amendment which I have introduced at this time and which the House is now considering simply restores the bill to its original form, the manner in which it was introduced, the manner in which it was before the House prior to the Monday amendments.

In considering these amendments I would call the at-

tention of the House to an article which appeared in last night's Pittsburgh Press, which is entitled, "Lobbyists Win Battle—Strip Mining Bill Loses Teeth," and to continue with the article it says:

Western Pennsylvania strip miners have succeeded in pulling the teeth of a new law which would have prevented them from desecrating the countryside and polluting streams.

Here is the important part of this article, as I see it:

Lobbyists for the strippers persuaded the Lawrence Administration to frame the crippling amendments as compromise gesture and then rushed the weakened legislation through the House before most of the assemblymen knew what was happening.

Now, it is not to demerit—I believe they have great merit—but I think it is unfair for this legislature to be pictured in the public press as adopting amendments or adopting bills which the legislature has not completely considered. Therefore, these amendments today do give us the opportunity, and will give us the opportunity, of having a roll call on the amendment, which is tantamount to us having had a roll call on the amendment, which one way or another went into the bill on Monday.

This article further states, Mr. Speaker, that "State Mines Secretary Lewis Evans expressed disappointment over the amendments but said 'half a loaf is better than none.'"

That was the opinion of the Secretary of Mines—his attitude—and these amendments give us the opportunity of giving the people of Pennsylvania a full loaf.

The Secretary is further quoted as saying: "Backfilling to half the height of the high wall is at least better than the situation we have under the present law. Perhaps sometime we will be able to get the full requirements passed through the Legislature."

The adoption of these amendments would give us the full requirements and that time is now. I ask the House on both sides to join in adopting the amendments, and Mr. Speaker, I request a roll call on the amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will the gentleman from Cambria, Mr. Rovanseck, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Cambria, Mr. Rovanseck, permit himself to be interrogated?

Mr. ROVANSEK. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will the gentleman, as an expert in mining, explain to the House the net effects of the amendments which were introduced on Monday, and how it affects the original bill?

Mr. ROVANSEK. Mr. Speaker, the effect of the amendments that I introduced last Monday would reduce the backfilling to 50 percent.

Mr. M. H. GOLDSTEIN. In other words, if the bill would pass in its form, printer's No. 2245—

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Filo, rise?

Mr. FILO. Mr. Speaker, the amendment before the House is the present amendment that is being introduced by Lee Donaldson, not the amendment that was supposed to have been introduced into the bill last week, on Mon-

day or whenever it was. Let us discuss the amendments that are on the floor at the present time.

Mr. M. H. GOLDSTEIN. We are tying them together, Mr. Speaker, one correlates the other; you cannot discuss one without the other.

The SPEAKER pro tempore. The question before this House is on the amendment offered by the gentleman from Allegheny, Mr. Donaldson.

The gentleman will proceed with his interrogation along those lines.

Mr. M. H. GOLDSTEIN. Mr. Speaker, this means then that the bill if adopted in its form, printer's No. 2245, provides that you would have a 50 percent gully whenever you had a stripping operation completed or abandoned. Is that correct?

Mr. ROVANSEK. That is correct.

Mr. M. H. GOLDSTEIN. I thank the gentleman.

I will be very pleased if we do not adopt these amendments. This particular bill should be known as the "half strip bill."

The SPEAKER pro tempore. The Chair would like to explain the parliamentary position that we are in at the moment to the members of the House.

The amendments that were offered by the gentleman from Allegheny, Mr. Donaldson are amendments that move the amendments that were introduced to this bill when it was on second reading.

According to the rules under which we operate, amendments adopted or defeated may not be changed or considered again without first reconsidering the vote.

Therefore, it is the opinion of the Chair that a motion should be made at this time to reconsider the vote by which the bill was agreed to on second reading as amended.

Will the gentleman yield just a moment while the gentleman from Allegheny withdraws his amendments.

#### AMENDMENTS WITHDRAWN

Mr. DONALDSON. If it is a parliamentary situation, I will withdraw the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading as amended be reconsidered.

Mr. DONALDSON. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. McCormack, rise?

Mr. McCORMACK. Mr. Speaker, I would like to interrogate the majority leader, if I may.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, is the reason that you are so moving because of the fact that you want to give Mr. Donaldson an opportunity to present these amendments?

Mr. McCANN. That is the basic reason, Mr. Speaker. The amendments that were presented, of course, that are in the bill are not debatable, but I can explain that I

want to make the necessary parliamentary moves according to procedure so he may rightfully have the opportunity to present his amendments for the purpose of a roll call.

Mr. McCORMACK. Well then, would you say that would be the policy of the House?

Mr. McCANN. I assume, Mr. Speaker, that it would. I certainly would want to grant that right and I could only do it if I do it according to the House rules. That is why I am making this motion, so he may have the opportunity.

Mr. McCORMACK. Well, the reason I say that is, Mr. Speaker, if I may just digress for one second on this motion, that I am going to ask you to do the same thing on House bill 911 so I can amend the taxicab bill. So I hope you agree to that, too.

The SPEAKER pro tempore. The gentleman cannot agree to that. That will be a question the House will have to decide.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question,

Will the House agree to the bill on second reading as amended?

Mr. McCANN. Mr. Speaker, I want this man to have the right to present his amendments so they may properly be voted on.

If I make the motion, where is the bill? Are the amendments in or not in it?

The SPEAKER pro tempore. If the gentleman makes such a motion, the bill will then be in a position without any amendments as it was originally.

What the Chair would like to point out is this, if the gentleman will make a motion that we reconsider the vote by which the amendments were placed in the bill on second reading, the Rovanseck amendments, the question will then be on adopting the amendments of the gentleman from Cambria, Mr. Rovanseck. They will be once again before this House.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which the amendments to House bill 1438 were agreed to on second reading be reconsidered.

Mr. ROVANSEK. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

#### PARLIAMENTARY INQUIRY

Mr. FINEMAN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. Does not this motion have to be submitted in writing?

The SPEAKER pro tempore. It does not.

Mr. DONALDSON. I think I am right, Mr. Speaker. The bill is now in its original form and the House is considering the Rovanseck amendments.

The SPEAKER pro tempore. As soon as we adopt this motion the bill will be in its original form, without the Rovanseck amendments, and we will then be considering



the amendments offered by the gentleman from Cambria, Mr. Rovanseck

Mr. DONALDSON. At that time I would like to be recognized to debate the amendments.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, are we now in a position that House bill 1438 is before us and Mr. Rovanseck is offering his amendments?

The SPEAKER pro tempore. That is the position we are in.

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Cambria, Mr. Rovanseck?

Mr. McCANN. Mr. Speaker, may I be recognized?

The SPEAKER pro tempore. The gentleman is in order.

Mr. McCANN. Mr. Speaker, these are the amendments about which Mr. Goldstein interrogated Mr. Rovanseck, the amendments which were a compromise offer of one-half of what the bill actually did before. The bill in its original print, as it is now, provided for the complete backfill of all stripping operations. Mr. Rovanseck's amendments propose a 50 percent, or, if you had a high wall of 60 feet, the present law provides for 3 feet of backfill over the area. Assuming you had 55 feet of a high wall, whatever the case may be, these amendments now would provide for a backfill of one-half of that on an angle of 45 degrees. The amendments offered by Mr. Rovanseck do not change the bonding feature. These are the amendments we want to vote on now. Is that correct?

Mr. ROVANSECK. Mr. Speaker, with around 32 years of experience, if the gentleman from Allegheny is so desirous of inserting his amendments in this bill, I am going to vote for the amendments for the sole reason that I believe the sportsmen of this Commonwealth and the people want it. I saw many, many children and other people involved in pools of water by drowning, and what not.—I feel this will correct that situation.

I merely wanted to give the people who are in the coal business a break, but, since the people want it in this manner, I will also go along with the amendments. I want that definitely understood.

Just a word further, Mr. Speaker. I understand that this amendment was agreed to between the coal operators and also some other office—I will not mention where. We agreed to insert the amendment in there. Now, if you want to restore this bill to its original form with the amendments, I certainly will go along with them.

I must say that my sole sympathy is with the people of the Commonwealth and, likewise, the sportsmen. I believe they have a right to consideration under this bill and I believe it will make this a good bill.

Mr. M. H. GOLDSTEIN. To clarify the situation, Mr. Speaker, we are now voting on the Rovanseck amendments which were passed on Monday?

The SPEAKER pro tempore. That is correct.

Mr. M. H. GOLDSTEIN. And Mr. Rovanseck now has frankly stated he believes in conservation and he is against his own amendments. Is that correct?

Mr. ROVANSECK. That is correct. That is right, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Donaldson.

Mr. DONALDSON. I will yield to the gentleman from Cambria, Mr. Rovanseck, if he so desires.

Mr. ROVANSECK. Mr. Speaker, if the gentleman will agree, since the bill is in its original form, to withdraw his amendments, I will withdraw mine and we can vote on the bill.

Mr. McCANN. What he is saying, Mr. Speaker, is, Mr. Rovanseck withdraws his amendments and the bill is in position to proceed without the amendments in it.

The SPEAKER pro tempore. Does the Chair understand the situation now? The gentleman from Cambria, Mr. Rovanseck, desires to withdraw his amendments.

Mr. McCANN. That is correct, Mr. Speaker.

The SPEAKER pro tempore. Then this House will be considering House bill 1438, printer's No. 1732, which is already in print?

Mr. McCANN. That is right.

The SPEAKER pro tempore. The Chair has been informed that if the gentleman's amendments are removed, the question recurs, will the House agree to the bill on second reading? We will not be able to vote finally on the bill today because the bill must be considered on different days and we will have moved the bill back to second reading.

The SPEAKER pro tempore. For what purpose does the gentleman from Clarion, Mr. Varner, rise?

Mr. VARNER. I would like to make a motion to place House bill 1438 on the table.

The SPEAKER pro tempore. Will the gentleman yield?

Mr. McCANN. Mr. Speaker, will you get the bill to third reading position, please?

The SPEAKER pro tempore. We can agree to the bill now on second reading and it will be up to third reading, but we cannot get it into a position now to act on it finally today.

Mr. McCANN. That is right.

The SPEAKER pro tempore. We can get it into position where it can be acted upon on the next legislative day.

Mr. McCANN. Mr. Speaker, will you please tell the House that House bill 1438 is on our next day's calendar and what print number, which was the print that it was on second reading?

The SPEAKER pro tempore. The bill presently on the calendar is House bill 1438, printer's No. 2245, which is the bill as amended by the gentleman from Cambria, Mr. Rovanseck.

The original print No. before the bill was amended was 1732. With Mr. Rovanseck's amendments in the bill, the printer's No. is 2245.

Mr. McCANN. They have been withdrawn.

The SPEAKER pro tempore. We have taken the bill back now to original printer's No. 1732.

Mr. McCANN. Thank you, Mr. Speaker.

The SPEAKER pro tempore. That will mean that we can act upon the bill today on second reading only.

Mr. McCANN. That is right, Mr. Speaker.

#### AMENDMENTS WITHDRAWN

The SPEAKER pro tempore. The gentleman from Cambria, Mr. Rovanseck, withdraws his amendments.

The Chair thanks the gentleman.

## BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1438, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act" approved May 31, 1945 (P. L. 1198), further regulating bituminous strip mining operations changing provisions with respect to bonds filing dates reports registration backfilling and overburden including certain persons within the provisions of the act and providing for the use of funds in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

## BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 29.

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

HOUSE BILL No. 148.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for an assistant secretary of the board of school directors.

HOUSE BILL No. 179.

An Act amending the act of May 23, 1919 (P. L. 278), entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred and eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures \* \* \*' providing for the examination of the glassware used for testing milk and cream \* \* \*" providing that bottles pipettes and weights used for testing shall comply with the law as to type and need not be examined and marked individually.

HOUSE BILL No. 417.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for traffic courts in cities of the third class.

HOUSE BILL No. 1038.

An Act authorizing the Department of Property and Supplies to sell and convey all of its right title and interest that it may have in a tract of land in the borough of Canonsburg Washington County Pennsylvania.

HOUSE BILL No. 1144.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for the appointment of additional clerks at polling places in counties of the third class.

HOUSE BILL No. 1396.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), increasing the expense allowance for delegates to meeting of the State Association of Boroughs.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1468, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), enlarging the Coal Research Board's sphere of study and research.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, just to try to get something clarified in my own mind, and I think possibly in the minds of some of the other people on this side, I would like to interrogate one of the sponsors of this bill as to the purpose of the bill.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Murphy, permit himself to be interrogated?

Mr. MURPHY. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman if this is a separate research and in what State colleges are they taking it.

Mr. MURPHY. This is not a separate research, in answer to the gentleman's first question, Mr. Speaker. This is an enlargement of the current research program.

Mr. AUKER. Who conducts this research?

Mr. MURPHY. Penn State can, if the Coal Research Board authorizes them to. I think Penn State is the only college now in Pennsylvania that conducts the research.

Mr. AUKER. Is there any additional appropriation in this bill over what would be in the appropriation bill for State College covering Coal Research on their general appropriations bill for Penn State University?

Mr. MURPHY. No, Mr. Speaker, there is not an additional appropriation. Perhaps I can answer it by briefly saying that if you read line 4, page 3, you will see "and their by-products" has been amended which will enlarge the sphere or scope of the research over coal in itself. Now they can go into by-products, and so forth, under the very same program, with the very same appropriation. No additional cost, but they can just broaden the scope of their research a little more.

Mr. AUKER. Then would the gentleman state for me that it is his considered opinion that there is no implication of appropriations for the same thing in either one of these two bills?

Mr. MURPHY. What other bill is the gentleman speaking of, Mr. Speaker.

Mr. AUKER. I am speaking about the bill appropriating money for Penn State University, which contains in that bill—possibly it does cover it, if not specifically, certainly by implication—provision to carry on this coal research that Penn State is undertaking and doing.

Mr. MURPHY. This would be an authorization for Penn State, if it were Penn State or any college, under its existing State appropriation to conduct this type of



research within its financial limits. That financial limit is in the appropriation bill. This is not an appropriation bill. This bill came out of the State Government Committee and contains no appropriation, merely an authorization.

Mr. AUKER. Can the gentleman inform me whether or not there is—and I have not had a chance to look—whether or not there is any appropriation in the general budget for this particular bill?

Mr. MURPHY. I beg the gentleman's pardon. I did not fully hear the question.

Mr. AUKER. Can the gentleman tell me if he knows whether or not there is any appropriation in the general budget, or the general appropriation bill, covering this particular research?

Mr. MURPHY. Yes, Mr. Speaker, there is. It is under the general appropriation bill and it is not an additional appropriation; it is the same one that we have had under the existing act.

Mr. AUKER. What I am trying to get at, Mr. Speaker, and I again ask the gentleman, if there is not some place along the line a duplication of the appropriation to carry out the same thing? I am for it, understand, I am not debating against the merits of the bill. All I want to make sure of is that there is not a duplication of the appropriation to carry out the project.

Mr. MURPHY. Mr. Speaker, I can assure the gentleman that to my knowledge there is no duplication of the appropriation. It is under the general appropriation bill, and I am going to yield to the gentleman from Washington, Mr. Polen, chairman of the Appropriations Committee who can also assure the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, the appropriation is made to the Department of Mines and Mineral Industries for the coal research board. This year the appropriation contained in the general appropriation bill was \$75,000. The coal research board can contract with anyone they desire to do the research. In the past a good part of the research as been done by Penn State University.

Mr. AUKER. The gentleman says, "part of it has been done." Where has the rest of it been done, and where has the rest of the appropriation money been spent in past years for this particular research?

Mr. POLEN. Mr. Speaker, I think that practically all of it has been spent at Penn State, but the coal research board could have anyone or any research foundation do research under the act that they operate under, but the majority of it has been done at Penn State.

Mr. AUKER. I am satisfied, Mr. Speaker, and I very kindly thank both the gentlemen.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre, Mr. Fulmer.

Mr. FULMER. Mr. Speaker, I would like to speak in favor of this particular bill because of the added language in this bill. I refer to the method of mining, preparing and transporting of the bituminous and anthracite coal, and also the other language that has been added, "and their by-products."

For many years the Pennsylvania State University, to the best of my knowledge, has been doing quite a bit of basic research in the economics and technology of coal,

but there has really never been any provisions for doing any applied research in the methods of mining, preparing or transporting of coal, and certainly not in the by-products. It seems to the people who are associated with the research that a lot more should be done in the way of study and research and preparation and the transporting of coal, and, in addition to that, to the use of the by-products. I understand that they now have some new thoughts on the use of by-products, and that is why I would appreciate support for this bill.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—202

Adams,	Gallagher,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gelfand,	Leonard,	Rovansek,
Anderson, S. A.,	George,	Limper,	Royer,
Arlene,	Gibb,	Lippincott,	Rubin,
Ashton,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goldstein, M. H.,	Lutty,	Sakulsky,
Backenstoe,	Goodrich,	Magee,	Scarcelli,
Blair,	Gramlich,	Manbeck,	Schaaf,
Bonner,	Gray,	Markley,	Schuster,
Bossert,	Greenlee,	Marsh,	Seltzer,
Bower,	Gremminger,	Maxwell,	Shelton,
Bowman,	Gross,	May,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Capitolo,	Haudenshield,	McKeever,	Stimmel,
Cauley,	Heavey,	McLaughlin,	Stiteler,
Cianfrani,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Strausser,
Clarke,	Henzel,	Merry,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Sullivan, T. F.,
Cooley,	Holl,	Mills,	Taylor,
Crossin,	Holliday,	Monroe,	Thompson,
Curwood,	Holman,	Morley,	Tomascik,
Davis,	Horst,	Mullen,	Tompkins,
Dennison,	Iris,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Ujobai,
Dougherty,	Jenkins,	Murray,	Varnier,
Doughten,	Jim,	Needham,	Wall,
Down,	Johnson, A. W.,	O'Dell,	Walsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Ellberg,	Jones,	O'Donnell, J. P.,	Weldner,
Elvey,	Kamyk,	Odorisio,	Welsh,
Eshback,	Kelser,	Oglive,	Wescott,
Esler,	Kelly,	Parlante,	Whittaker,
Ewing,	Kernaghan,	Pashley,	Willard,
Farabaugh,	Kessler,	Perry,	Willaredt,
Fetterolf,	King,	Petrosky,	Williams, A. D.,
Filo,	Kistler,	Piper,	Williams, E. S.,
Fineman,	Klein,	Polaski,	Wilt,
Flynn,	Knecht,	Polen,	Wood,
Foerster,	Kooker,	Prendergast,	Worley,
Foor,	Kornick,	Price,	Wynd,
Fox,	Korns,	Pursley,	Yetter,
Fracella,	Kramer,	Reibman,	Zember,
Fry,	Lamb,	Reidenbach,	Zimmerman,
Fulmer,	Lawson,	Renwick,	Andrews,
Galley,	Lee, A. M.,		Speaker

## NAYS—0

## NOT VOTING—8

Boles,	Eshleman,	Mihm,	Slack,
Dengler,	McDevitt,	Musto,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1498, entitled:

An Act authorizing municipalities and townships to appropriate money to improve or equip State property located within its boundaries.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—200

Adams,	Gallagher,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Gelfand,	Lee, K. B.,	Riley,
Anderson, S. A.,	George,	Leonard,	Rovansek,
Arlene,	Gibb,	Limper,	Royer,
Ashton,	Gibbons,	Lippincott,	Rubin,
Auker,	Goldstein, J. H.,	Long, Wm. Jas.,	Rudisill,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goodrich,	Lutty,	Sakulsky,
Blair,	Gramlich,	Magee,	Scarcelli,
Bonner,	Gray,	Manbeck,	Schaaf,
Bossert,	Greenlee,	Markley,	Schuster,
Bower,	Gremminger,	Marsh,	Seltzer,
Branca,	Gross,	Maxwell,	Shelton,
Breth,	Guesman,	May,	Sherman,
Buchanan,	Guthrie,	McCandless,	Shupnik,
Bush,	Hamilton,	McCann,	Simmons,
Capano,	Hankins,	McCormack,	Snare,
Capitolo,	Hartley,	McDonald,	Stank,
Cauley,	Haudenschild,	McInroy,	Steckel,
Cianfrani,	Heavey,	McKeever,	Stimmel,
Cioffi,	Heffner,	McLaughlin,	Stiteler,
Clarke,	Helm,	McNally,	Stone,
Comer,	Henzel,	Meholchick,	Strausser,
Cooley,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holl,	Miller,	Taylor,
Curwood,	Holliday,	Mills,	Thompson,
Davis,	Holman,	Monroe,	Tomasick,
Dennison,	Horst,	Morley,	Tompkins,
Donaldson,	Irvis,	Mullen,	Trusio,
Dougherty,	Isaacs,	Munley,	Ujobai,
Doughten,	Jenkins,	Murphy,	Varner,
Down,	Jim,	Murray,	Wall,
Edwards,	Johnson, A. W.,	Needham,	Walsh,
Eilberg,	Johnson, R. P.,	O'Dell,	Wargo,
Elvey,	Jones,	O'Donnell, J. A.,	Weidner,
Eshback,	Kamyk,	O'Donnell, J. P.,	Welsh,
Esler,	Keiser,	Odorisio,	Wescott,
Ewing,	Kelly,	Ogilvie,	Whittaker,
Farabaugh,	Kernaghan,	Parlante,	Willard,
Fetterolf,	Kessler,	Pashley,	Willaredt,
Filo,	King,	Perry,	Williams, A. D.,
Fineman,	Kistler,	Petrosky,	Williams, E. S.,
Flynn,	Klein,	Piper,	Wilt,
Foerster,	Knecht,	Polaski,	Wood,
Foor,	Kooker,	Polen,	Worley,
Fox,	Kornick,	Prendergast,	Wynd,
Frascella,	Korns,	Price,	Yetter,
Fry,	Kramer,	Pursley,	Zember,
Fulmer,	Lamb,	Reibman,	Zimmerman,
Gailey,	Lawson,	Reidenbach,	Andrews,

Speaker

#### NAYS—1

Sullivan, J. A.,

#### NOT VOTING—9

Boies,	Eshleman,	Mihm,	Slack,
Bowman,	McDevitt,	Musto,	Verona,
Dengler,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

#### APPROPRIATION BILLS ON THIRD READING (NON-PREFERRED)

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1709, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I take it the bill that is called up is the bill which grants State aid to hospitals, to local hospitals, in the amount of 17 million-and-some-odd dollars. Mr. McCann and myself had the debate on reapportionment, you might say, at the close of the session last week. Unfortunately, there were only two or three members on the floor when we discussed the apportionment problem, but at that time I set forth the extreme importance of reapportionment, how interested we as Republicans are in a fair and reasonable reapportionment bill. From what we have read in the papers of how members of the opposite party, not members of this House, but people who are in high command, feel about the way the State ought to be reapportioned, this is not a method to which we agree. Therefore, the only way we can see to wrap up this session with a fair and reasonable reapportionment bill with due equity to all concerned would be to, for the time being, not give votes for the non-preferred appropriation bills.

I did say this, however, that if there is a non-preferred appropriation bill wherein the money is immediately necessary, and, if passed and signed by the Governor, it would be immediately paid within a few weeks to those to whom it was payable, we certainly would not withhold our votes.

The other day, Mr. Polen gave us a statement at our request, and for which we thank him, stating that this bill 1709, the aid for hospitals, would not be payable until commencing September 1, 1961, which would be the end of the first quarter. Conceivably, it might not be until the end of September. If you figure that the quarter would start as July, August and September under the new fiscal year, it is conceivable that the money would not be paid until October, if you consider it on a fiscal-year basis.

But be that as it may, we take the figures of Mr. Polen. Even if the bill were passed today, sent to the Senate and put on the Governor's desk, the money would not be due and payable to the hospitals until they have filed their applications and shown receipts for services granted to indigents, and so forth, for the quarter at least ending August 31st, or possibly September 30th. Therefore, in view of the situation, we are all driving for adjournment of the legislature, trying to get out of here sine die. I understand that Senator Weiner told the newsmen today that he was driving to get out of here in three weeks. More power to him. We on this side will lend every considerable aid to try to get out of here in three weeks' time. I do not know whether it is possible, but be that as it may, we call upon Congressmen, Senators, House mem-



bers, State chairmen and everybody to sit down right away, in earnest and draft this reapportionment bill. It could be drafted and agreed upon in a few hours. Get it out here on the calendar so all can move together, so we know that Bill Green in Philadelphia, for instance, or somebody in Lackawanna County, or somebody in Allegheny County, who has power in the Democratic Party, will not write the reapportionment bill. We should all join in and write it together and have it agreed upon as the bill for the good of Pennsylvania. We are willing to give; we are willing to receive; we are willing to be fair.

Therefore, I am asking the members on this side of the House to temporarily withhold their votes for this non-preferred appropriation bill. You will not be hurting needy hospitals. I know they will try to make a lot of political capital and say that Republicans voted against hospitals. That is not true, we are not doing that. We can pass this bill and put it on the Governor's desk August 31st, even, and they would get their money on time. Therefore, I am asking the members to stick with us. Let us get together and let us get a good reapportionment bill. Let us join with Senator Weiner and get out of this session sine die as rapidly as possible.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, for the information of the members of the House, I would like to state that the Governor's budget for the State-aided hospitals amounted to \$18,016,000. Based on the free patient days submitted to the Appropriations Committee, the amount necessary was \$20,183,500. But when the decision was made that we could implement by the Kerr-Mills Act, which would provide the appropriations for those over 65, we used a rather complicated formula. I believe most of you received a letter from the Hospital Association explaining that in detail, but what we did was take into consideration that the Kerr-Mills Act would be effective by January 1, 1962. We, therefore, took the free patient days that had been given by the hospitals to indigent people over 65 and deducted from that the \$10 per day from the basis of \$20,183,500, which concerned many of the hospitals because they thought the appropriation was being reduced, however, the facts are that for each of these free patient days which was deducted from this appropriation at the rate of \$10 per day, the hospitals will be paid under Kerr-Mills implementation, their cost not to exceed \$25 per day. So all the hospitals will receive a lot more money if they had patients over 65. If Kerr-Mills is approved by the Federal Government before January 1st, of course, they will receive more money than we had figured in this. The earlier it is approved, the earlier they will receive additional funds for those over 65. That is the explanation of why the amount is slightly under the amount that was in the Governor's budget.

I listened to the gentleman from McKean, the minority leader, Mr. Johnson. I do not believe that this hospital aid bill has anything to do with reapportionment. I am going to say that while the amounts are not yet payable, rather, to the hospitals until September 1st, their authorization is contained in this bill. There is nothing at all that says to the hospitals, we are going to pay them \$10 per day, or anything per day, unless this bill is passed. I believe his statement that if we passed it by August

the 31st they could be paid on September 1st is incorrect, because these accounts of the hospitals require an audit by Welfare and by the Auditor General before they can be paid. If we did not pass this bill until August 31st, I would feel certain that it would be at least late October before the hospitals would receive any money under this. Mr. Speaker, I can only say this, if we are going to pass a bill to aid the hospitals to take care of the indigent, the medically indigent, of Pennsylvania, the time to do it is right now. I ask the members of this House to support this legislation.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, I request permission to interrogate the majority leader on a point that is not directly involved in this bill, but which has some bearing on our position. I ask unanimous consent to deviate from the bill itself.

The SPEAKER. The Chair hears no objection and, if the majority leader will permit himself to be interrogated along that line, the gentleman from Delaware may proceed.

Mr. McCANN. Mr. Speaker, I shall.

Mr. LIPPINCOTT. Mr. Speaker, I would like to know what is being done on the majority side so far as congressional reapportionment is concerned?

Mr. McCANN. Mr. Speaker, I will answer the gentleman, and, also, in reply to the same item that Mr. Johnson raised in the debate last week when I interrogated him.

Number 1, there is a most peculiar situation in which Pennsylvania could possibly only lose two congressional seats, or, as presently proposed, would lose three.

In the interrogation last week I was informed, and it is in the record, that there would be an official announcement from Washington that we would lose three and there would be no change.

This week I checked. There is pending the so-called Alaska-Hawaii congressional bill which adds congressional seats to the Congress of the United States in Washington. Should the passage of this bill occur, Pennsylvania would be one of the states that would lose one less seat.

Now, with that in mind, at the first meeting of the Democrat State Chairman, the Republican State Chairman, the Congressional Reapportionment Committee of both the House and the Senate and the floor leaders, it was agreed to do the following:

1, that both parties, Democratic and Republican Congressmen and the State chairmen would appoint two subcommittees of Congressmen. This has been done. Three Democratic congressmen have been appointed by Mr. Morse, under the dean, Congressman Walter, three Republican Congressmen appointed under the leadership of the dean of the Republican Congressmen of Pennsylvania and the two State chairmen are to work on reapportionment.

Basically, it was agreed, that the Pennsylvania Congressmen would support unanimously, the congressional bill which would do the most for Pennsylvania, which was the Congressional bill that I have spoken of. That they would, secondly, support the Alaska-Hawaii bill, under which Pennsylvania will only lose two congressional seats,

or, rather, gain one more than we now see contemplated at the present time.

But that very item is one of the reasons that Congressional reapportionment has not been completed in those steps, although there has been introduced this very week a congressional reapportionment bill which has the blessing of the Republican State Chairman and so was indicated in a news release, even though the official word has not come from Washington, as indicated that it would this week—unless it was given today—that the so-called Alaska-Hawaii bill is dead.

Mr. LIPPINCOTT. Mr. Speaker, does the gentleman concur in the thinking of Senator Weiner that we are aiming to get out of here in about three weeks?

Mr. McCANN. I certainly am driving towards such a schedule, and I was certainly sorry to lose one day this week and one day next week, which had been planned.

Mr. LIPPINCOTT. If that schedule is maintained, will that be irrespective of action by Congress on reapportionment?

Mr. McCANN. The answer on the congressional reapportionment, Mr. Speaker, is to be officially given not later than next week.

Mr. LIPPINCOTT. But if it is not officially given, are you still aiming for the same adjournment date?

Mr. McCANN. We certainly would be aiming for as early an adjournment date as would be possible, completing both reapportionment and education.

Mr. LIPPINCOTT. In other words, it is the intention of the majority party to attempt to agree upon, or to agree upon, congressional reapportionment before we adjourn sine die this session?

Mr. McCANN. It is our intention to agree upon congressional reapportionment before we adjourn this session.

Mr. LIPPINCOTT. That is the question.

Mr. McCANN. I certainly am hoping that every effort will be made and we will have a congressional reapportionment bill to present to vote on in this House, because that was one other agreement, the congressional reapportionment would be introduced in the House to proceed through the House and the Senate.

Mr. LIPPINCOTT. In other words, what we read in the papers that there may be a special session called concurrently with the fiscal session is not being contemplated by the majority party?

Mr. McCANN. At this point I am not contemplating any special session, because I am awaiting the answer from Congress and the two State chairmen on congressional reapportionment, which is due very shortly.

Mr. LIPPINCOTT. I thank the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCormack. Mr. Speaker, since we are discussing reapportionment and not aid to hospitals, why—

The SPEAKER. Mainly we are considering hospitals.

Mr. McCormack. Then I ask the same privilege that the gentleman from Delaware asked and received, that I be allowed to digress.

The SPEAKER. Does the gentleman desire to interrogate the majority floor leader?

Mr. McCormack. No. I just want to make a statement, but it will deal primarily with reapportionment

rather than with this particular bill—a very short statement, however, Mr. Speaker.

The SPEAKER. The gentleman will proceed. He is out of order, but the gentleman will proceed.

Mr. McCormack. Mr. Speaker, I have been in the House since 1953 and I can truthfully say that I have never heard a more hypocritical position than the position taken today by the Republican minority.

The SPEAKER. The gentleman should not take that line when he is speaking by unanimous consent, because he is speaking by unanimous consent, and any few members of the House could terminate that privilege. We ask the gentleman to be mindful of the situation in which we find ourselves.

Mr. McCormack. If I have transgressed the rules in spirit, I certainly will withdraw that statement, Mr. Speaker.

The SPEAKER. Use more kindly words in such a fashion that you mow them down with kindly words.

Mr. McCormack. In furtherance of my remarks, I want to call to the attention of the House that we are discussing an appropriation bill for the needy, for the sick, of the Commonwealth of Pennsylvania.

All I have to do is to think back on what has happened with respect to reapportionment of Legislative and Senatorial districts in the Commonwealth of Pennsylvania since 1921. Never before did I hear any clamor nor did I hear any threats to withdraw aid to the hospitalized, and the sick and the helpless because of the failure of a party to get together on a reapportionment bill. This is the first time I have ever heard such an argument. I think it is ridiculous.

With respect to congressional apportionment, there is a provision in the law that if they do not reapportion the Congressional candidates should run at large. But we have a constitution in Pennsylvania that provides that districts be reapportioned after the decennial census, a constitutional mandate. Because of the fact that it is not implemented by legislative action that would require them to do it in the face of losing their seat, or their pay, they have not done anything about it. That is why I say that this position he has taken today it—I won't say intellectually dishonest—but I will say that it does not square up with the past history of Senate and House reapportionment.

Therefore, I think that you should re-appraise your position and, inasmuch as this bill is such a meritorious one that it affects the sick and the helpless who have no lobby here, you ought to give us some votes to pass it.

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, in answer to the gentleman, those of us who have been around here for a considerable period of time know that there have been many and many a quid pro quo offered from the minority. The Speaker of this House when he was floor leader—I am sorry I do not have time, in a few minutes I could go upstairs and look in the index of almost any session and find where he said, all right, you want this, but when are you going to pass this one, this one, this constitutional convention, and all this? When you do that, then we will talk to you about giving you some help on taxes or whatever it is. You have always used the club when we were



in power of the non-preferred appropriations. It is as old as can be in the hall of this House.

This matter of waving a flag for the sick, and all that, I am telling you, when you can show me that we have to pass this bill today or that one sick person will be harmed because we have not given votes today, we will reconsider our position. But if the bill is not payable until September, I would say there is absolutely no hurry in getting about this.

To repeat, we are willing to sit down on reapportionment. We are willing to sit down and try to figure out what is the best move so we can adjourn this session sine die. We are willing to wrap it all up together and get out of here. We are not going to drag our feet. We do not like night sessions. We would rather stay here an extra day than to stay here at night, because you know what it does to the health of the members.

But be that as it may, we are willing to cooperate. Our State chairman and I believe your Democratic State chairman—I just talked to our State Committee on the telephone now—have not been able to get any word today. They have been trying to get word if Congress is going to act. The word they get back is the trouble is that these three congressmen that Congress would be increased by would mean then that New York, Pennsylvania and Massachusetts would be the gainers. We would then lose only one, New York one and Massachusetts one.

A gentleman from California said to one of our congressmen, well, now, if you think we are going to do that just for your three States, why, you have another thought coming. That seems to be the talk around the cloak room. So our representative who has been talking in Washington has kind of thrown up his hands on it and does not think that Speaker Rayburn, or any of them, want to do that very thing, that they are satisfied to let us go ahead and prepare to eliminate three congressmen. We are willing to do it, willing to sit down and do it on a fair basis. Let us do this all together. I know very well, and anybody on the Republican side knows, the way things are going with the great power that you people possess in the big cities with your huge political machines, if we give up what little, little, teeny hold that we might have, we will end up on the short end as far as reapportionment is concerned. We know that.

Therefore, I think we are justified today in asking you to get together this week, bring a bill in next week, next Monday, on reapportionment. It seems like George Bloom and Otis Morse could sit down, they are the top leaders of the two parties, and agree on a sensible bill. Bill Green is back from Europe, they tell me. He could get on it, and your leader from Lackawanna could sit in on it. Get the leaders of the parties together, because it is a high level proposition. There is no question about it. We in this House say we are going to reapportion reasonably and well, but we are not going to do it. The leaders of the parties are going to do it. But, for goodness sakes, have them give it to us so we can pass it and pass these bills.

Everybody wants to get out of here in three weeks' time. I think it is wonderful, it is a salutary idea. But do not ask us today to give up what little teeny hold we have this session. We do not have any majority. I think it is asking too much.

Therefore, I am still asking the members on this side of the House to vote "no" today. That is not to say that we are not going to eventually pass the bill.

Mr. SHERMAN. Mr. Speaker, being chairman of the Congressional Reapportionment Committee I presume I should be in order to take up two minutes of the House's time.

If you would ask me and ask the other members of the House, whether Republican or Democrat, what they think of us, at 3:30 this afternoon, starting on an irrelevant and improper topic on the last day we are here, I think they would tell you in no uncertain terms. I say to the minority leader he knows very well that none of us has refused to sit down with him or any of his cohorts on any congressional reapportionment. In five months' time they have not even introduced a bill, although they have very capable attorneys. They have prospective—or members who considered themselves as—aspirants for the judicial bench, high calibre men, and I would like to know if at any time we refused to sit down with them, even though they represent 48 percent or more of the people of this Commonwealth? What have they done in the way of reapportionment for the five months? They have not done so much as introduce a bill.

Mr. A. W. JOHNSON. In spite of the gentleman, there are two bills already put in on the Republican side by different members, and, if the gentleman will pick up his bills and go through them, he will find that there are two plans in and there are going to be several more put in, I understand, from this side by interested members.

#### POINT OF ORDER

The SPEAKER. For what purpose does the gentleman from Allegheny, Mr. Leonard, rise?

Mr. LEONARD. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. LEONARD. If my memory serves me right, we are acting on House bill 1709; we are not discussing reapportionment.

The SPEAKER. That is right, but with the consent of the House and with the consent of the leadership we opened the door.

The Chair, as every member of this House knows, would like to confine current discussion to current bills, to matters before the House, but a vast majority here has never agreed with that policy and it is certainly not the function of the Speaker to override the overwhelming view of a part of the House. We would like to confine discussion to pertinent matters, but we cannot do it unless that is what the membership of the House desires.

The Chair now recognizes the gentleman from Philadelphia, Mr. Gelfand, and the door has been opened to any kind of a remark that he may want to make.

Mr. GELFAND. Mr. Speaker, my purpose in rising was to close the door because I am now making the statement that any other remarks at this point, except on the merits of this legislation, will cause me to rise on a point of order and withdraw my consent for general comment.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—105

Anderson, S. A.,	Gallagher,	Maxwell,	Reibman,
Arlene,	Gelfand,	McCann,	Reidenbach,
Bachman,	Gray,	McCormack,	Renwick,
Bonner,	Greenlee,	McDevitt,	Riley,
Branca,	Gremminger,	McDonald,	Rovansek,
Breth,	Guesman,	McKeever,	Rubin,
Capano,	Hamilton,	McLaughlin,	Rudisill,
Capitolo,	Hankins,	McNally,	Sakulsky,
Cauley,	Hartley,	Meholchick,	Scarcelli,
Cianfrani,	Heavey,	Mills,	Schaaf,
Cioffi,	Irviss,	Monroe,	Schuster,
Clarke,	Jenkins,	Morley,	Shelton,
Comer,	Jim,	Mullen,	Sherman,
Cooley,	Jones,	Munley,	Shupnik,
Crossin,	Kamyk,	Murphy,	Stank,
Curwood,	Kelly,	Murray,	Stone,
Dougherty,	Klein,	Needham,	Sullivan, J. A.,
Doughten,	Kornick,	O'Donnell, J. A.,	Sullivan, T. F.,
Eilberg,	Kramer,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Lamb,	Parlante,	Tomascik,
Filo,	Lawson,	Pashley,	Trusio,
Fineman,	Leonard,	Perry,	Walsh,
Flynn,	Limper,	Petrosky,	Wargo,
Foerster,	Long, Wm. Jas.,	Polaski,	Welsh,
Frascella,	Long, Wm. Jos.,	Polen,	Yetter,
Fry,	Lutty,	Prendergast,	Andrews,
Gailey,			Speaker

## NAYS—91

Anderson, J. H.,	Gibb,	Knecht,	Simmons,
Ashton,	Gibbons,	Korns,	Snare,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Steckel,
Backenstoe,	Goodrich,	Lee, K. B.,	Stimmel,
Blair,	Gramlich,	Lippincott,	Strausser,
Bossert,	Gross,	Magee,	Thompson,
Bower,	Haudenschild,	Manbeck,	Tompkins,
Bowman,	Heffner,	Markley,	Ujobai,
Buchanan,	Helm,	Marsh,	Varner,
Bush,	Henzel,	May,	Wall,
Davis,	Hocker,	McCandless,	Weidner,
Dennison,	Holl,	McInroy,	Whittaker,
Donaldson,	Holliday,	Merry,	Willard,
Down,	Holman,	Miller,	Willaredt,
Elvey,	Horst,	O'Dell,	Williams, A. D.,
Eshback,	Isaacs,	Odorisio,	Williams, E. S.,
Esler,	Johnson, A. W.,	Ogilvie,	Wilt,
Ewing,	Johnson, R. P.,	Piper,	Wood,
Fetterolf,	Kelser,	Price,	Worley,
Foor,	Kernaghan,	Pursley,	Wynd,
Fox,	Kessler,	Royer,	Zember,
Fulmer,	King,	Rutherford,	Zimmerman,
George,	Kistler,	Seltzer,	

## NOT VOTING—14

Adams,	Eshleman,	Mihm,	Stiteler,
Boles,	Goldstein, M. H.,	Musto,	Verona,
Dengler,	Guthrie,	Slack,	Wescott,
Edwards,	Kooker,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 769, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the chairman of the Committee on Appropriations, Mr. Polen.

The SPEAKER. Will the chairman of the Committee on Appropriations, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, the majority leader says this measure, this appropriation, of \$15,000 is payable during July. Just when in July is this payable?

Mr. POLEN. July 1.

Mr. A. W. JOHNSON. And to whom is it payable?

Mr. POLEN. It is payable through Military Affairs to those who participate under the Civil Air Patrol.

Mr. A. W. JOHNSON. Do not these people, like other agencies in the Commonwealth, first incur the obligations and then present vouchers and they are reimbursed for their activities?

Mr. POLEN. They make requisitions based upon their payments, yes, sir.

Mr. A. W. JOHNSON. When does this fiscal year start? It starts July 1, does it not?

Mr. POLEN. No, it starts June 1. Mr. Speaker, I might say that this is one of the accounts that is paid monthly. If the gentleman will look on his list he will find that this is listed as a monthly account.

Mr. A. W. JOHNSON. When in the month of July would this be payable?

Mr. POLEN. It would be payable any time after the first of July when the requisition was submitted to Military Affairs and approved.

Mr. A. W. JOHNSON. Well, Mr. Speaker, we have at least another week then, or ten days, in which to consider this, have we not?

Mr. POLEN. Mr. Speaker, I do not think that is so much the question. I have had telephone calls about this program. They do not know whether to continue spending money to continue the program unless they are going to be paid. Unless we pass this legislation they cannot be paid and it is a question of whether they should continue. I had that asked of me on the phone yesterday. That is true of all these programs. It is true of the hospitals. They have no assurance that they are going to be paid anything now. The present act has expired.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. Speaker, I ask this question, is the \$15,000 for the whole 13 months or is it all payable in the month of July?

Mr. POLEN. That is for the 13 months. It is payable as requisitioned monthly over the 13-month period.

Mr. A. W. JOHNSON. Then the money that would be payable in the month of July would be a little better than \$1,000 under this bill?

Mr. POLEN. That would be correct.

Mr. A. W. JOHNSON. I thank the gentleman.

I think, Mr. Speaker, the position we have taken today and on all these days is, it is not imperative that the bill pass today. It is very imperative that other things occur—equally as imperative. Therefore, I see no reason for this bill being passed today. It could well be passed over until next week or the week following when you will have this agreement on the apportionment bill. That is why I am asking the members, today at least, not to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—104

Anderson, S. A.,	Gailey,	Maxwell,	Reibman,
Arlene,	Gallagher,	McCann,	Reidenbach,
Bachman,	Gelfand,	McCormack,	Renwick,
Bonner,	Gray,	McDevitt,	Riley,
Branca,	Greenlee,	McDonald,	Rovansek,
Breth,	Gremminger,	McKeever,	Rubin,
Capano,	Guesman,	McLaughlin,	Rudisil,
Capitolo,	Hamilton,	McNally,	Sakulsky,
Caulley,	Hankins,	Meholchick,	Scarcelli,
Cianfrani,	Hartley,	Mills,	Schaaf,
Cioffi,	Heavey,	Monroe,	Schuster,
Clarke,	Irviss,	Morley,	Shelton,
Comer,	Jenkins,	Mullen,	Sherman,
Cooley,	Jim,	Munley,	Shupnik,
Crossin,	Jones,	Murphy,	Stank,
Curwood,	Kelly,	Murray,	Stone,
Dougherty,	Klein,	Needham,	Sullivan, J. A.,
Doughten,	Kornick,	O'Donnell, J. A.,	Sullivan, T. F.,
Ellberg,	Kramer,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Lamb,	Parlante,	Tomasick,
Flo,	Lawson,	Pashley,	Trusio,
Fineman,	Leonard,	Perry,	Walsh,
Flynn,	Limper,	Petrosky,	Wargo,
Foerster,	Long, Wm. Jas.,	Polaski,	Welsh,
Frascella,	Long, Wm. Jos.,	Polen,	Yetter,
Fry,	Lutty,	Prendergast,	Andrews,

Speaker

## NAYS—94

Adams,	Gibb,	King,	Royer,
Anderson, J. H.,	Gibbons,	Kistler,	Rutherford,
Ashton,	Goldstein, J. H.,	Knecht,	Seltzer,
Auker,	Goldstein, M. H.,	Kooker,	Simmons,
Backenstoe,	Goodrich,	Korns,	Snare,
Blair,	Gramlich,	Lee, A. M.,	Steckel,
Bossert,	Gross,	Lee, K. B.,	Stimmel,
Bower,	Haudenschild,	Lippincott,	Thompson,
Bowman,	Heffner,	Magee,	Tompkins,
Buchanan,	Helm,	Manbeck,	Ujobal,
Bush,	Henzel,	Markley,	Varner,
Davis,	Hocker,	Marsh,	Wall,
Dennison,	Holl,	May,	Weidner,
Donaldson,	Holliday,	McCandless,	Whittaker,
Down,	Holman,	McInroy,	Willard,
Elvey,	Horst,	Merry,	Willaredt,
Eshback,	Isaacs,	Miller,	Williams, A. D.,
Esler,	Johnson, A. W.,	O'Dell,	Williams, E. S.,
Ewing,	Johnson, R. P.,	Odorisio,	Wilt,
Fetterolf,	Kamyk,	Ogilvie,	Wood,
Foor,	Keiser,	Piper,	Worley,
Fox,	Kernaghan,	Price,	Wynd,
Fulmer,	Kessler,	Pursley,	Zember,
George,			Zimmerman,

## NOT VOTING—12

Boies,	Eshleman,	Musto,	Strausser,
Dengler,	Guthrie,	Slack,	Verona,
Edwards,	Mihm,	Stiteler,	Wescott,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. For what purpose does the gentleman from Berks, Mr. Adams, rise?

Mr. ADAMS. Mr. Speaker, I would like to know how someone voted on that last bill. How did the gentleman from Berks, Mr. McDevitt, vote on that bill?

The SPEAKER. He voted "aye."

Mr. ADAMS. How can he vote "aye" when he is not here?

The SPEAKER. The gentleman can raise the question in the proper manner, before the result is announced.

Mr. ADAMS. I just found out about it since you turned the machine off.

The SPEAKER. The question is a little late. He has called attention to the point, if it is a fact, and it would indeed be a very serious matter if someone actually absent was recorded by our infallible machine as being here. It does not operate itself.

Mr. ADAMS. I request that the record be corrected.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Mr. ADAMS. I also would appreciate if it would not be repeated.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1708, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

On the question,

Will the House agree to the bill on third reading?

Mr. WHITTAKER and Mrs. S. A. ANDERSON asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1, page 1, lines 1 and 2, by striking out "four hundred fifty-five thousand sixty-nine dollars (\$455,069)" and inserting: four hundred fifty-seven thousand five hundred sixty-nine dollars (\$457,569)

Amend Sec. 1, page 3, by inserting between lines 10 and 11: Mary Slaughter Home for the Aged, Williamsport ..... 2,500

Amend Sec. 1, page 4, line 18, by striking out "\$455,069" and inserting: \$457,569

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time—Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Washington, the chairman of the Appropriations Committee.

Mr. POLEN. Mr. Speaker, these amendments as presented, make an appropriation of \$2,500 for the Mary Slaughter Home for the Aged at Williamsport. I think it would be very unwise to insert these amendments because all of the appropriations to the homes, State-aided homes, are made on deficit financing. The Mary Slaughter Home has not furnished any report showing that they had a deficit, nor have they made a request to the Appropriations Committee. They received no appropriation in 1959 and 1960, one, because of the fact that they had no deficit. Now, the procedure is that when we receive these requests they are audited, they are approved by Welfare, and returned to us and we correlate the figures to see whether or not they are entitled to an appropriation. If they do have a deficit we include it in the bill. Now I think it would be a very unsound policy to start putting in institutions that, in all probability, would not be able to receive the appropriation if it was placed in here because they would not qualify. I talked to the Department of Welfare and they have given me practically the same information, that no request was made to them for an appropriation.

So, I think we should vote this amendment down because, regardless of the merits of the home, it would be very unsound if we depart from the long-established policy that the State-aided homes were financed on deficit financing through proper reports made to the Department of Welfare and to the Appropriations Committee. I ask the members to vote "no."

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Whittaker.

Mr. WHITTAKER. Mr. Speaker, this home formerly was known as the Aged Colored Womens' Home. In 1959 it was temporarily out of action due to the fact that it had to be remodeled as requested by the State. The home was remodeled; the patients were taken into private homes for temporary care. They did not request money in 1959 for that reason. They were in the budget in 1957 for a certain amount of money.

They have asked to be put back on. They have doubled the attendance in the home, and they have the right to ask for their fair share of the tax money to carry on.

It is somewhat of an honor for the city of Williamsport that we have a home to take care of these colored people when they reach the age where they have to have special care. We have added an infirmary to it so that we can take care of both men and women. I would like to ask the House to vote this into the budget; put it back on the same basis that it was in 1957. Just because it did not have an appropriation in 1959 is no reason to wipe it out in 1961.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, the fact that they had no appropriation in 1959 had absolutely nothing to do with the situation. We have been forced to eliminate many fine institutions. For example, the George Junior Republic, we had to eliminate them because they had no deficit. This is a question of deficit financing. If they are operating now and have a deficit, they can be included and paid in the appropriation of 1962-1963. They have no deficit now; they have made no requests. We do not make appropriations just on the basis of "it is a wonderful home, it is a good institution." I do not disagree with it but I do say that we cannot depart from the established policy. Furthermore, just to make an appropriation of \$2,500, it is purely a gesture if they do not have a deficit, which they apparently do not.

I again ask the members to vote, "no."

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Whittaker.

Mr. WHITTAKER. Mr. Speaker, apparently they have a deficit of over \$12,000. They made out proper application in triplicate this year, and it was delivered, or a copy should have been delivered, to the gentleman's office. It was sent to the proper spot. They have it in other spots in the Capitol and you should have had yours. Other homes make it in triplicate, so I assume that you got your copy. It was sent to your office, I understand.

This is only for \$2,500; I do not think it will break the State.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. We have not received the application and I called the Department of Welfare and they also have not received any request.

Mr. WHITTAKER. The request was sent to the Senate Appropriations Committee. I was over there and read their copy and if he has a copy the other two copies are some place in the Capitol.

Mr. POLEN. Mr. Speaker, I reiterate, we did not receive it nor did the Department of Welfare. I cannot say what the Senate Appropriations Committee has.

The SPEAKER. Now, that is just what I wanted to hear.

There is a way of getting a roll call. The Chair cannot recognize a demand for a roll call voiced by twenty-five or thirty anonymous people. The way you get a roll call or a recorded vote is for some member to rise and request a roll call and the roll call request is seconded and it becomes a matter of record.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. WHITTAKER and MAXWELL and were as follows:

#### YEAS—75

Anderson, J. H.,	George,	Kooker,	Stiteler,
Ashton,	Gibb,	Korns,	Thompson,
Bossert,	Gibbons,	Lee, A. M.,	Tompkins,
Bower,	Gross,	Lee, K. B.,	Ujohal,
Buchanan,	Haudenshield,	Lippincott,	Varnar,
Bush,	Helm,	Magee,	Wall,
Davis,	Henzel,	Manbeck,	Weidner,
Dennison,	Holl,	Marsh,	Whittaker,
Donaldson,	Holliday,	May,	Willard,
Down,	Holman,	McCandless,	Willardt,
Edwards,	Horst,	McInroy,	Williams, A. D.,
Elvey,	Isaacs,	Merry,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Miller,	Wilt,
Esler,	Johnson, R. P.,	Odorisio,	Worley,
Ewing,	Kelser,	Piper,	Wynd,
Fetterolf,	Kernaghan,	Price,	Yetter,
Foor,	Kessler,	Pursley,	Zember,
Fox,	King,	Simmons,	Zimmerman,
Fulmer,	Kistler,	Snare,	

#### NAYS—118

Adams,	Gelfand,	Lutty,	Reibman,
Anderson, S. A.,	Goldstein, J. H.,	Markley,	Reidenbach,
Arlene,	Goldstein, M. H.,	Maxwell,	Renwick,
Backenstoe,	Gramlich,	McCann,	Riley,
Bonner,	Gray,	McCormack,	Rovansek,
Bowman,	Greenlee,	McDonald,	Royer,
Branca,	Gremminger,	McKeever,	Rubin,
Breth,	Guesman,	McLaughlin,	Rudieff,
Capano,	Hamilton,	McNally,	Rutherford,
Capitolo,	Hankins,	Meholchick,	Sakulsky,
Cauley,	Hartley,	Mills,	Scarcelli,
Cianfrani,	Heavey,	Monroe,	Schuster,
Cioffi,	Heffner,	Morley,	Shelton,
Clarke,	Hocker,	Mullen,	Sherman,
Comer,	Irvls,	Munley,	Shupnik,
Cooley,	Jenkins,	Murphy,	Stank,
Crossin,	Jim,	Murray,	Steckel,
Curwood,	Jones,	Needham,	Stimmel,
Dougherty,	Kamyk,	O'Dell,	Stone,
Doughten,	Kelly,	O'Donnell, J. A.,	Sullivan, J. A.,
Eilberg,	Klein,	O'Donnell, J. P.,	Sullivan, T. F.,
Farabaugh,	Knecht,	Ogilvie,	Taylor,
Filo,	Kornick,	Parlante,	Tomascik,
Fineman,	Kramer,	Pashley,	Truslo,
Flynn,	Lamb,	Perry,	Walsh,
Foerster,	Lawson,	Petrosky,	Wargo,
Frascella,	Leonard,	Polaski,	Welsh,
Fry,	Limper,	Polen,	Wood,
Gailey,	Long, Wm. Jas.,	Prendergast,	Andrews,
Gallagher,	Long, Wm. Jos.,		Speaker

#### NOT VOTING—17

Auker,	Eshleman,	Mihm,	Slack,
Bachman,	Goodrich,	Musto,	Strausser,
Blair,	Guthrie,	Schaaf,	Verona,
Boles,	McDevitt,	Seltzer,	Wescott,
Dengler,			

So the question was determined in the negative and the amendments were not agreed to.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Blair.

Mr. BLAIR. Mr. Speaker, I would have voted in the negative had my vote been recorded.



The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. SchAAF.

Mr. SCHAAF. Mr. Speaker, had I voted I would have voted in the negative.

The SPEAKER. The remarks of the gentlemen will be spread upon the record.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—104

Anderson, S. A.,	Gallagher,	Maxwell,	Reibman,
Arlene,	Gelfand,	McCann,	Reidenbach,
Bachman,	Gray,	McCormack,	Renwick,
Bonner,	Greenlee,	McDonald,	Riley,
Branca,	Gremminger,	McKeever,	Rovanseck,
Breth,	Guesman,	McLaughlin,	Rubin,
Capano,	Hamilton,	McNally,	Rudisill,
Capitolo,	Hankins,	Meholchick,	Sakulsky,
Cauley,	Hartley,	Mills,	Schaaf,
Cianfrani,	Heavey,	Monroe,	Schuster,
Cioffi,	Irvls,	Morley,	Shelton,
Clarke,	Jenkins,	Mullen,	Sherman,
Comer,	Jim,	Munley,	Shupnik,
Cooley,	Jones,	Murphy,	Stank,
Crossin,	Kamyk,	Murray,	Stone,
Curwood,	Kelly,	Needham,	Sullivan, J. A.,
Doughten,	Klein,	O'Donnell, J. A.,	Sullivan, T. F.,
Eilberg,	Kornick,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Kramer,	Odorisio,	Tomasclik,
Filo,	Lamb,	Parlante,	Trusio,
Fineman,	Lawson,	Pashley,	Varner,
Flynn,	Leonard,	Perry,	Walsh,
Foerster,	Limper,	Petrosky,	Wargo,
Frascella,	Long, Wm. Jas.,	Polaski,	Welsh,
Fry,	Long, Wm. Jos.,	Polen,	Yetter,
Gailey,	Lutty,	Prendergast,	Andrews,

Speaker

#### NAYS—92

Adams,	George,	King,	Rutherford,
Anderson, J. H.,	Gibb,	Kistler,	Seltzer,
Ashton,	Gibbons,	Knecht,	Simmons,
Auker,	Goldstein, J. H.,	Kooker,	Snare,
Backenstoe,	Goldstein, M. H.,	Korns,	Steckel,
Blair,	Goodrich,	Lee, A. M.,	Stimmel,
Bossert,	Gramlich,	Lee, K. B.,	Strausser,
Bowman,	Gross,	Lippincott,	Thompson,
Buchanan,	Haudenshield,	Magee,	Tompkins,
Bush,	Heffner,	Manbeck,	Ujobai,
Davis,	Helm,	Markley,	Wall,
Dennison,	Henzel,	Marsh,	Weidner,
Donaldson,	Hocker,	May,	Whittaker,
Down,	Holl,	McCandless,	Willard,
Elvey,	Holliday,	McInroy,	Willaredt,
Eshback,	Holman,	Merry,	Williams, A. D.,
Esler,	Horst,	Miller,	Williams, E. S.,
Ewing,	Isaacs,	O'Dell,	Wilt,
Fetterolf,	Johnson, A. W.,	Ogilvie,	Wood,
Poor,	Johnson, R. P.,	Piper,	Worley,
Fox,	Kelser,	Price,	Wynd,
Fulmer,	Kernaghan,	Pursley,	Zember,
	Kessler,	Royer,	Zimmerman,

#### NOT VOTING—14

Boles,	Eshleman,	Musto,	Stiteler,
Dengler,	Guthrie,	Scarcelli,	Verona,
Dougherty,	McDevitt,	Slack,	Wescott,
Edwards,	Mihm,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. HELM IN THE CHAIR

#### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 911, entitled:

A Supplement to the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry \*\*\* exempting certain persons from the provisions of this act and providing penalties" concerning minimum wages providing for a minimum wage for employes in the Commonwealth \*\*\* defining the powers and duties of the Department of Labor and Industry.

On the question,

Will the House agree to the bill on third reading?

#### RECONSIDERATION OF VOTE

Mr. BOWMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BOWMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Bill, page 15, by inserting between lines 2 and 3:

Section 8.1. The secretary may exempt from the provisions of this act any employer for a period of not more than fourteen weeks in any calendar year, whenever the employer is found by the department to be engaged in an industry of a seasonal nature.

The SPEAKER pro tempore. Will the House consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, the proposed amendments that I have offered to this bill are what are generally known as seasonal employee amendments, and the amendment that I have drafted is similar to the comparable provision found in the Fair Labor Standards Act.

Under the Federal law the Secretary of Labor has the power to promulgate rules and regulations exempting seasonal employes from the provisions of the act within the framework of the provisions of the amendment as I present it here this afternoon.

In other words, if they are employed seasonally for a period of not more than 14 weeks in any calendar year, if the employer is found by the Secretary of Labor and Industry to be engaged in an industry of a seasonal nature, he, the Secretary of Labor and Industry, may exempt him under the rules and regulations. The amendment I recommend to you is similar to that contained in the Federal law, and I would urge your support of this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I rise to oppose these amendments.

As I understand the course of action that is to be taken in the House at this time, there are some three or four amendments that are going to go into House bill 911. In order to intelligently understand all the amendments I would like to speak at this time in a broad vein and to provide a backdrop against which the members can examine these amendments so that we can understand them all the more.

I intend to oppose all the amendments that are offered today, and what I have to say at this time will be applicable to those amendments.

First of all, I think the members should understand just what this bill that we have before us does, because unless they understand the bill and its provisions there will be some difficulty in coming to a determination as to what they want to do on the amendments.

The broad purpose of House bill 911—

The SPEAKER pro tempore. Without objection, the gentleman will be permitted a rather broad latitude on his discussion.

Mr. FINEMAN. Thank you, Mr. Speaker.

The broad purpose of House bill 911 is to provide a base or a floor, a minimum wage, for all occupations and for all employes in the State. The bill says that the minimum wage shall be one dollar an hour. Now, in setting up one dollar an hour the bill makes provisions for credit to the employer of certain stated items, such as: in those occupations where gratuities are a regular part of the employment, the employer would be entitled to a credit of 35 cents an hour. In those occupations where an employe "sleeps in" for the convenience of the employer, the employer would be entitled to a credit of \$5 a week. In those occupations where an employe eats the meals of his employer, the employer would be entitled to a credit of 50 cents per meal.

Now, in addition, the bill says that if there is evidence of the fact that a minimum wage of a dollar an hour in any way curtails employment, or represents an enormous impact on the industry involved, a wage board can be set up and the wage board can determine that a minimum of 85 cents would be legal. Now, we are asking the members of this House to say that we want to legislatively find that a dollar an hour represents some step, some stride, toward giving every employe a chance to earn a decent, respectable living. What we are trying to do is to equate the value of an employe's services with what he gets by way of remuneration.

The United States Department of Labor Statistics, in 1959, made a survey of all the large cities throughout the United States to determine what the average family in the city, what the city worker, has to receive in order to maintain a modest, a modest level of living. They found that the average family, a husband, a wife, two children, must get \$2.50 an hour in order to maintain a modest standard of living.

All they are doing in this bill is asking that we give less than one half of that sum as a minimum wage, one dollar an hour. A dollar an hour, to my way of thinking, even at the figure is totally insufficient for a family to live

decently, adequately, and will enable a family to buy only the bare necessities of life. It certainly cannot be said of them that they will be able to live luxuriously on a minimum wage of one dollar an hour.

It is unfair to the employe, it is unfair to the employer, to that employer who does pay a minimum fair wage to his employes. It is discriminatory to them, and you give to the employes little of which he can contribute to the economy. His purchasing power is sharply reduced so that he cannot by his purchases turn the wheels of the economy.

It makes no difference that resort hotels might have seasonal employes or have some purpose in it peculiar to that particular industry. This leeway, if it was for a wage much in excess of one dollar an hour as a minimum, then we could, with propriety, examine more fully the peculiar circumstances of seasonal employment. As it is, the Department of Labor and Industry in this State has assured me that they will immediately get to the problem of a wage board forthwith, for the purpose of determining whether or not employers are entitled to some relief that House bill 911 does not give them.

I therefore urge, in the sense of decency, in the sense of giving to the working people of this State some fair measure of protection, I urge you to vote against the amendments. There are about 3.5 million workers in this State, over 7 million people in this State who rely on those 3.5 million workers for their districts. It is incumbent upon us to do what we can to help those who find themselves in distress areas, who find themselves in occupations where their bargaining power is not safe, who find themselves handicapped and cannot go out and solicit and get more than a dollar an hour. There are some 100,000 workers in this State today who receive less than a dollar an hour, and it is up to us to make sure that everyone, including these 100,000 workers, are brought up to some fair and adequate level of living.

I ask the members of this House, on both sides, to vote against these amendments.

Mr. BOWMAN. Mr. Speaker, apparently the gentleman from Philadelphia does not understand the purport of my amendments.

He says that the wage boards will be quickly convened to alleviate any hardships that appear in the administration of this act. I am giving the Secretary of Labor, quite apart from the cumbersome procedure of wage boards, I am giving the Secretary a right, a power, with respect to seasonal employes, to modify the provisions of the act. Certainly that procedure is much simpler and less cumbersome than this procedure of the wage boards, which to many of us who have had experience with past wage board procedures, has been most cumbersome and most lengthy. All we are asking in this amendment is that the secretary himself be given the power with respect to seasonal employes to alleviate obvious hardships, not a wage board procedure, but the power in the secretary himself. It is quite similar to the power enjoyed by the Federal Secretary of Labor, and I think there is nothing inconsistent with anything Mr. Fineman said as to my amendments. My amendments will give the secretary more power than he would enjoy under the act as it is presently before you. I therefore urge you to support these amendments and give the secretary the power I am asking you to give to him.



Mr. FINEMAN. Mr. Speaker, we want to establish a framework within which the Department of Labor and Industry can operate for all occupations with certain stated exceptions that are set forth in the bill. To exempt seasonal employers from the provisions of this bill would be to discriminate against those employers who operate the year around, who are in competition with seasonal employers.

Unless I am reading the amendments incorrectly, these amendments say that the secretary may exempt from the provisions of this act any employer for a period of not more than 14 weeks in any calendar year whenever the employer is found to be by the department engaged in an industry of a seasonal nature.

We find no valid reason to exempt employers under any conditions, be they seasonal or not, from the provisions of this bill because of the fact that the provisions of this bill are as innocuous as any provisions of a minimum wage bill can be. There is room for relief in this bill, the employer is not unduly burdened by a minimum wage and it is of no consequence that you now seek to exempt from this law those employers only who are engaged in seasonal occupations.

Mr. BOWMAN. I can only reiterate, my amendments do not exempt anybody. My amendments give the secretary power to exempt. They do not in themselves exempt. If that is not a more effective procedure in giving the secretary more power than he presently enjoys under this bill, and if it is not going to result in more effective and quicker administration of whether these people have hardship cases or not, then I do not know what the purpose of the amendment is. I merely repeat, and I will stop at this point, we are asking that the secretary be given the power if he chooses to exercise it.

Mr. FINEMAN. Mr. Speaker, I entertain an opinion that is contrary to the gentleman from Dauphin's. Probably we could argue all day on this. In the interest of brevity I am merely going to say that I am opposed to these amendments and ask the members of the House to vote them down.

Mr. BOWMAN. To put it in the vernacular, this is a may bill. The secretary may exempt. This is a may bill.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. BOWMAN and FINEMAN and were as follows:

#### YEAS—91

Adams,	Fulmer,	Knecht,	Snare,
Anderson, J. H.,	George,	Kooker,	Steckel,
Ashton,	Gibb,	Korns,	Stimmel,
Auker,	Gibbons,	Lee, A. M.,	Stiteler,
Backenstoe,	Goldstein, J. H.,	Magee,	Strausser,
Blair,	Goldstein, M. H.,	Manbeck,	Thompson,
Bossert,	Gramlich,	Markley,	Tompkins,
Bower,	Gross,	Marsh,	Ujobai,
Bowman,	Haudenschild,	May, *	Varnier,
Buchanan,	Helm,	McCandless,	Wall,
Bush,	Henzel,	McInroy,	Weidner,
Davis,	Hocker,	Merry,	Willard,
Dennison,	Holliday,	Miller,	Willaredt,
Donaldson,	Holman,	O'Dell,	Williams, A. D.,
Down,	Horst,	Odorisio,	Williams, E. S.,
Edwards,	Isaacs,	Ogilvie,	Wilt,
Elvey,	Johnson, A. W.,	Piper,	Wood,
Eshback,	Johnson, R. P.,	Price,	Worley,
Esler,	Kelser,	Pursley,	Wynd,
Ewing,	Kernaghan,	Royer,	Yetter,
Fetterolf,	Kessler,	Rutherford,	Zember,
Foor,	King,	Seltzer,	Zimmerman,
Fox,	Kistler,	Simmons,	

#### NAYS—106

Anderson, S. A.,	Gallagher,	Lutty,	Reibman,
Arlene,	Gelfand,	Maxwell,	Reidenbach,
Bachman,	Goodrich,	McCann,	Renwick,
Bonner,	Gray,	McCormack,	Riley,
Branca,	Greenlee,	McDonald,	Rovansek,
Breth,	Gremminger,	McKeever,	Rubin,
Capano,	Guesman,	McLaughlin,	Rudisill,
Capitolo,	Hamilton,	McNally,	Sakulsky,
Cauley,	Hankins,	Meholchick,	Scarcelli,
Cianfrani,	Hartley,	Mills,	Schaaf,
Cioffi,	Heavey,	Monroe,	Schuster,
Clarke,	Heffner,	Morley,	Shelton,
Comer,	Irvis,	Mullen,	Sherman,
Cooley,	Jenkins,	Munley,	Shupnik,
Crossin,	Jim,	Murphy,	Stank,
Curwood,	Jones,	Murray,	Stone,
Dougherty,	Kamyk,	Needham,	Sullivan, J. A.,
Doughten,	Kelly,	O'Donnell, J. A.,	Sullivan, T. F.,
Eilberg,	Klein,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Kornick,	Parlante,	Tomascik,
Filo,	Kramer,	Pashley,	Trusio,
Fineman,	Lamb,	Perry,	Walsh,
Flynn,	Lawson,	Petrosky,	Wargo,
Foerster,	Leonard,	Polaski,	Welsh,
Frascella,	Limper,	Polen,	Whittaker,
Fry,	Long, Wm. Jas.,	Prendergast,	Andrews,
Galley,	Long, Wm. Jos.,		Speaker

#### NOT VOTING—13

Boies,	Holl,	McDevitt,	Slack,
Dengler,	Lee, K. B.,	Mihm,	Verona,
Eshleman,	Lippincott,	Musto,	Wescott,
Guthrie,			

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ESHBACK asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 3, page 5, by inserting between lines 13 and 14:

(f) employed by a resort hotel.

Amend Sec. 3, page 6, by inserting between lines 7 and 8:

(11) "Resort hotel" means one that provides accommodations of a vacational and recreational nature and meals and lodging to the public or to members or guests of members and provides without charge, on a weekly basis, lodging accommodations and meals to the majority of its employees; and meets one of the three following criteria of seasonal operation:

(a) operates for not more than seven months in any calendar year; or

(b) being located in a rural community or in a city, borough, town or township of less than fifteen thousand population, increased its number of employe work days (including adult males) during any consecutive four-week period by at least one hundred per cent over the number of employe work days (including adult males) in any other consecutive four-week period within the preceding calendar year; or

(c) being located in a rural community or in a city, borough, town or township of less than fifteen thousand population, increased its number of guest days during any consecutive four-week period at least one hundred per cent over the number of guest days in any other consecutive four-week period in the preceding calendar year.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ESHBACK. Mr. Speaker, I am asking that our re-

sort industries and restaurants be exempted from the provisions of House bill 911.

Amout a month ago this House passed overwhelmingly House bill No. 458. It was also passed by the Senate and signed by the Governor and is effective today. The Governor has long since recognized the importance of our tourist industry and of the boardinghouse and vacation industry and what it means to the entire Commonwealth of Pennsylvania.

The boardinghouse and recreational industry and the tourists are our main industry in the Pocono area, also in many other sections, Eagles Mere in Sullivan County, Lake Erie, Conneaut Lake, and many other sections that you and I are all acquainted with.

This bill will work a hardship on many of these institutions, boardinghouses and restaurants.

Mr. Fineman, the gentleman from Philadelphia, mentioned gratuities, but they are not specifically spelled out in the bill. There are hundreds and hundreds of college boys and girls who earn a part of their college costs in our area each and every season. It is true they are not paid the minimum wage that this bill spells out, but they make a great deal more than that in their so-called tips or gratuities.

In addition to that, Mr. Speaker, our industry has a great deal of competition, not only with our neighboring States, but the world around, from Maine to Florida, the West Indies, Europe, practically every section of the world today. Another competition they have is with the weather, and a good example was just this past week end. A large number of our boardinghouses up in the Poconos, the personnel, that is, the waiters, waitresses, chambermaids, and so forth, numbered more than the guests because it rained late Friday and all Saturday morning, and neither you nor I nor anyone else is going to leave our city homes and go out in the country during a rainy day or if it looks like a rainy week end. So there are a great many things to contend with.

It looks very, very enticing to say that you pay \$50 to, maybe, \$125 a week, but that is not the average. The average is approximately \$75 a week, the average a tourist pays. If this bill is passed it is going to work a decided hardship on our resort industries.

Mr. FINEMAN. Mr. Speaker, the gentleman states that if this bill is passed it will work a hardship on the employers. I have heard nothing coming from his lips as to what effect getting less than \$1 an hour has on the employes who are working for those employers. Are they not to be considered? They are entitled to our consideration just the same as the employers, and what we are trying to do in establishing a minimum of \$1 an hour is to balance the equity and I can think of no fairer figure. This is less than fair as far as employes are concerned. I can think of no fairer figure than \$1 an hour.

The gentleman is incorrect in his statement made to the effect that the bill spelled out no specifics for gratuities, because on page 7 of the bill, section 5, the bill very specifically says that every employer of an employe engaged in any occupation in which gratuities have customarily and usually constituted and have been recognized as part of the remuneration for hiring shall be entitled to a credit of 35 cents an hour. Now if that is not enough, this bill further provides for supplementary action by wage boards, which means that if gratuities in fact far

exceed 35 cents an hour and the industry is adversely affected by reason of House bill 911, they can petition a wage board and get the amount of allowance for gratuities increased above and beyond 35 cents an hour.

I want to point this last fact out. There is presently in existence in this law under the act of 1937 a minimum wage act which covers only women and minors. There is nothing on our books that covers men. The resort industry is one of the industries for which a wage board has been convened. The wages paid under that wage board presently is about \$35 a week for hours as long as 48 hours in a week. Assuming that their hours are even 40 hours a week, you are in effect paying these employes 72 cents an hour. Now I tell the members of this House that if they think the employes in this industry are entitled to no more than 72 cents an hour or perhaps less, then vote for the gentleman's amendment. If you think that is a poverty level, however, and they are entitled to a little more income to enable them to maintain some semblance of a decent standard of living, then I ask you to vote against these amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pike, Mr. Eshback.

Mr. ESHBACK. Mr. Speaker, in answer to the gentleman from Philadelphia, I beg to inform him, and I have been so informed by many of the proprietors of the various summer resorts, that including what you would actually take to be a very, very low wage, if you take into consideration the average gratuity, their wage will average more than one dollar per hour.

Another thing I would like to offer is this—

Mr. FINEMAN. I am sorry, Mr. Speaker, I did not hear that. Would the gentleman mind repeating that?

Mr. ESHBACK. If you take into consideration the amount of gratuity, in other words, their tips, I am certain that you can question any of the waiters, the waitresses, the chambermaids, in our area, at least, and you will find that their average wage is more than one dollar per hour.

Another thing, Mr. Speaker is this: This bill provides only for a very, very nominal sum so far as the employer is concerned in return for the amount allowed for room and board. I ask you where can you go, any place you would like to live, even as a laborer, or as a worker, and get board and room for \$13 a week? Even the State allows more than that and it charges more than that for the various institutions.

Mr. FINEMAN. Mr. Speaker, I would like to point out to the gentleman that I do not like to chew my cud twice, so to speak, and reply to your statement about gratuity. I have said to you that this bill provides a means by which an employer can get credit for gratuities earned by his employes in excess of 35 cents an hour.

In response to your second point about the employer not getting enough credit for the lodging of his employes, I want to point out to you that the present minimum wage established by the present existing wage board only gives \$5 an hour, so that every resort hotel is presently operating under a credit of only \$5 an hour for lodging—I am sorry, \$5 a week. Unfortunately, however, the minimum wage act, under which those wage boards were established, are only applicable to women and minors and do not cover men. So under the provisions of this bill you are no worse off than you are presently under the existing wage board.



Mr. ESHBACK. Mr. Speaker, I believe the gentleman from Philadelphia, Mr. Fineman, did not mean \$5 an hour.

Mr. FINEMAN. I corrected that. I said it was \$5 a week.

Mr. ESHBACK. One more thing, Mr. Speaker. I do not believe that every proprietor of every summer hotel in the Poconos, every time there is a complaint, wants to come down here and have a hearing before the wage board. That is one reason I realize, and we acknowledge, and a great many of the men, in fact, one of the leading hotel managers, Ben Josephson, is one of the reasons why we have the present wage board in the law that you mentioned.

For that reason I am asking the members on both sides of the House to support the amendment.

The SPEAKER pro tempore. Does the gentleman from Crawford, Mr. Merry, desire to be recognized on these amendments?

Mr. MERRY. I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. MERRY. Mr. Speaker, if it is not out of order, I would like to interrogate Mr. Fineman for a moment.

Mr. FINEMAN. I will permit myself to be interrogated.

Mr. MERRY. Can the gentleman tell me where, in this relief that you speak of, we can assist a particular situation in Crawford County? Not to go into too much detail. We have a hotel that keeps open the year around. That man has, for 16 years, employed several people who would be in Warren or on the relief rolls, to work in his hotel. In other words, these people are not fully capable of doing a day's work; however, they are afforded wonderful living conditions and that man is doing a service to the people in keeping these people off the relief rolls. How does this bill affect him?

Mr. FINEMAN. I can tell the gentleman. First of all, year-around operators, and I assume that you are talking about a year-around operator . . .

Mr. MERRY. I am at this time but I have another question.

Mr. FINEMAN. . . . would not be covered by the amendments that we have before us at the present time, since those amendments only go to resort hotels. As I read these amendments therefore a year-around operator would not be covered and as a matter of fact would be discriminated against if these amendments were to pass.

The second point I want to make is this: As I said before, there is presently a wage board established for hotels. There is a different level of minimum wage established for those hotels in Philadelphia and Pittsburgh than in the rest of the State, but wage boards are gradually going to a minimum of a dollar an hour. As evidence of that fact, witness the recently enacted Federal law with a broad base of a dollar an hour, moving eventually to \$1.15 and eventually to \$1.25 an hour. Witness the fact that most of these States with minimum wages established by these wage boards are now at a dollar an hour. If this be the fact there will, in all probability, be a wage board convened for resort hotels which will look to establishing a minimum of a dollar an hour. Proceedings before these wage boards, as everyone knows, are complex, they are lengthy proceedings, and they are expensive for the employer. He has to engage counsel, and not that I am adverse to one making fees this way, but I know that it is onerous for the employer to have to do this. We can elimi-

nate that step by legislatively declaring that the minimum should be a dollar an hour, so in that respect, the year-around operator is getting relief.

Mr. MERRY. I would like to ask the gentleman another question: Conneaut Lake Park is very close to my home and I have been in close contact with it for over 40 years. In Conneaut Lake Park in one of these so-called summer tourist resorts, we have a peculiar situation which has been going on for possibly these 40 years in which the bellhop who is in charge, or you might say the chief bellhop, receives a certain stipulated sum weekly from students for the privilege of being a bellhop in those hotels. Now, when you consider \$13 for room and board, and the fact that these boys pay maybe \$10 a week for the privilege of working there, they do quite well. I happen to be acquainted with a fellow, in fact he is a relative of mine, who contributed quite a little to his tuition at Allegheny College by working at Conneaut Lake Park Hotel in this manner. Now what are you going to do to those boys.

Mr. FINEMAN. As I indicated in my reply to Mr. Eshback, there is a procedure available for a wage board to adopt or promulgate credits over and above those specifically laid out in the bill now, particularly in regard to gratuities. I imagine that your question goes with particular reference to gratuities. If a bellhop is in fact getting more than 35 cents an hour, there is a procedure in this act enabling an employer to seek and to get relief over and above 35 cents an hour.

Just let me say this one further word: it is possible that you might point out to me some particular single circumstance where, maybe, the bill in its operation would fall more heavily on the shoulders of one employer than the other. But I ask you, is that not true of all legislation? We do not pass any piece of legislation in this House where we can unqualifiedly say that it affects everybody in the same way. But we do try to pass legislation that affects the majority of the people in the most beneficial way. That is what we are seeking to do in House bill 911.

Mr. MERRY. I was not particularly asking for relief for the employer, but I was asking for help for a great many students who add to their income this way. I do not like to see any legislation passed that would upset them. I thank the gentleman.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. ESHBACK and FINEMAN and were as follows:

#### YEAS—86

Adams,	Foor,	Kistler,	Seltzer,
Anderson, J. H.,	Fulmer,	Knecht,	Simmons,
Ashton,	George,	Kooker,	Snare,
Auker,	Gibb,	Korns,	Steckel,
Backenstoe,	Gibbons,	Lee, A. M.,	Stimmel,
Blair,	Goldstein, J. H.,	Magee,	Stiteler,
Bossert,	Goodrich,	Markley,	Strausser,
Bowman,	Gramlich,	Marsh,	Thompson,
Buchanan,	Gross,	May,	Tompkins,
Bush,	Haudenschild,	McCandless,	Varner,
Capitolo,	Helm,	McNroy,	Wall,
Comer,	Henzel,	Merry,	Weidner,
Davis,	Hocker,	Miller,	Whittaker,
Dennison,	Hollday,	O'Dell,	Wihard,
Donaldson,	Horst,	Odorisio,	Williams, A. D.,
Down,	Isaacs,	Ogilvie,	Williams, E. S.,
Edwards,	Johnson, A. W.,	Piper,	Wood,
Elvey,	Johnson, R. P.,	Price,	Worley,
Eshback,	Ketser,	Pursley,	Wynd,

Esler,  
Ewing,  
Fetterolf,

Kernaghan,  
King,

Royer,  
Rudisill,

Yetter,  
Zember,  
Zimmerman,

## NAYS—104

Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Polen,
Arlene,	Goldstein, M. H.,	Long, Wm. Jos.,	Prendergast,
Bachman,	Gray,	Lutty,	Reibman,
Bonner,	Greenlee,	Maxwell,	Reidenbach,
Branca,	Gremminger,	McCann,	Renwick,
Breth,	Guesman,	McCormack,	Riley,
Capano,	Hamilton,	McDonald,	Rovansek,
Cauley,	Hankins,	McKeever,	Rubin,
Cioffi,	Hartley,	McLaughlin,	Sakulsky,
Clarke,	Heavey,	McNally,	Scarcelli,
Cooley,	Heffner,	Meholchick,	Schaaf,
Crossin,	Holman,	Mills,	Schuster,
Curwood,	Irvls,	Monroe,	Shelton,
Dougherty,	Jenkins,	Morley,	Sherman,
Doughten,	Jim,	Mullen,	Shupnik,
Ellberg,	Jones,	Munley,	Stank,
Farabaugh,	Kamyk,	Murphy,	Stone,
Filo,	Kelly,	Murray,	Sullivan, J. A.,
Fineman,	Kessler,	Needham,	Sullivan, T. F.,
Flynn,	Klein,	O'Donnell, J. A.,	Taylor,
Foerster,	Kornick,	O'Donnell, J. P.,	Tomasclik,
Fox,	Kramer,	Parlante,	Truslo,
Frascella,	Lamb,	Pashley,	Walsh,
Fry,	Lawson,	Perry,	Wargo,
Gailey,	Leonard,	Petrosky,	Welsh,
Gallagher,	Limper,	Polaski,	Andrews,

Speaker

## NOT VOTING—20

Boies,	Guthrie,	McDevitt,	Ujobal,
Bower,	Holl,	Mihm,	Verona,
Cianfrani,	Lee, K. B.,	Musto,	Wescott,
Dengler,	Lippincott,	Rutherford,	Willaredt,
Eshleman,	Manbeck,	Slack,	Willt,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 3, page 4, lines 10 to 13, by striking out "which work is incidental to or in return for charitable aid con-" in line 10, and all of lines 11 to 13.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. A. W. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, when House bill 911 was introduced, I felt that, from my own personal standpoint other than from being the floor leader and having an interest in the bill, maybe from a party standpoint, there was no personal interest in the bill which would affect my home county. However, one day I received a call from one of the trustees of the Bradford Hospital and he said, "Albert, what are you people doing to us down there?" I said, "Why, I do not know." "Well," he said, "we have analyzed this House bill 911 and we figure it will cost the Bradford Hospital about \$91,000 a year." "Well," I said, "I wish you would write me a letter to that effect so I can look it over and, if you show me where it will, I will be glad to offer amendments to take charitable and religious institutions out of the bill." That is the effect of my amendments.

So I received his letter and what our hospital does up in Bradford, and I do not know but that they might do it all over the State, they employ a lot of people around the hospital who are relatively unemployable. I know I represented a young boy who had been in great trouble in the court. He had been to Grove City, he had been to the George Junior Republic, and institutions like that. There are quite a lot of other people like that who are not wards of the court, but who just cannot find jobs in any other place. They might be pensioners who are working on the side. They feel that they have done an excellent job in giving jobs, and they specialize in that, in helping people who otherwise might not be able to get a job any other place. It is true that most of them get less than \$1 an hour. I know you will say, well, how are they going to live on that? The truth is that that is about the only place they can get a job around Bradford and that is where they are working. Now, the hospital says, what will we do to raise the extra \$91,000? Will they be able to get it from the Community Chest? Will they raise their rates? I mean I am just pointing out the problems that it puts a hospital to.

I, therefore, have offered amendments today, which, in addition to taking hospitals out of the bill, also take religious institutions out of the bill, and they are practically in the same situation, the religious organizations as the hospitals. They do go out and in the name of charity, you might say, hire people who otherwise are unemployable. It seems to me that this bill if it is passed will put a hardship not only on these workers, but will put a hardship on the institutions to try to raise that extra money. Therefore, I am offering amendments and ask the House to vote "aye" on them.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. I would like the privilege of interrogating the minority leader.

The SPEAKER pro tempore. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. A. W. JOHNSON, I shall, Mr. Speaker.

Mr. FINEMAN. Did the gentleman from McKean, in fact, receive this letter from Bradford Hospital, Mr. Speaker?

Mr. A. W. JOHNSON. Yes, I have the letter.

Mr. FINEMAN. Did the letter specify the number of employees the hospital has?

Mr. A. W. JOHNSON. No, it did not.

Mr. FINEMAN. Did the letter specify the hourly wage rate of these employees?

Mr. A. W. JOHNSON. Not the average hourly wage rate, but they do admit candidly that they are paying less than \$1 an hour. And they go on to say that while this is a fact, that they pay less than a \$1 an hour, the people who earn less than \$1 an hour are otherwise almost unemployable, and they from a charitable standpoint up there have adopted a policy of giving that type of person a job. They are very fortunate in being able to work. Now, I understand that a lot of hospitals do that all over the State.

Mr. FINEMAN. Is their alleged loss of \$91,000, for which I have seen no facts or figures to substantiate, calculated on the basis of a minimum wage of a \$1 an hour?

Mr. A. W. JOHNSON. I take it that is the intent of the letter.



Mr. FINEMAN. You do not know what the loss would be if the minimum wage were 85 cents an hour, do you?

Mr. A. W. JOHNSON. All I can say is that the administrator has informed them that if 911 is enacted into law it would increase the hospital payroll a minimum of an additional \$91,000 a year.

Mr. FINEMAN. I assume, when you say the hospital employes are those who are usually unemployable, you are referring to elderly people, those who might have physical or mental impairments?

Mr. A. W. JOHNSON. Yes, people that cannot get work in other places.

Mr. FINEMAN. I thank the gentleman.

Mr. Speaker, I would like to bring to the attention of the minority leader that this bill does have a clause in it providing for special licenses for those persons who because of physical or mental infirmities, or because of age, are not readily employable elsewhere, so that they can be licensed to work at a figure less than a dollar an hour. Even if that were not so, however, I would oppose these amendments for two basic simple reasons. First of all, an employe in a charitable institution has the same amount of square foot floor area to clean when they get on their hands and knees as they have when they clean in a commercial institution. Secondly, they are entitled to the same fair remuneration for their labor that anyone else is entitled to. Because of the fact that they rely on the money that they earn for their subsistence, for their living, there is no basic, valid reason to exempt them or to exclude them from the provisions of the bill. As a matter of fact, they are the people that most need and should get our help. This is the type of labor that is usually unskilled, perhaps exploited; they have no bargaining powers, are not organized, and they really have no one to speak for them. They, more than anybody, need our help. I, therefore, ask the members of the House on both sides to vote down these amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Heavey.

Mr. HEAVEY. Mr. Speaker, if this amendment goes down, I will be compelled to vote against the bill, and that will break my heart. That is a figure of speech of mine and not a physical disability. I have been a union man employing union labor back to 1937 and have been in good standing with them ever since.

As far as this bill is concerned, I am heart and soul for the bill. If it were left up to me, I would make it \$1.25, the same as President Kennedy wanted in the Federal statute. But, Mr. Speaker, I am also a representative of my district, and we have a hospital in our district that has been there for years. They put a new wing on which cost \$3 million; it took them seven years to pay for it. Recently they borrowed \$5 million out in St. Louis and built the last wing. Now they have to pay that money back. The hospital is run by the Sisters of Mercy, who get no monetary reward, and they still have a \$400,000 payroll.

I have never heard of anybody kicking about labor rates around that hospital and I have been there for 50 years. I think if it was a State-aided hospital, all right, tell them to pay \$1 per hour. But this hospital gets no State aid. I do not see how this General Assembly can, in good conscience, increase their payroll. They would have an awful job, just like Mr. Johnson says about increasing

his hospital \$91,000. I do not know how much it would cost Miserecordia. I remember some years ago at Miserecordia they told me that they had hundreds of thousands of dollars worth of bills and they were never collected. When anybody gets sick in the neighborhood, he goes in there to be patched up and they do not say to him, have you got money to pay for this or we will not work on you? I think it is very unfair that we should pass this bill without having this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. I would like to say, first of all, that I am fully cognizant of the need of our hospitals and the high cost of medical care. But I am equally attuned to the need of the employes who work in those hospitals, who do not earn some semblance of a living that enables them to maintain some standard of decency. If we in fact say that no employe should get less than a dollar an hour, because that represents some basic minimum wage, why should we turn around and exempt the employes of a hospital? Because if we do that what we are in fact saying is, all right, let us pay them 75 cents an hour, but let us ask them, the employes, to contribute back to the hospital 25 cents an hour of their wage. Why should we ask these poor souls, these people who are unskilled, generally, whose toil comes heavy, why should we ask them to bear the burden for the expense of medical care? This has to be borne by those who can best afford it, the patients and, in those instances where there is State aid, by the State and by the Federal Government. But you cannot ask these employes in these institutions, notwithstanding the fact that there is a definite need for more assistance to the hospitals, you cannot ask them to bear the brunt of this expense.

I, therefore, ask the members of this House to vote this amendment down.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. A. W. JOHNSON and FINEMAN and were as follows:

#### YEAS—92

Adams,	Fox,	Kistler,	Simmons,
Anderson, J. H.,	Fulmer,	Knecht,	Snare,
Ashton,	George,	Kooker,	Steckel,
Auker,	Gibb,	Korns,	Stimmel,
Backenstoe,	Gibbons,	Lee, A. M.,	Stiteler,
Blair,	Goldstein, J. H.,	Magee,	Strausser,
Bossert,	Goodrich,	Manbeck,	Thompson,
Bower,	Gramlich,	Markley,	Tompkins,
Bowman,	Gross,	Marsh,	Varner,
Buchanan,	Haudenschild,	May,	Wall,
Bush,	Heavey,	McCandless,	Walsh,
Cianfrani,	Helm,	McInroy,	Weidner,
Davis,	Henzel,	Merry,	Wescott,
Dennison,	Hocker,	Miller,	Whittaker,
Donaldson,	Holliday,	O'Dell,	Willard,
Down,	Horst,	Odorisio,	Williams, A. D.,
Edwards,	Isaacs,	Ogilvie,	Williams, E. S.,
Elvey,	Johnson, A. W.,	Piper,	Wood,
Eshback,	Johnson, R. P.,	Price,	Worley,
Esler,	Kelser,	Pursley,	Wynd,
Ewing,	Kernaghan,	Reidenbach,	Yetter,
Fetterolf,	Kessler,	Royer,	Zember,
Foor,	King,	Seltzer,	Zimmerman,

#### NAYS—102

Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Polen,
Arlene,	Gelfand,	Lutty,	Prendergast,
Bachman,	Goldstein, M. H.,	Maxwell,	Rebman,
Bonner,	Gray,	McCann,	Renwick,

Branca,	Greenlee,	McCormack,	Riley,
Breth,	Gremminger,	McDonald,	Rovansek,
Capano,	Guesman,	McKeever,	Rubin,
Capitolo,	Hamilton,	McLaughlin,	Rudisill,
Cauley,	Hankins,	McNally,	Sakulsky,
Cioffi,	Hartley,	Meholchick,	Scarcelll,
Clarke,	Heffner,	Mills,	Schaaf,
Comer,	Holman,	Monroe,	Schuster,
Cooley,	Irvis,	Morley,	Shelton,
Crossin,	Jenkins,	Mullen,	Sherman,
Curwood,	Jim,	Munley,	Shupnik,
Dougherty,	Jones,	Murphy,	Stank,
Doughten,	Kamyk,	Murray,	Stone,
Ellberg,	Kelly,	Needham,	Sullivan, J. A.,
Farabaugh,	Klein,	O'Donnell, J. A.,	Sullivan, T. F.,
Filo,	Kornick,	O'Donnell, J. P.,	Taylor,
Fineman,	Kramer,	Parlante,	Tomascik,
Flynn,	Lamb,	Pashley,	Trusio,
Foerster,	Lawson,	Perry,	Wargo,
Frascella,	Leonard,	Petrosky,	Welsh,
Fry,	Limper,	Polaski,	Andrews,
Galley,	Long, Wm. Jas.,		

Speaker

## NOT VOTING—16

Boies,	Holl,	Mihm,	Ujobai,
Dengler,	Lee, K. B.,	Musto,	Verona,
Eshleman,	Lippincott,	Rutherford,	Willaredt,
Guthrie,	McDevitt,	Slack,	Wilt,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I would like to interrogate one of the sponsors of the bill.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, after reading the provisions of the bill and the amendments on page 5, I believe, it is not clear in my mind as to just what the language in that amendment means. I am therefore asking the gentleman whether or not a taxicab company that has a franchise, let us say, in Philadelphia and that taxicab company operates its cab not only in Philadelphia, but in surrounding townships, or municipalities, with a population of less than 15,000, whether or not that is exempted from the provisions of this bill?

Mr. FINEMAN. It was my impression that a public utility carrier certificated in the municipality of 15,000, or less, would be exempted from the provision of this bill—in the municipality where certificated.

Mr. McCORMACK. In other words, the language in the amendment is "operates," is that correct, operates?

Mr. FINEMAN. Just a moment. On page 5, "Employed or working as a taxicab driver for a taxi firm (1) operating in a city, borough, town or township of less than fifteen thousand . . ."

Mr. McCORMACK. Now the word "operating" is the key word, is it not?

Mr. FINEMAN. It may be the key word. I am trying to tell you what the intention is, as I understand it to be.

Mr. McCORMACK. So that if the taxicab company that has a franchise does not have its principal place of business in such a township or city of a population of not more than 15,000, that would not be exempt?

Mr. FINEMAN. That is right.

Mr. McCORMACK. So that it is your opinion, and it is your intention and the intention of the sponsors of the bill, that the Yellow Cab Company of Philadelphia is included—not exempt?

Mr. FINEMAN. As I understand the bill in its present form, the Yellow Cab Company of the city of Philadelphia will be covered by the provisions of House bill No. 911.

Mr. McCORMACK. Thank you. Now, one other question. Are domestic servants employed by people to work in their homes exempt?

Mr. FINEMAN. Exempt.

Mr. McCORMACK. What is the reason for that?

Mr. FINEMAN. Well, that has been traditional in the history of Pennsylvania labor. This is intended to cover those boys whom you might engage to cut your lawn, or engage to come in and do some other household chores on a short time basis, or the regularly employed domestic in the home. This has been traditional in Pennsylvania labor. They are not covered by this act; they are exempted from the provisions of this act.

Mr. McCORMACK. That is all I have. Thank you, Mr. Speaker.

Mr. BOWMAN. Mr. Speaker, I first wish to apologize to the House. It is late, I realize that, and we have had a long week, but this is a very important piece of legislation and I would ask your indulgence as we proceed.

Mr. Fineman, in his comments with respect to the first amendments and commenting on the bill in general, gave a very lucid explanation of the bill. It is my wish that the bill were as lucid as his explanation, because in reading this bill I find many, many unanswered questions, many posed questions in my mind, to which I find absolutely no answer. For example, the interrogation by Mr. McCormack from Philadelphia was answered that servants are exempt. I find no such exemption in the bill.

At this point, if I may, I would request, Mr. Speaker, that I be permitted to interrogate the gentleman from Philadelphia, Mr. Fineman.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker, but before the gentleman gets into his interrogation, I ask him to turn to page 5, line 18, domestic service in the home of the employer, under one of the occupations that are exempted from the provisions of this bill.

Mr. BOWMAN. The gentleman is correct. I did not see that. I was looking only at the definition of employee.

Going back to page 4, Mr. Speaker, I note that the definition of employee excludes persons employed by the United States Government and by the Commonwealth of Pennsylvania. Do I properly infer from that that all employees of local governments are subject to the act, but the Commonwealth is not subject to the act.

Mr. FINEMAN. That is correct.

Mr. BOWMAN. Could the gentleman supply a reason to me why local government should be subject and the State should not?

Mr. FINEMAN. First of all, the legislature exercises direct control and authority over the employees of the Commonwealth. Therefore, there is no need to include them in this bill. Federal employees are likewise excluded



for the reason that the State government has no authority to exercise or control the wages of employes of the Federal Government.

Mr. BOWMAN. My question was not directed to Federal employes. I only directed it towards the Commonwealth.

I presume that most, if not all, Commonwealth employes are receiving \$1 or more an hour, is that correct?

Mr. FINEMAN. That is correct. They are receiving no less, I believe, than \$1.25 an hour.

Mr. BOWMAN. If that is true, what harm would it be to have them, nevertheless, covered by the terms of the act?

Mr. FINEMAN. I do not know that any harm would ensue, but as I stated before, the legislature exercises direct control of the amount the employes earn. Therefore we do not, by this act, have to say or spell out what they should get as a minimum.

Mr. BOWMAN. That is the executive department. That is not this legislative branch of the government?

Mr. FINEMAN. That is right.

Mr. BOWMAN. And we only so-call exercise control in the amount of the budget allocated for wages and salaries?

Mr. FINEMAN. That is correct.

Mr. BOWMAN. Therefore, I do not think your argument is at all sound. In my opinion, if local subdivisions are to be included, then the Commonwealth also should be included.

I next call your attention to the existing wage board orders in the hotel and restaurant industries. I am advised that the Federal law, just recently passed by Congress and approved by the President, excluded hotel and restaurant industries from the Federal law. Is that correct?

Mr. FINEMAN. I am so advised.

Mr. BOWMAN. And I am also aware that there are now outstanding wage board orders for those two industries under the 1937 act?

Mr. FINEMAN. That is correct.

Mr. BOWMAN. Under the provisions of this bill, do those wage board orders continue if this act is adopted or do they not continue?

Mr. FINEMAN. Do the wage orders continue? If the provisions of the existing wage boards are more favorable than the provisions of House bill 911, those provisions remain in full force and effect until they are superseded by another wage board.

Mr. BOWMAN. Will the gentleman point out to me in the bill where that is so provided?

Mr. FINEMAN. Yes, I can do that.

On page 24, section 17, "Any standards relating to minimum wages, maximum hours overtime compensation or other working conditions in effect under the act of May 27, 1937, or any other law of this Commonwealth or the regulations and orders issued thereunder on the effective date of this act which are more favorable to employes than those applicable to such employes under this act or the regulations and orders issued hereunder shall not be deemed to be amended rescinded or otherwise affected by this act but shall continue in full force and effect."

Mr. BOWMAN. That is only as to part of the wage orders. If the gentleman would read on he would notice that the provisions of wage orders relating to allowances for

board and lodging will be superseded if those wage orders have been in effect for a period of 12 months.

Mr. FINEMAN. That is not so. I will tell you why it is not so.

This bill says that before any minimum wage can be superseded by this act, that is, any minimum wage presently in existence under the act of 1937, before those minimum wage orders are superseded, they must have been in effect for one year. That is as to the minimum wage. Now the provision dealing with gratuities, lodging and the other credits will remain in force for one full year dating from the effective date of section 5 of this act. So even if they have been in force for one year they will continue to remain in force for another year after the effective date of this act, the purpose thereof being to allow the employer to adjust to the jump.

Mr. BOWMAN. Will the gentleman now look at page 8, the last paragraph on page 8, and explain that paragraph in light of what he just said?

Mr. FINEMAN. Are you referring to subsection (d), beginning on line 15?

Mr. BOWMAN. Yes.

Mr. FINEMAN. The minimum wage provided in subsections (a), and that refers to the \$1 an hour, and (b), which refers to the gratuities, of this section shall not affect the provisions of any minimum wage order established pursuant to the act enacted in 1937 prior to the effective date of this section unless said wage order has been in effect for at least one year or more.

Mr. BOWMAN. What does that mean?

Mr. FINEMAN. That means that the wage and the provision as to gratuities, those two items alone—and I distinguish them from the credits for meals, the credits for lodging, credits for uniforms, if they are given by a wage order, and so forth. They are separate and apart—do not come into effect for a period of one year from the effective date of section 5 of this act.

Mr. BOWMAN. Then do I understand you to say that the wage provisions of those orders and the gratuities allowances of those orders will become abrogated upon the effective date of this act?

Mr. FINEMAN. That would be the technical result. The practical result is no change, because, under those minimum wage orders that are established, they already get a credit of 35 cents an hour for gratuities, and in Philadelphia and Pittsburgh they already get \$1 minimum wage. It is only in other localities that they get less than \$1.

Mr. BOWMAN. In other localities they do get less than a dollar?

Mr. FINEMAN. Yes, in other localities.

Mr. BOWMAN. Then the answer must be modified that as to other localities, other than those two major cities, the minimum wage provision of the wage order will no longer be effective upon the effective date of this act as to these two industries?

Mr. FINEMAN. That is absolutely right, and that is fully our intention. We want by this act to bring all occupations, including those covered by wage orders and those not covered by wage orders up to the basic minimum of \$1 an hour.

Mr. BOWMAN. Does the gentleman contend that the allowances for other than gratuities, now I am speaking of meals and rooming accommodations, are comparable to

those already allowed in the two minimum wage orders in these two industries?

Mr. FINEMAN. Well, I will give you an example. Take the hotel occupations, for instance, under wage order No. 1. In metropolitan Philadelphia and Pittsburgh, under the existing wage order, there is a credit allowed to the employer for 15 cents an hour for meals and 35 cents an hour for tips and \$5 a week for lodging. House bill 911 says we are going to give \$5 a week for lodging, we are going to give 35 cents an hour for tips, and we are going to give 50 cents a meal rather than 15 cents an hour. Actually that works out to a differential of about 2 cents an hour difference.

Mr. BOWMAN. I thank the gentleman for picking out those cities. Now let me pick out some other areas.

Mr. FINEMAN. I can pick out the other areas for you.

Mr. BOWMAN. Let me take chambermaids. Under minimum wage order they are getting \$9; under House bill 911 it will be \$35, or a differential of 106 percent. In other words, I think it is fair to say, is it not, that as a generality, House bill 911, State-wide, will definitely not allow for rooms and for meals? It will definitely increase the total cost to the employer in the fact that the allowances will be much less.

Mr. FINEMAN. The gentleman's information does not tie in with my information. For instance, under wage order No. 1, dealing with hotels and other than food occupations in metropolitan Philadelphia and Pittsburgh, the minimum wage presently is \$1 an hour. Elsewhere throughout the State in that particular classification of employment the minimum wage is 85 cents an hour, resulting in a 15-cent increase in the minimum wage.

Mr. BOWMAN. That is correct in those areas, but I said that the information supplied to me, and I believe it to be as accurate as the gentleman's, shows differentials between House bill 911 and existing wage orders running from zero percent up to the highest figure of 106 percent.

Mr. FINEMAN. I do not understand what that differential is, I do not know what the gentleman is talking about. All I know is that under the existing wage order for chambermaids—

Mr. BOWMAN. That classification I selected, just as the gentleman selected Philadelphia.

Mr. FINEMAN. Under that particular classification there is a present minimum wage of 85 cents an hour. We are now saying it goes to \$1 an hour. That is 15 cents an hour difference.

Mr. BOWMAN. I am speaking of the differentials in the allowances for lodging and the allowances for meals. Those are the differentials I am speaking of now.

Mr. FINEMAN. There is no differential for lodging because, under the existing wage order for hotel occupations, it is \$5 a week for lodging.

Mr. BOWMAN. I beg your pardon, I did not get that.

Mr. FINEMAN. I said, under existing wage order there is a credit of \$5 a week for lodging and that is what House bill 911 does.

Mr. BOWMAN. You are correct as to that allowance, but I have presented to me, and I consider it to be completely accurate, differentials both in board, gratuities, lodging and meals as to the difference between the wage orders and this minimum wage bill, and I repeat that the variances run from as low as zero percent, in other words the same, up to the one I stated.

Thank you very much.

Mr. FINEMAN. I would just like to say that I have before me a copy of the official wage order, No. 1, which spells that out.

Mr. BOWMAN. So do I.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, now of course, I have no argument against a basic minimum wage bill. The difficulty in any minimum wage legislation is that which was experienced by the Congress of the United States and which we are experiencing here today.

The appeal for a minimum wage is certainly a strong and a proper appeal. The difficulty arises, not in the basic concept or the basic desirability of a minimum wage; the problem lies in balancing matters which are not paid in dollars, such as food and lodging. Other considerations which must be given have been spoken of here before today. How are we going to allocate and determine proper minimum wages for people who now enjoy employment, who would otherwise not enjoy employment? How are they to be given credit? Is all this to be surrendered by this legislature to the Secretary of Labor?

The gentleman from Philadelphia, Mr. Fineman, has presented a very strong appeal, that everything is taken care of in this bill. I agree with that, even though I do not understand the bill. They have covered about everything they possibly could think of. There are many other provisions of this bill—I do not want to prolong the interrogation but—there are many other provisions that, frankly, I do not understand.

Getting back to the basic issue, we must in some fashion balance this very basic and proper desire of a \$1 minimum wage against the problems of the aged being employed, the handicapped being employed, and I, for one, do not subscribe to surrendering this to the Secretary of Labor and Industry or to any wage board.

The gentleman in his earlier interrogation said the wage board procedure was proper. He later, as the result of other interrogations, said it was costly and lengthy. Believe me, it is costly and lengthy because I have been involved in it. The total determination, after years of effort in the hotel and restaurant industry, were reproduced in these two wage orders that we were speaking about in our interrogation and answer. That represented literally years of effort in which everybody, labor, industry and the public participated in the long, hard, drawn-out problem and it was finally solved. Now we are saying that the secretary can start over again, at least in those two industries. And, of course, I believe he enjoys that power even today under the Act of 1937.

Additionally, I do not think we can afford, as a legislature, to continue to surrender carte blanche powers to the executive branch of the government, and that is precisely what we are doing in this bill, I think more effectively and more broadly than any legislation that we have had before, at least during this session. You are in effect saying, each and every one of you, I surrender, I surrender my rights and my duties as a legislator. I want to give up all these problems, I do not want to face these problems, I am going to pass them on to somebody else. Are they better qualified than we are? That certainly must be part of your consideration when you say you are going to pass on these responsibilities. You are in effect saying we



either do not have the time, the energy, or the desire to sit here and work out minimum wage legislation with the exemptions that should go in it, and the exceptions that we think should be in it. We are saying no, this is too complicated, this is too much for us, and we do not care, we are going to pass it on again to the executive branch of the government. Believe me, Mr. Speaker, we have seen in the past 10 or 15 years, our own demise as legislators in passing on these powers and duties to the executive branch of the government. We constantly complain about our low stature; we constantly complain that we are not properly evaluated in the eyes of the public. I say to you, each and every one of you, if minimum wage law is good, and I am basically for it, but there should be exceptions and changes, there should be more taxicabs. Why, all of a sudden did the majority party say taxicabs should be exempted, not by the Secretary of Labor and Industry, but because we as the legislature thought that taxicabs should be exempted under certain circumstances. Why was that decision made here? Why was that not passed on to the executive branch of the government? I will tell you why: because somebody had a little more influence than some other people. I do not see how with logic or reason anyone can say that this legislature thought the taxicab problem was so important that we decided that the problems of hospitals, charitable institutions, the problems of restaurants, industries, resorts, and so forth, everything that has been discussed today, I do not see how we can possibly stand here and say the taxicab was so important we put it in so we are passing all of this on to the executive branch of the government, and that is what you are doing here today.

I again ask you, and I am sure that I am not convincing anyone to change his vote, but if I have any plea and any purpose today, I again ask this legislature to assume its responsibility, get out of the position which we have given ourselves, or put ourselves into over the past 10 or 15 years, assume our responsibilities, face up to the facts, and do our job. Then we will not have so many problems. Thank you, very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I know of nothing that the members of this House could do which would more clearly evince an intention on their part to assume responsibility than to vote favorably for House bill 911.

This is not at all an abdication of your responsibility. As a matter of fact, the kind of speech that the gentleman from Dauphin made is the kind of speech that I would expect to hear from a State's righter, some guy worried about giving the Federal government too much power, not reserving enough for the State. The type of speech was entirely out of order.

Now, if we say we are abdicating our authority and our responsibility, then we are running contrary to the best brains in approximately 33 States in this Union and to the Federal Government, all of whom have passed and have on their statute books today minimum wage laws. There are 33 States that have minimum wage laws in this country. The Federal Government has recently passed a minimum wage law. Can we say of them that they have abdicated their legislative responsibility? I hardly think so.

The gentleman from Dauphin is also very quick to

blame the Democratic Party, the majority party, for the exemption concerning the taxicabs. He says that possibly somebody on this side had a lot of influence. I will tell you where the influence came from: It came from your Mr. Kistler. He was the one who came to me with amendments to take out not taxicabs in municipalities of 15,000 or less," but he came to me with an amendment to take out taxicabs per se, completely across the board. So, if you are going to blame anybody for influence, I suggest that you talk to the Republican members on your side.

The SPEAKER pro tempore. For what purpose does the gentleman from Dauphin, Mr. Bowman, rise?

Mr. BOWMAN. Mr. Speaker, I rise to a point of personal privilege for the purpose of answering what I consider to be overly personal remarks, and misstatements as to what I said.

The SPEAKER pro tempore. The gentleman will be recognized.

Mr. BOWMAN. I beg your pardon, I thought he had yielded.

Mr. FINEMAN. Mr. Speaker, I yielded to Mr. Bowman.

The SPEAKER pro tempore. The gentleman from Philadelphia has the floor and he yields to the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, I think the record will show that I did not point a finger at anybody or any party. I said somebody had sufficient influence with respect to taxicabs to make the decision that this legislature should specifically exclude them in this legislation and not pass that power on to the department. That is all I said, and I think the record will support me.

Secondly, I do not feel that it is proper for the gentleman from Philadelphia to allude to my remarks as having any specific intent or purpose for political reasons. I am most sincere in what I say. I think my remarks are most apropos and proper and I have, certainly, no objections to his disagreeing with me in anything that I said, so long as the disagreement is predicated upon specifically what I said and germane to the debate which is before the House at this time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. I quite agree with those remarks. My difference with the gentleman is based on a difference in philosophy about this thing. But, I do respectfully suggest to the gentleman that he check the record and he will find very clearly that he said these amendments came from the majority party.

I suggest that he check the record, and the record will bear me out.

I ask the members of this House to vote in the affirmative on House bill 911.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. O'Dell.

Mr. O'DELL. Mr. Speaker, time and the fact that I am a gentleman prevents me from saying what I would like to say about this bill.

However, I would like to interrogate momentarily the gentleman from Philadelphia, Mr. Fineman.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. O'DELL. This might be a help to you.

Mr. FINEMAN. I appreciate all I can get, sir.

Mr. O'DELL. It might be a help in finding someone else to put under this wage and hour bill. This is a letter that I received some time ago which says:

"Dear Sir: Why is it that I, an elevator starter and operator, non-union, am not included in the minimum wage law of \$1 an hour?"

Can you tell me why this particular woman is not included under this wage and hour law, or is she included?

Mr. FINEMAN. She is included, sir.

Mr. O'DELL. She is included?

Mr. FINEMAN. She is included.

Mr. O'DELL. Then I will make her very happy if I tell her that she is included?

Mr. FINEMAN. That is right, sir.

Mr. O'DELL. Thank you very much.

Mr. FINEMAN. You vote for this bill and you will make her happy.

Mr. O'DELL. It so happens that this woman is a voter of mine, but I still have principles, and I intend to vote against the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—154

Adams,	Frascella,	Lee, A. M.,	Pursley,
Anderson, S. A.,	Fry,	Leonard,	Reibman,
Arlene,	Galley,	Limper,	Reidenbach,
Auker,	Gallagher,	Long, Wm. Jas.,	Renwick,
Bachman,	Gelfand,	Long, Wm. Jos.,	Riley,
Backenstoe,	George,	Lutty,	Rovansek,
Blair,	Gibbons,	Manbeck,	Rubin,
Bonner,	Goldstein, J. H.,	Markley,	Rudisill,
Bossert,	Goldstein, M. H.,	Marsh,	Sakulsky,
Bower,	Goodrich,	Maxwell,	Scarceili,
Branca,	Gray,	May,	Schaaf,
Breth,	Greenlee,	McCann,	Schuster,
Buchanan,	Gremminger,	McCormack,	Shelton,
Bush,	Guesman,	McDonald,	Sherman,
Capano,	Hamilton,	McKeever,	Shupnik,
Capitolo,	Hankins,	McLaughlin,	Simmons,
Cauley,	Hartley,	McNally,	Snare,
Cianfrani,	Haudenshield,	Meholchick,	Stank,
Cioffi,	Hefner,	Mills,	Steckel,
Clarke,	Hocker,	Monroe,	Stimmel,
Comer,	Holman,	Morley,	Stone,
Cooley,	Horst,	Mullen,	Sullivan, J. A.,
Crossin,	Irvls,	Munley,	Sullivan, T. F.,
Curwood,	Isaacs,	Murphy,	Taylor,
Dennison,	Jenkins,	Murray,	Thompson,
Donaldson,	Jim,	Needham,	Tomascik,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Trusio,
Doughten,	Jones,	O'Donnell, J. P.,	Varner,
Down,	Kamyk,	Odorislo,	Walsh,
Eilberg,	Kelser,	Ogilvie,	Wargo,
Elvey,	Kelly,	Parlante,	Welsh,
Esler,	Kernaghan,	Pashley,	Whittaker,
Ewing,	Kessler,	Perry,	Willard,
Farabaugh,	Kistler,	Petrosky,	Williams, A. D.,
Filo,	Klein,	Polaski,	Worley,
Fineman,	Kornick,	Polen,	Yetter,
Flynn,	Kramer,	Prendergast,	Zember,
Foerster,	Lamb,	Price,	Andrews,
Fox,	Lawson,		Speaker

#### NAYS—38

Anderson, J. H.,	Gramlich,	Korns,	Strausser,
Ashton,	Gross,	Magee,	Tompkins,
Bowman,	Heavey,	McCandless,	Wall,
Davis,	Helm,	McInroy,	Weldner,
Edwards,	Henzel,	Merry,	Wescott,
Eshback,	Holliday,	Miller,	Williams, E. S.,
Fetterolf,	Johnson, A. W.,	O'Dell,	Wood,
Foor,	King,	Seltzer,	Wynd,
Fulmer,	Knecht,	Stiteler,	Zimmerman,
Gibb,	Kooker,		

#### NOT VOTING—18

Boles,	Lee, K. B.,	Piper,	Ujobai,
Dengler,	Lippincott,	Royer,	Verona,
Eshleman,	McDevitt,	Rutherford,	Willaredt,
Guthrie,	Mihm,	Slack,	Wilt,
Holl,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

#### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, may I inform the membership that there is only one concurrence, that there will be no other roll calls in this House today after we concur on House bill 430, I believe it is.

I think it does credit to the men who debated for and opposed the bill, to bring out the good points in this debate, and it certainly was a most excellent debate on this major piece of legislation, with respect to each of them.

The SPEAKER pro tempore. The Chair would also like to commend those who took part in the debate as well as every member of the House for their patience. I think the members were very attentive and very orderly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 430.

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race religion color ancestry or national origin prohibiting such discriminatory practices providing for procedure and enforcement providing for judicial review providing for administration by the Pennsylvania human relations Commission in the Department of Labor and Industry and defining its functions powers and duties hereunder.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 3, page 3, line 15, by inserting after the word "organization" the following: or is one which is stated by the parent church body to be and is in fact officially related to that church by being represented on the board of the institution and by providing substantial financial assistance.

Section 4, page 5, line 4, by striking out after the word "student" the words "or group of students"; page 6, by inserting after line 3, the following: (d) nothing in this section shall prohibit any educational institution from accepting and administering any inter-vivos or testamentary gift upon such terms and conditions as may be prescribed by the donor.

On the question,

Will the House concur in the amendments made by the Senate?



Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—159

Anderson, S. A.,	Fry,	Limper,	Renwick,
Arlene,	Fullmer,	Long, Wm. Jas.,	Rovansek,
Bachman,	Gallagher,	Long, Wm. Jos.,	Rubin,
Backenstoe,	Gelfand,	Lutty,	Rudisill,
Blair,	Gibb,	Manbeck,	Sakulsky,
Bonner,	Goldstein, J. H.,	Markley,	Scarcelli,
Bossert,	Goldstein, M. H.,	Marsh,	Schaaf,
Bower,	Gray,	Maxwell,	Seltzer,
Branca,	Greenlee,	May,	Shelton,
Breth,	Gremminger,	McCandless,	Sherman,
Buchanan,	Hamilton,	McCann,	Shupnik,
Bush,	Hankins,	McCormack,	Simmons,
Capano,	Hartley,	McDonald,	Snare,
Capitolo,	Haudenschild,	McInroy,	Stank,
Cauley,	Heavey,	McKeever,	Steckel,
Cianfrani,	Helm,	McLaughlin,	Stimmel,
Cioffi,	Hocker,	McNally,	Stiteler,
Clarke,	Holliday,	Meholchick,	Stone,
Comer,	Holman,	Mills,	Sullivan, J. A.,
Cooley,	Horst,	Monroe,	Taylor,
Crossin,	Irviss,	Morley,	Thompson,
Dennison,	Jenkins,	Mullen,	Tomasick,
Donaldson,	Jim,	Munley,	Tompkins,
Dougherty,	Johnson, A. W.,	Murphy,	Trusio,
Doughten,	Jones,	Needham,	Verner,
Edwards,	Kamyk,	O'Dell,	Wall,
Eilberg,	Kelser,	O'Donnell, J. A.,	Walsh,
Elvey,	Kelly,	O'Donnell, J. P.,	Wargo,
Eshback,	Kessler,	Ogilvie,	Welsh,
Esler,	King,	Parlante,	Wescott,
Ewing,	Kistler,	Pashley,	Whittaker,
Farabaugh,	Klein,	Perry,	Williams, A. D.,
Fetterolf,	Knecht,	Petrosky,	Wood,
Filo,	Kornick,	Polaski,	Worley,
Fineman,	Korns,	Polen,	Wynd,
Flynn,	Kramer,	Prendergast,	Yetter,
Foerster,	Lamb,	Price,	Zember,
Foor,	Lawson,	Pursley,	Zimmerman,
Fox,	Lee, A. M.,	Reibman,	Andrews,
Frascella,	Leonard,	Reidenbach,	Speaker

## NAYS—13

Adams,	Bowman,	Isaacs,	Odorisio,
Anderson, J. H.,	Davis,	Kernaghan,	Strausser,
Ashton,	George,	Kooker,	Weidner,
Auker,			

## NOT VOTING—38

Boies,	Guesman,	Merry,	Schuster,
Curwood,	Guthrie,	Mihm,	Slack,
Dengler,	Hefner,	Miller,	Sullivan, T. F.,
Down,	Henzel,	Murray,	Ujobai,
Eshleman,	Holl,	Musto,	Verona,
Galley,	Johnson, R. P.,	Piper,	Willard,
Gibbons,	Lee, K. B.,	Riley,	Willardt,
Goodrich,	Lippincott,	Royer,	Williams, E. S.,
Gramlich,	Magee,	Rutherford,	Wilt,
Gross,	McDevitt,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

## TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 640, printer's No. 1345, on page 39 of today's calendar, bills on third reading postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1216, printer's No. 1739, on page 8 of today's calendar, bills on final passage postponed.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1644, entitled:

An Act authorizing any person diving in any waterway with the aid of a mechanical device to place a buoy at or near the place of submergence.

On the question,

Will the House agree to the bill on third reading?

Mr. SCHAAF asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, lines 1 and 2 by striking out "by sixteen inches with a three and one-half inch" and inserting: or more than twenty-four inches square with a

Amend Sec. 1, page 2, line 2 by inserting after "from" an Amend Sec. 1, page 2, line 3 by inserting after "corner" which strips shall be one-fifth as wide as the flag itself

Amend Bill, page 2, by inserting after line 4:

Section 2. Whoever shall upon summary conviction of operating any type of water craft within one hundred and fifty feet of such a flagged buoy, shall be sentenced to pay a fine of not exceeding twenty-five dollars (\$25) and in default of the payment of such fine and costs shall be imprisoned not exceeding five days.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objections.

## RESOLUTION

## CONDOLENCE

Messrs. TOMASCIK, CURWOOD, MEHOLCHICK, SHUPNIK, CROSSIN, BACHMAN and MUSTO offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 14, 1961.

It is with much sadness that the House of Representatives of the Commonwealth of Pennsylvania notes the passing of Judge J. Harold Flannery of Luzerne County. He was a great jurist and an industrious and faithful public servant. His span of public service included the offices of Assistant District Attorney, three terms as Congressman from his district and was running for his third term as judge of the Common Pleas Court of Luzerne County.

No higher tribute can be paid to Judge Flannery than that the citizens of Luzerne County have paid him in 1951 and again in 1961 by nominating him for Judge of the common pleas court by both political parties. This is

the finest and the most understandable tribute that can be paid to the Late President Judge J. Harold Flannery.

Judge J. Harold Flannery was born in Pittston, April 19, 1898, a son of Mayor and Mrs. John T. Flannery. He was educated at Wyoming Seminary and Dickinson Law School.

He is survived by his wife Anne Allan Flannery and a son Attorney J. Harold Flannery Jr.; therefore be it

Resolved, That the House of Representatives hereby extends to the wife and son our condolences on the passing of a dear husband and a kind and considerate father, and be it further

Resolved, That a copy of this resolution be sent to the surviving widow Mrs. Anne Allan Flannery and J. Harold Flannery Jr. Esq., 906 Susquehanna Avenue, W. Pittston, Pennsylvania.

## BILLS INTRODUCED AND REFERRED

By Mr. ADAMS. HOUSE BILL No. 1775.

An Act amending the act of September 29, 1951 (P. L. 1628), entitled "An act providing for an expense allowance for members of the board of inspectors of the Berks County Prison," decreasing expense allowance for members of the board of inspectors of the Berks County Prison.

Referred to the Committee on State Government.

By Messrs. J. H. ANDERSON and ISAACS.  
HOUSE BILL No. 1776.

An Act amending the "Juvenile Court Law of Allegheny County," approved June 3, 1933 (P. L. 1449), limiting the provisions of the act to children under sixteen years of age.

Referred to the Committee on Judiciary.

By Messrs. J. H. ANDERSON and ISAACS.  
HOUSE BILL No. 1777.

An Act amending "The Juvenile Court Law," approved June 2, 1933 (P. L. 1433), limiting the provisions of the act to children under sixteen years of age.

Referred to the Committee on Judiciary.

By Messrs. MAXWELL and MILLS.  
HOUSE BILL No. 1778.

An Act to safeguard human health and life by providing for the issuance of permits to, and regulation of persons and entities selling milk and milk products; \* \* \* and imposing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. MAXWELL and MILLS.  
HOUSE BILL No. 1779.

An Act relating to and defining food and beverages in the interest of and providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture, offering for sale, exposing for sale, or having in possession adulterated, misbranded, or deleterious foods and beverages; conferring powers upon the Secretary of Health and the Secretary of Agriculture and imposing duties upon certain local boards and departments of health; and providing penalties.

Referred to the Committee on Public Health and Sanitation.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

### SENATE BILL No. 219.

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers' License Law" altering the requirements for licensure regulating hours for barber schools permitting further regulation by health authorities providing for the health sanitation and management of barber shops changing fees prescribing penalties requiring reports and making an appropriation.

Referred to the Committee on Professional Licensure.

### SENATE BILL No. 350.

An Act to create a regional agency by intergovernmental compact for the planning, conservation, utilization, development, management and control of the water and related natural resources of the Delaware River Basin for the improvement of navigation, reduction of flood damage, regulation of water quality, control of pollution, development of water supply, hydroelectric energy, fish and wildlife habitat, and public recreational facilities and other purposes; and defining the functions, powers and duties of such agency.

Referred to the Committee on State Government.

### SENATE BILL No. 686.

An Act relating to atomic energy, defining powers and duties of State departments, offices, boards, commissions and of political subdivisions in connection therewith creating the Office of Atomic Development and prescribing its powers and duties.

Referred to the Committee on State Government.

### SENATE BILL No. 721.

An Act amending the act of March 31, 1949 (P. L. 372), entitled, "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to specialized colleges of science and/or agriculture receiving State aid, authorizing contracts to lease and leases by the Department of Public Instruction from the Authority of any additions or improvements to specialized colleges of science and/or agriculture receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

Referred to the Committee on Rules.

## SENATE MESSAGE

### SENATE RESOLUTION FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence resolution numbered and entitled as follows:

### SENATE CONCURRENT RESOLUTION SERIAL No. 122.

Directing the Joint State Government Commission to investigate the revision, modernization and codification of the agriculture laws.

Referred to the Committee on Rules.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

### SENATE BILL No. 380.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" providing that title to property by eminent domain may be vested in certain counties upon filing of a bond.

Referred to the Committee on Counties.



## SENATE BILL No. 456.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" changing certain provisions with respect to the payment of interest on deposits and eliminating the time limit in which action must be taken on articles of merger or consolidation.

Referred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 512.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing in certain cases for the licensing of epileptics and persons suffering from other impairments.

Referred to the Committee on Rules.

## SENATE BILL No. 605.

An Act amending the act of January 29, 1844 (P. L. 25), entitled "An act supplementary to an act to incorporate the president and directors of the water pipes in Aaronsburg," permitting additional persons to vote for the directors; further providing who shall be taxed; increasing one tax providing for flat rates and tap on charges and repealing inconsistent legislation.

Referred to the Committee on State Government.

## SENATE BILL No. 616.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing for the creation by ordinance of the office of city manager.

Referred to the Committee on Cities—Third Class.

## SENATE BILL No. 684.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," removing provisions relating to the districting of State colleges.

Referred to the Committee on Education.

## SENATE BILL No. 685.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the administration of allocation of unencumbered funds.

Referred to the Committee on Education.

## SENATE BILL No. 696.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," designating certain schools senior high schools and junior high schools.

Referred to the Committee on Education.

## SENATE BILL No. 697.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for reconsideration of decisions in annexation proceedings.

Referred to the Committee on Education.

## SENATE BILL No. 698.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" making it illegal to buy, sell, alter or attempt to obtain by fraudulent means a diploma, certificate or similar instrument and providing penalties.

Referred to the Committee on Education.

## SENATE BILL No. 701.

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law," further regulating notice given to delinquent taxables.

Referred to the Committee on State Government.

## SENATE MESSAGE

## CONCURRENCE IN HOUSE RESOLUTION No. 54

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

Department of State to take a firm position against Arab interference in the affairs of American citizens.

## SENATE MESSAGE

## CONCURRENCE IN HOUSE RESOLUTION No. 76

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

Memorializing Congress to enact legislation to increase the membership of the Federal Power Commission.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 123.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles.

## HOUSE BILL No. 244.

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743), changing compensation and allowances for magistrates.

## HOUSE BILL No. 319.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing for the election of two additional supervisors in certain townships.

## HOUSE BILL No. 343.

An Act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class.

## HOUSE BILL No. 1136.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3 acres more or less of land situate in Somerset Township, Somerset County.

With the information that the Senate has passed the same without amendment.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-con-

curred in by the House of Representatives, to House bill No. 678, entitled:

An Act amending the act of July 7, 1955 (P. L. 258), entitled, "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation"; extending the provisions of the act to authorize the sealing of abandoned coal mines and filling voids in abandoned coal mines; and making money heretofore appropriated available for those purposes.

And has appointed Messrs. Kalman, Murray and Wagner as a committee of conference to confer with a similar committee of the House of Representatives (already appointed), on the subject of the differences between the two Houses in relation to said bill.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 123.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles.

#### HOUSE BILL No. 244.

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743), changing compensation and allowances for magistrates.

#### HOUSE BILL No. 319.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing for the election of two additional supervisors in certain townships.

#### HOUSE BILL No. 343.

An Act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class.

#### HOUSE BILL No. 1136.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3 acres more or less of land situate in Somerset Township Somerset County.

#### SENATE BILL No. 553.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to grant to Upper St. Clair Township Allegheny County its successors or assigns a right of way for the purpose of constructing installing and maintaining a sanitary sewer system over property of the Commonwealth of Pennsylvania known as the Mayview State Hospital Property.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate.

Amended House Bills returned for concurrence Nos. 715 and 716.

### STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to take a moment of time to indicate that today, as busy as we were in the House, beginning at 10 o'clock this morning until the present hour, we were never forgetful of the date and the day, this being Flag Day.

This is normally a holiday, and it is a holiday for most State employes across this Commonwealth. It was imperative that we hold a session today because of the hotel situation which prevented us from holding a session tomorrow. But we, in our respective deliberations, had planned to also take a moment of time, although the session ran to this late hour, to pay our respects to our flag on this given holiday, Flag Day.

And I thought the only way we could do it at this point, and do it properly, is for both Mr. Johnson and I to insert into the record the respect that this House and its members have for our flag, and the reasons why we were in session on this date and the fact that we, in turn, had planned to hold proper public declaration by way of a resolution dealing with this date in the House here today. But after lengthy debate on the other bills and the hour being so late, we do not intend to plan any resolution or any adoption on this, but to show in the remarks that are spread upon the record all our members' deep respect for this holiday, Flag Day, the day on which we honor our American Flag.

### STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, I think we started this day off very well with the prayer this morning. After our chaplain finished his prayer everybody said, well, there is one of the nicest prayers we have ever heard. Of course, it was exceedingly appropriate and everybody, of course, in talking about Flag Day brings up the Star Spangled Banner and "Long May It Wave Over the Land of the Free and the Home of the Brave."

When the prayer was given this morning, I could not help but think that here we are, of course, in Pennsylvania, just a small part of our national government, but when you think of our President—and, of course, he has a bad back—but the young fellow has surely been trying to do a job to maintain the peace all over the world. And goodness knows, in the Latin American countries, and over in Europe and Africa, the turmoil and the strife is just something dreadful. And as I say, as our chaplain prayed this morning for success in our Nation and the preservation of our flag, I could not help but be proud to be American. We here are trying to do a good job for the people of Pennsylvania. I think we had a dignified day. It is too bad we had to be here on Flag Day, but we have a job to do here to finish this session and get on with the work for the good of all the people of our great State.

We do honor our flag, and it is too bad that we did not have time to have an appropriate splendid ceremony here today, but maybe in another year we will do just that.

### ADJOURNMENT

Mr. EDWARDS. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 20, 1961 at 2 p.m. e.s.t.

The motion was agreed to, and (at 4:48 p.m. e.s.t.) the House adjourned.



# Legislative Journal.

Session 1961.

145th of the General Assembly.

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HARRISBURG, PA., MONDAY, JUNE 19, 1961.

No. 63.

## SENATE

MONDAY, JUNE 19, 1961.

The Senate met at 2:00 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rabbi MORRIS PICKHOLZ, Congregation Bnai Jeshurun Ahavas Chesed, Philadelphia, offered the following prayer:

Almighty God and Creator of all men, as we open this Session of the highest legislative body of the Commonwealth of Pennsylvania, we invoke Thy blessing upon all those herein assembled. We are aware that Thou Who hast created this world with divine law didst bestow upon man Thy divine gift to make laws for the benefit of the inhabitants of this Commonwealth. We, therefore, beseech Thy divine assistance and pray Thee to cast the rays of Thy divine guidance upon all here assembled so that they may lend a full measure of devotion, sincerity and earnestness to those problems which are today upon the agenda of this august Body.

We are aware that it is only through these deliberations that our way of life receives its highest and fullest expression. Enable those here assembled to reflect and to discuss the matters before them in a spirit of wisdom and intelligence, in the light of Thine eternal truths. Grant them, we pray Thee, of Thy divine spirit so they may be inspired in their deliberations by the highest ideals of democracy and humanity.

Spread Thy grace, O Lord, over this Body and may they concentrate their efforts toward the eradication of hatred, prejudice, human suffering, greed and envy. Spread Thy tabernacle of peace, we pray Thee, over us and over all mankind. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

## COMMUNICATIONS FROM THE GOVERNOR

### APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, pre-

sented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

**SB 85, 90, 207, 223, 291, 338, 361, 378, 402, 482, 483, 484, 501, 507, 530 and 542.**

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

### MEMBERS OF THE BOARD OF TRUSTEES OF PHILIPSBURG STATE HOSPITAL

June 19, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Philipsburg State Hospital:

D. S. Braucht, Coalport, Clearfield County, until the third Tuesday of January, 1963, and until his successor is appointed and qualified.

Fred B. Hughes, 509 West Market Street, Clearfield, Clearfield County, until the third Tuesday of January, 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

### MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE COLLEGE

June 19, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter Mahalage, 36 West South Street, Mahanoy City, Schuylkill County, for reappointment as a member of the Board of Trustees of Kutztown State College, until the third Tuesday of January, 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

### MEMBERS OF THE MUNICIPAL EMPLOYEES' RETIREMENT BOARD

June 19, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Municipal Employees' Retirement Board:

William G. Willis (Public Representative), Institute of

Local Government, University of Pittsburgh, 804 Harden Drive, Pittsburgh 29, Allegheny County, until his successor is appointed and qualified.

Charles R. Witmer (Municipal Employee), 146 Lawn Avenue, Sellersville, Bucks County, for the term of two years, and until his successor has been appointed and qualified, vice J. Lloyd Loushay, Athens, whose term expired.

Henry C. Lamparski (Municipal Employee), 1327 Pacific Avenue, Pittsburgh, Allegheny County, for the term of two years, and until his successor has been appointed and qualified, vice Andrew Garber, Wilkes-Barre, whose term expired.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

June 19, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Shamokin State Hospital, until the third Tuesday of January, 1967, and until their successors are appointed and qualified:

Daniel Marnell, 17 First Street, Green Ridge, Strong, Northumberland County, vice Stanley J. Kosloski, Shamokin, whose term expired.

John M. Adamiak, 909 West Water Street, Shamokin, Northumberland County, vice Thomas J. Carr, Shamokin, whose term expired.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF CONNELLSVILLE STATE HOSPITAL

June 19, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul W. Kendi, North Scottdale Avenue, Scottdale, Westmoreland County, for reappointment as a member of the Board of Trustees of Conneltsville State Hospital, until the third Tuesday of January, 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE NORTHAMPTON COUNTY BOARD OF ASSISTANCE

June 19, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Beatrice Buckley (Democrat), 4550 Bayard Street, Easton, Northampton County, for appointment as a member of the Northampton County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Francis W. Barthold, Bethlehem, resigned.

DAVID L. LAWRENCE.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to **HB 430**.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 911** and **1241**,

which were referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 1059, 1284, 1373, 1464, 1465, and 1498**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 1083**, which was referred to the Committee on Law and Order.

He also presented for concurrence **HB 1227**, which was referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1345**, which was referred to the Committee on Elections.

He also presented for concurrence **HB 1356 and 1457**, which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 1377 and 1446**, which were referred to the Committee on Education.

He also presented for concurrence **HB 1403**, which was referred to the Committee on State Government.

He also presented for concurrence **HB 1415**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 1447**, which was referred to the Committee on Agriculture.

He also presented for concurrence **HB 1468**, which was referred to the Committee on Mines and Mineral Industries.

### BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

**HB 29, 123, 148, 179, 244, 319, 343, 417, 1038, 1136, 1144 and 1396.**

### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor, which were laid on the table:

#### MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

May 22, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Kathleen A. Stephens, 106 Water Street, Coudersport, Potter County, for reappointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January, 1965, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

June 12, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Mayview State Hospital:

William Forrester, 221 Barth Avenue, Pittsburgh 28, Allegheny County, until the third Tuesday of January, 1965, and until his successor is appointed and qualified, vice Homer R. Greene, Jr., Pittsburgh, resigned.

Daniel I. Jamison, Jr., 1168 Greentree Road, Pittsburgh, Allegheny County, until the third Tuesday of January,



1967, and until his successor is appointed and qualified.  
(Reappointment)

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
SHAMOKIN STATE HOSPITAL

June 7, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Michael J. Wanzie, 715 Pine Street, Kulpmont, Northumberland County, for reappointment as a member of the Board of Trustees of Shamokin State Hospital, until the third Tuesday of January, 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
SOMERSET STATE HOSPITAL

June 5, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Somerset State Hospital, until the third Tuesday of January, 1967, and until their successors are appointed and qualified:

Ward W. Crist, Windber, Somerset County.  
George F. Wheeling, Windber, Somerset County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

June 12, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert M. Bucher, Dean, Temple University School of Medicine, 3950 Vaux Street, Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1964, and until his successor shall have been appointed and qualified, vice Dr. William N. Parkinson, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
SCOTLAND SCHOOL FOR VETERANS' CHILDREN

June 12, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Abe Ruben, 102 Tenth Street, Donora, Washington County, for reappointment as a member of the Board of Trustees of Scotland School for Veterans' Children, until the third Tuesday of January, 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
YOUTH DEVELOPMENT CENTER AT CANONSBURG

June 12, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board

of Trustees of the Youth Development Center at Canonsburg, until the third Tuesday of January, 1966, and until their successors are appointed and qualified:

S. Harry Galfand, 502 West Allens Lane, Philadelphia, Philadelphia County.

Lynwood F. Blount, 1325 North Sixtieth Street, Philadelphia, Philadelphia County.

DAVID L. LAWRENCE.

MEMBER OF THE VENANGO COUNTY BOARD  
OF ASSISTANCE

June 12, 1961.

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles L. Rodgers (Republican), 1315 Buffalo Street, Franklin, Venango County, for appointment as a member of the Venango County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Miss Harriet R. Bleakley, Franklin, resigned.

DAVID L. LAWRENCE.

PAUL WARE PRESENTED TO SENATE

The PRESIDENT. Before the Chair goes into the next order of business, I would like to call to the attention of the Senate the fact that we have a new Page in the Senate today; namely, Mr. Paul Ware, the son of Senator John Ware. He is standing to my left. I would suggest that the Members of the Senate greet him in the usual way.

We are very happy to have you with us, Paul.

GUESTS OF SENATOR THOMAS A. EHRGOOD  
PRESENTED TO SENATE

Mr. EHRGOOD. Mr. President, we have with us today a class from Lebanon County. This group is mostly made up of my children, and Mrs. Sheetz and her two children.

The PRESIDENT. Would the guests please rise so that the Senate may greet them?

We are very happy to have the Sheetz and Ehrgood families here in the Senate today.

BILLS INTRODUCED AND REFERRED

Mr. PROPERT presented to the Chair **SB 778**, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," clarifying the meaning of "frontage abutting on the sewer or drain" for the purpose of sewer or drain assessments.

Which was committed to the Committee on Local Government.

Messrs. WADE, BERGER, LANE and CAMIEL presented to the Chair **SB 779**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing that the payment of a fine and costs for violation of this act shall not constitute an admission of guilt and shall not be admissible in any hearing relating to suspension of an operator's license or learner's permit, or in any appeal therefrom.

Which was committed to the Committee on Highways.

Messrs. DEVLIN, SARRAF, FLEMING, McGINNIS and RIPP presented to the chair **SB 780**, entitled:

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regula-

tion of public dance halls and ball rooms, and for the regulation, supervision of public dances and balls in cities of the first, second, and third classes," increasing license fees in cities of the second class; and changing penalties.

Which was committed to the Committee on Local Government.

Messrs. KESSLER, FLEMING and WADE presented to the chair **SB 781**, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "The Liquid Fuels Tax Act," providing for reimbursement of taxes paid on liquid fuels consumed in the operation of certain cemetery equipment, machinery and vehicles.

Which was committed to the Committee on Highways.

They also presented to the Chair **SB 782**, entitled:

An Act amending the act of January 14, 1952 (P.L. 1965), entitled, as amended, "Fuel Use Tax Act," excluding from the tax fuel used by or sold or delivered for use in certain cemetery equipment, machinery and vehicles.

Which was committed to the Committee on Highways.

Messrs. SEYLER, WEINER and LANE presented to the Chair **SB 783**, entitled:

An Act providing a method for the disposition of certain public records in cities of the third class, boroughs and townships of the first and second class; establishing a Local Government Records Committee, empowering the committee to make rules and regulations for records disposition and assigning certain duties to the Department of Internal Affairs.

Which was committed to the Committee on Local Government.

Mr. KROMER (by request) presented to the Chair **SB 784**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting common carriers by railroad from using a helper-locomotive behind any occupied caboose.

Which was committed to the Committee on Judiciary General.

Mr. McCREESH presented to the Chair **SB 785**, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employes' Retirement Code of 1959," making certain changes in military leave coverage.

Which was committed to the Committee on State Government.

He also presented to the Chair **SB 786**, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employes' Retirement Code of 1959," bringing extended sick leave under the provisions of the act.

Which was committed to the Committee on State Government.

Messrs. BERGER, McCREESH and CHAPMAN presented to the Chair **SB 787**, entitled:

An Act providing for the acquisition by the Department of Forests and Waters of the Kinzua Bridge and certain adjoining grounds for a State park.

Which was committed to the committee on Forests and Waters, Game and Fish.

## SENATE CONCURRENT RESOLUTION

### URGING PARTICIPATION BY THE LEGISLATURE IN THE OBSERVANCE OF THE 100TH ANNIVERSARY OF THE LAND-GRANT ACT BY PRESIDENT ABRAHAM LINCOLN

Messrs. HAYS, MADIGAN, STIEFEL and CHAPMAN offered the following resolution (**Serial No. 123**), which was read as follows:

In the Senate, June 19, 1961.

Whereas, July 2, 1962 marks the centennial of legislation providing for the establishment of the national system of Land-Grant Colleges and State Universities; and

Whereas, The State of Pennsylvania has been the beneficiary of the extensive services of its Land-Grant institution, the Pennsylvania State University;

Whereas, There has been established national recognition of the celebration of the centennial of this historic act by the United States Congress; therefore be it

Resolved (the House of Representatives concurring), That this State Legislature participate in suitable State-wide observance during the academic year 1961-1962 for the 100th anniversary of the signing of the Land-Grant Act by President Abraham Lincoln.

On the question,

Will the Senate adopt the resolution?

Mr. HAYS. Mr. President and Members of the Senate, it is probably not necessary, but I would like to preface my remarks by saying that I am not the official spokesman or even the sime-official spokesman for any institution, for any professional organization and, certainly, not for any political party. I hope I might reflect the wishes of a majority of the citizens of Pennsylvania, and I would hope the majority of the Senators in this Chamber.

This resolution calls attention to one of the most significant steps in the development of higher education in the United States. It is my understanding that a similar resolution has been, or will be, presented in each of the States of the United States to call attention to the Land-Grant College Act of 1862, also known as the Morrill Act. It is one of my purposes to give you some information on the relationship and development of the land-grant idea to that of a State University.

President John Martin Thomas, who was Penn State's President at the time of my days as a Penn State student, recalled that President Lincoln told Jonathan Turner, who is widely credited with being the "father" of the land grant movement,—and I am quoting Abraham Lincoln—that: "If I am elected, I will sign your bill for State Universities." So, you see the concept of a State University existed in the mind of the President of the United States, who signed the legislation, even before he became President.

One present day, competent student of higher education, as it relates to the State University, says:

"The act signed by Lincoln in 1862, which this resolution commemorates, offered each State Federal-aid to establish a college for the practical and liberal education of qualified students at a minimum cost. Its long range intent was to enable youths of all classes of society to obtain an education and the training necessary to the 'several pursuits and professions of life' at a time when higher education was confined mainly to the well-to-do and prepared them almost exclusively for the law, the ministry and teaching. Pennsylvania, in 1863, accepted the Congressional grant, with its obligation to maintain such an in-



stitution of higher learning. The Legislature assigned this Federal fund and later benefits to the Pennsylvania State University, because it was the only existing institution dedicated to meeting the terms of the Morrill Act. The Legislature has chosen to delegate its control to the Board of Trustees which, unlike those of private institutions, is not self-perpetuating. The Board includes State Officers, members appointed by the Governor with Senate approval, and others elected by alumni, and delegates from agricultural and industrial interests.

"This Board must submit an annual report to the Legislature, which also has authority over its organization. Legal title to University property is vested in the corporation as directed by the Legislature. The equitable title is vested by the Commonwealth. This arrangement is confusing only if the facts are not kept in mind. These facts apply to no other Pennsylvania institution of higher learning. This land-grant university is Pennsylvania's one and only public university, comparable to such others as Michigan State and the Universities of Illinois and Wisconsin. Not long ago, a major foundation gave faculty salary grants to private colleges and universities. Penn State and the fourteen State Colleges were the only Pennsylvania institutions not so aided, since they are assumed to be State-supported. Actually," — this author says — "Pennsylvania has never properly fulfilled its obligation to support its own university. Smaller and less wealthy States than Pennsylvania already are doing more proportionately than the Governor's Committee proposes we ought to do in 1970. The nature of the world today requires this Nation to have a middle-class educated beyond the high school level. Most moderate income families cannot afford the cost of a college education at private schools. Public education of effective quality and quantity is the key to the continuation of our free society. We cannot afford to lengthen our years of relative neglect, and we expect our government leaders at all levels to take the initiative in enabling us to give our State and Nation educated citizens."

That is the end of the quote from this present day student of higher education.

A Penn State President, over sixty years ago, pointed out the special role of Penn State in the following words:

"Penn State has no antagonisms with other institutions. It rejoices in their prosperity. But, by action of the State, it has been assigned to a distinct and unique field which it is endeavoring to fill to the full measure of its resources, in the natural order of its position as one branch of the State system of public instruction, and with a constant sense of its public responsibility."

The present situation was well analyzed by the editor of a Central Pennsylvania newspaper when he wrote as follows:

"Unless and until Pennsylvania's leaders recognize their responsibilities and solidify Penn State's roll in the higher educational picture, support for Penn State will continue to dwindle so that it becomes more and more not an institution upon which the taxpayers of Pennsylvania may depend to educate their education at a minimum cost, but one reserved only for the rich who heretofore looked for exclusive private schools to handle the essential task of preparing new generations as Keystone State citizens."

This, to my mind, is the big issue remaining before this Session of the General Assembly. Will we take the neces-

sary steps to prepare a new generation of Pennsylvania citizens who will have adequate preparation for the unfinished tasks that we will hand over to them? As we all know, this is no simple task and, since it is not simple, this is all the more reason why we should not duck it.

My pitch to you, while it may center around the need for adequate support for the State University, is broader than that. It involves the whole program from kindergarten through the State University. Hundreds of school districts are waiting our early action to improve the present fifty-fifty division of State and local costs or, at least, to hold the line at the existing fifty-fifty level. The fifty-fifty level means, my fellow Senators, not the present amount of State subsidy, but increased amounts of State subsidy to support the public elementary and secondary schools of the State. The situation may be even more critical in higher education. In 1970, I hope I will be able to meet the critics of those who think that Pennsylvania should prepare for 300,000 places in higher education, in 1970, instead of the present 140,000. I believe those who accept a lesser goal lack the confidence which we should have in the resourcefulness and the drive of present day youth. In my opinion, they will not be satisfied with the goals of their parents, and they should not be so satisfied.

To those who fear that a political party, either political party, may be planning its doom by levying a tax primarily for education in 1961, I would like to point out that it is my belief that the hazards to a political party, either political party, which turns its back on the crying needs of education in 1961 will suffer a far worse doom than the one which puts its confidence in today's youth and provides the necessary revenue, distasteful as this may seem to be.

The people of this Commonwealth, I believe, want as much in the way of State services as those provided by other States. The citizens of this Commonwealth, likewise, realize that these services are likely to cost a similar amount to that of other States. When they are informed that the per capita State tax load for a Pennsylvanian, as revealed by the United States Census Bureau of 1960—I might say here, of course, that it is always dangerous when you throw statistics around.

I am reminded at this time that the college classes are having reunions now. I am reminded that the ten-year class from Amherst, which I believe claims Senator Ehrgood as one of its sons, discovered that each one of their graduates, at the end of ten years, had 2.8 children, and the ten-year graduates from Smith College had 2.4 children, at the end of ten years. From this data, you can draw a number of conclusions. The first obvious one is that Amhurst men do not marry Smith women. The second conclusion is, of course, that men have more children than women.

However, Mr. President, to go back to the United States Census Bureau Report for 1960, it shows, as far as taxes on Pennsylvanians are concerned, the tax load for Pennsylvanians was ten per cent less than the average State of the fifty States, and twenty per cent less than our neighbor, Maryland. When the citizens know this, I believe a majority of them will accept one of the versions of the tax proposal on personal income, suggested by Governor Lawrence last week. If you want to supplement this tax or put part of the responsibility on the consumer, then I note that both the Hood-Kennedy Report of 1959 and the



Report of the Governor's Committee pointed out that the soft drink tax would add some 18.6 million dollars per year, which might well be used to help the cause of education.

I would be happy to join the forty-nine other Senators in support of such revenue legislation, or I shall even be happy to join with twenty-five other ones, in so far as this goes.

In my opinion, this Senate, before it adjourns, must provide additional moneys for education on the elementary and secondary levels. Many of the too many 2,200 school districts must have additional funds and on the higher education front.

While this started as a Penn State pitch, this higher education front is much broader than Penn State. If we are to be ready for 1970, then Pennsylvania must not be the forty-seventh State in its support of higher education, but much higher. Of course, I believe the Commonwealth has its greatest and first obligation to the State University and the fourteen State Colleges. However, if we are to meet the needs, we must go further and help private schools more and also create community colleges.

It may come as surprise to some of you, but I think that my colleague, Senator Shafer, who served on the Governor's Committee with me, will support me when I report to you that as a Member of the Committee dealing with higher education, I supported a plan to subsidize private colleges, meeting constitutional requirements, in an attempt to provide space for all qualified youth.

In capsule form, I would say the question that will come before this Senate before this Session closes is not whether Pennsylvania can afford to provide an adequate program of education on all levels for its youth, but, rather, the real question is: Can Pennsylvania afford not to provide such a program for its youth?

Mr. President and Members of the Senate, I now ask for you to vote for this resolution. I hope I have not lost any votes by making this speech.

The PRESIDENT. Senator Hays, may I ask whether or not it was intended, in the body of your resolution, to say that you wanted the State Legislature to participate in a suitable State-wide observance and, whereupon, with the adoption of this resolution, it would be sent to the House for its concurrence since it refers to the entire General Assembly?

Mr. HAYS. Yes, sir.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

### SENATE RESOLUTION

CONGRATULATIONS TO THE SENATE EXTENDED TO  
MISS KATHLEEN HAMM UPON BEING CHOSEN  
"MISS MILKMAID OF PENNSYLVANIA—1961"

Messrs. VAN SANT, ROONEY, KELLER and SCOTT offered the following resolution (Serial No. 73), which was read as follows:

In the Senate, June 19, 1961.

Miss Kathleen Hamm, fresh out of High School and vivacious and pretty as only a 17 year old dairy farmer's daughter can be, is Pennsylvania's newest Miss Milkmaid.

Being Milkmaid means representing one of the State's

largest industries. Last year Keystone dairymen produced milk valued at over \$330,000,000 dollars at the farm. Processing this milk, including the cost of labor, added even more value to the milk and zoomed milk's economic contribution to our State to well over \$700,000,000 dollars. Pennsylvania currently ranks fourth nationally as a milk producing area.

In her role as Milkmaid, the diminutive Miss Hamm will be symbol of this huge dairy industry. She will remind teenagers of milk's importance in supplying the zip and energy they need to enjoy life. As the new Milkmaid tours the State she will also remind consumers of the important economic contributions of the dairy industry.

The title of Miss Milkmaid is one open only to daughters of dairy farmers. Miss Hamm was first crowned Miss Milkmaid of her area, four counties composed of Lehigh, Bucks, Monroe, and Northampton. As area Milkmaid she went on to the State Milkmaid contest, a three day event crammed with lectures, interviews, and just plain fun. The new Milkmaid was crowned May 11, at Bedford Springs, site of the annual convention of the Pennsylvania Association of Milk Dealers.

A top honor student, Miss Hamm will be graduated from North Western High School in June. Her school record includes such honors as commencement speaker, highest student academically in her class, National Honor Society member, co-editor of the school newspaper, lead part in the senior play, winner of the school's Betty Crocker Homemaker of Tomorrow Award, a National Merit Scholarship, finalist and district winner in the Voice of Democracy Contest.

With all her imposing school record, Miss Hamm has not neglected the achievements of which dairy farmers and their families take special pride. Miss Hamm was the State's 1960 4-H Achievement winner and delegate to the National 4-H Club Congress. She won her County's 1961 Achievement Award, and was State winner in the 1960 4-H Clothing Selection Demonstration Contest. She has been a member of the County 4-H Dairy Calf Club for seven years, and was a member of the county dairy cow judging team.

Miss Hamm's quest for knowledge is still keen, for she is already enrolled at Maryland's Hood College, where she expects to major in Home Economics and Political Science under a scholarship granted by the college.

The Hamm family live in the heart of the Pennsylvania Dutch country, Lehigh County, near a town called New Tripoli. Mr. and Mrs. Willard Hamm own a 248 acre general farm on which the principal cash income comes from milk and potatoes. The Hamm family each day milks 18 of the familiar black and white Holstein-Friesian cows. The Hammes have been in dairying for 20 years and are noted far and wide for their spic and span home and farm. They are typical of the State's 36,000 dairy farmer families who help produce the famous high quality Pennsylvania milk. They sell their milk to a nearby dairy, one of the 600 local businessmen who are Pennsylvania's milk dealers.

Kathleen Hamm, Miss Milkmaid of Pennsylvania—1961, is a wholesome and sparkling dairy farmer's daughter. She represents the thousands of small independent businessmen who are Pennsylvania's dairy farmers and milk dealers, a true American industry dedicated to increase the health and wealth of our citizens and nation; therefore be it

RESOLVED, That the Senate congratulate Miss Hamm on the honor that has been bestowed upon her; and be it further

RESOLVED, That a copy of this resolution be forwarded to Miss Kathleen Hamm at her home, R. D., New Tripoli, Lehigh County, Pennsylvania.

On the question,

Will the Senate adopt the resolution?

Mr. VAN SANT. Mr. President, upon adoption of this resolution, I would like to present to the Senate of Pennsylvania a very charming young lady from New Tripoli, R. D. 2, in the agricultural section of the great Lehigh



County and Lehigh Valley, Miss Kathleen Hamm, who has been chosen "Miss Milkmaid of 1961."

And the question recurring,  
Will the Senate adopt the resolution?  
The resolution was adopted.

### MISS KATHLEEN HAMM PRESENTED TO SENATE

Mr. VAN SANT. Mr. President, at this time, I would like if Senator Rooney would join me in escorting Miss Hamm to the rostrum so we may hear a few words from our very distinguished visitor here today.

The PRESIDENT. That would be very pleasant. Will you escort the young lady to the rostrum?

Miss HAMM. Thank you very much, gentlemen.

I would like to bring you greetings from Pennsylvania's 600 milk dealers, 36,000 dairy farmers, and 928,000 cows, two of which I own myself.

I would like to mention that through the cooperation of these dairy farmers and milk dealers, Pennsylvania's dairy industry has become the second largest industry in this State and, of course, has contributed a great deal to our economy; in fact, as much as to the tune of \$700,000,000 a year. I am sure you gentlemen will appreciate that figure.

Also, I would like to commend the government of the Commonwealth of Pennsylvania for its interest in the dairy industry. I have just come from a meeting of the Governor's Milk Promotion Committee, and I am very glad to see that the Legislature takes such an interest in our industry.

I would like to thank Mr. Van Sant and the other Senators for introducing the resolution. He really took me quite by surprise. I would like to say that we, back in Lehigh County, think we have the most wonderful Senator in the world. I know him very well, and I think he is one of the most wonderful gentlemen I have ever met.

Finally, in conclusion, I have only one thing to say: Do not forget to drink your glass of cool, refreshing, Pennsylvania milk, and happy June Dairy Month.

### BILLS INTRODUCED AND REFERRED

Messrs. RIPP, WEINER, SARRAF, CHAPMAN and DEVLIN, by unanimous consent, presented to the Chair **SB 788**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," authorizing the Department of Health to institute a blood plasma protein recovery program.

Which was committed to the Committee on Public Health and Welfare.

Messrs. RIPP, WEINER and DEVLIN, by unanimous consent, presented to the Chair **SB 789**, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," authorizing banks and bank and trust companies to purchase shares of capital in certain corporations or associations engaged in financial operations subject to conditions, and further providing for the acquisition, in whole or in part, of mortgage loans by a bank or bank and trust company.

Which was committed to Committee on Banking.

### EXECUTIVE NOMINATIONS

#### EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. McGINNIS, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

#### NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT. The Clerk will read the nominations. The nominations were read by the Clerk as follows:

#### MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Kathleen A. Stephens, 106 Water Street, Coudersport, Potter County, for reappointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1965, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Mayview State Hospital:

William Forrester, 221 Barth Avenue, Pittsburgh 28, Allegheny County, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Homer R. Greene, Jr., Pittsburgh, resigned.

Daniel I. Jamison, Jr., 1168 Greentree Road, Pittsburgh, Allegheny County, until the third Tuesday of January 1967, and until his successor is appointed and qualified. (Reappointment)

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Michael J. Wanzie, 715 Pine Street, Kulpmont, Northumberland County, for reappointment as a member of the Board of Trustees of Shamokin State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
SOMERSET STATE HOSPITAL

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Somerset State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified.

Ward W. Crist, Windber, Somerset County.

George F. Wheeling, Windber, Somerset County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert M. Bucher, Dean, Temple University School of Medicine, 3950 Vaux Street, Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1964, and until his successor shall have been appointed and qualified, vice Dr. William N. Parkinson, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
SCOTLAND SCHOOL FOR VETERANS' CHILDREN

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Abe Ruben, 102 Tenth Street, Donora, Washington County, for reappointment as a member of the Board of Trustees of Scotland School for Veterans' Children, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
YOUTH DEVELOPMENT CENTER AT CANONSBURG

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of the Youth Development Center at Canonsburg, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

S. Harry Galfand, 502 West Allens Lane, Philadelphia, Philadelphia County.

Lynwood F. Blount, 1325 North Sixtieth Street, Philadelphia, Philadelphia County.

DAVID L. LAWRENCE.

MEMBER OF THE VENANGO COUNTY BOARD OF  
ASSISTANCE

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles L. Rodgers (Republican), 1315 Buffalo Street, Franklin, Venango County, for appointment as a member of the Venango County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Miss Harriet R. Bleakley, Franklin, resigned.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 95 (Pr. No. 878)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 95.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

SB 493—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON FINAL PASSAGE

SB 601 (Pr. No. 865)—And the amendments made thereto having been printed as required by the Constitution,



On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—39

Bell,	Hawbaker,	Miller,	Stevenson,
Camiel,	Keller,	Stiefel,	
Chapman,	Kessler,	Propert,	
Confair,	Kromer,	Ripp,	
Devlin,	Lane,	Rooney,	
DiSilvestro,	Madigan,	Sarrafa,	
Donolow,	Mallery,	Scott,	
Flack,	McCreesh,	Sesler,	
Fleming,	McGinnis,	Silvert,	
Haluska,	McMenamin,	Staisey,	

## NAYS—7

Berger,	Hays,	Seyler,	Yatron,
Ehrgood,	Mullin,	Ware, III,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## RECONSIDERATION OF SB 713

**SB 713 (Pr. No. 827)**—On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 713, Printer's No. 827, passed third reading on June 12, 1961.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. ROONEY, by unanimous consent, offered the following amendment:

Amend Section 404.1, page 2, Line 14, by inserting after "condition": "In determining the qualifications of newly organized bidders the Department shall consider the following factors relating to newly organized contractors (1) equipment (2) personnel of organization and (3) financial condition."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. ROONEY.

## BILL ON FINAL PASSAGE

**HB 1408 (Pr. No. 1698)**—On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has Senate has passed the same without amendments.

## THIRD READING CALENDAR

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 6 (Pr. No. 6)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarrafa,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Yatron,
Haluska,	McMenamin,	Shafer,	Wolfe,
Hawbaker,			

## NAYS—1

Wade,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 52 (Pr. No. 53)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarrafa,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

## NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**HB 67**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**SB 76 (Pr. No. 76)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**HB 95**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

## BILLS ON THIRD READING AND FINAL PASSAGE

**HB 141 (Pr. No. 1431)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**SB 182 (Pr. No. 188)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

**SB 261**—Mr. SEYLER. Mr. President, I request that Senate Bill No. 261 go over in its order.

The PRESIDENT. Is there objection?

Mr. LANE. Mr. President, I do not object to this bill going over in its order. However, I do feel since this is a very important piece of legislation, we should have the time tomorrow to fully and completely debate it.

I hope there will not be a request that we carry it over tomorrow. I would like to know how the Members of the Senate stand; whether or not they are going to be in favor of or opposed to this legislation. There is no use to prolong the agony. We might as well get it over with.

The PRESIDENT. There being no objection, the bill will go over in its order.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 263 (Pr. No. 783)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has Senate has passed the same without amendments.

#### BILL POSTPONED

**SB 295 (Pr. No. 311)**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was placed on the Third Reading Postponed Calendar.

#### BILLS OVER IN ORDER

**SB 344 and 345**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

**SB 351**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 410 (Pr. No. 2323)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—27

Camiel,	Kessler,	Ripp,	Stevenson,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Mallery,	Sarraf,	Wade,
Donolow,	McCreesh,	Scott,	Wagner,
Fleming,	McGinnis,	Sesler,	Weiner,
Haluska,	Miller,	Silvert,	Yatron,
Hays,	Mullin,	Stalsey,	

#### NAYS—19

Bell,	Hawbaker,	Murray,	Stroup,
Berger,	Keller,	Pechan,	Taylor,
Chapman,	Kromer,	Ware, III,	Wolfe,
Ehrgood,	Madigan,	Seyler,	
Flack,	McMenamin,	Stiefel,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 423 (Pr. No. 1133)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

#### NAYS—1

McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 428 (Pr. No. 2304)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### BILL RECOMMITTED

**HB 522 (Pr. No. 2305)**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was re-committed to the Committee on Highways.

#### BILL ON THIRD READING AMENDED

**HB 530 (Pr. No. 1775)**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FLEMING, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 3104.1), page 3, lines 16 and 17 by striking out "or both."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. FLEMING.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**SB 588 (Pr. No. 665)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bell,	Hawbaker,	Miller,	Stalsey,
Berger,	Hays,	Mullin,	Stevenson,
Camiel,	Kalman,	Murray,	Stiefel,
Chapman,	Keller,	Pechan,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	

## NAYS—3

Kessler,	Proper,	Wade,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 591 (Pr. No. 636)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Proper,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has Senate has passed the same without amendments.

## BILL OVER IN ORDER

**SB 592**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL ON THIRD READING AMENDED

**SB 593 (Pr. No. 773)**—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 2412.1), page 3, line 5 by striking out "ten" and inserting: five.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. PECHAN.

## BILLS ON THIRD READING AND FINAL PASSAGE

**SB 604 (Pr. No. 692)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Proper,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**SB 618 (Pr. No. 706)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Proper,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I just want to make an observation. Now that we have passed this bill, I hope that the people will limit themselves just to shooting squirrels, and not the occupants of the house thereof.

The PRESIDENT. The Chair would think that is a good observation.

## PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL. Mr. President, as the author of the bill, I should answer that this bill is designed to get rid of squirrels from the house. I heard somebody comment that maybe it might be well to amend it to get rid of some of the squirrels in the Senate.



## THIRD READING CALENDAR

## BILL OVER IN ORDER

**SB 646**—Mr. HAYS. Mr. President, acting under instruction of the Joint Select Committee on Education, I request that Senate Bill No. 646 go over in its order.

The PRESIDENT. There being no objection, the bill will go over in its order.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 650 (Pr. No. 706)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

**SB 659 (Pr. No. 761)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, in spite of my great respect for the sponsors of this bill and the worthy purpose of it, I feel constrained to vote against it because it seems to me this is opening wide the floodgates of additional expenses by local school districts and higher local taxes. I cannot vote for this bill without some sort of a ceiling on the expenses being placed in it.

Mr. LANE. Mr. President, before I vote on this legislation, I would like to know just what the costs might be. What can we anticipate within the very near future?

Mr. SEYLER. Mr. President, the purpose of this bill is to legitimize practices which are now being engaged in and, I believe, are perfectly legal under the present law. However, there are some solicitors who wish to have it specifically spelled out.

It simply means that a school district, in order to encourage members of its faculty to take additional college work in the subject area in which they are teaching, may agree, if they so choose, to in part or fully pay for certain courses which the professional employees take at a university, summer school or otherwise.

As far as the cost is concerned,—referring to the question raised by Senator Lane—the State will have no cost

connected with this. Of course, it is impossible for me to read the minds of the school boards of the Commonwealth to determine to what extent they will wish to authorize employees to take courses and pay for those courses. I would assure the gentleman that this is a matter that can be safely left, in my opinion, to local school boards to decide. They are the ones to decide what teachers they have who would profit by such additional instruction, and decide to what extent they are willing to offer, as an inducement, partial payment of the cost of whatever courses they recommend them to take.

Therefore, I do not think it is possible to give a definitive answer on how much it will cost local school boards. As far as State costs are concerned, it would be nothing.

Mr. PECHAN. Mr. President, I am going to vote "no" on this legislation regardless of how much I like the merits of what it is trying to do.

For some thirty years, I served on a school board, and when we wanted to send a teacher for some extra work, we gave them a bonus and there was nothing illegal about it. However, I am afraid if we pass this bill here, we are going to open the floodgates, and teachers, many of them desiring to go to a summer session, will be allowed to do so at the expense of the school board. If you do it for Miss Jones this year, you are going to do it for Miss Brown and all of the rest of them. There will be no way of stopping this thing. It will just get out of hand.

Unless someone can tell me that there will be a ceiling on what it is going to cost, I am going to oppose this bill.

Mr. McMENAMIN. Mr. President, I desire to interrogate the gentleman from York, Senator Seyler.

The PRESIDENT. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. I will, Mr. President.

Mr. McMENAMIN. Senator Seyler, do I understand your remarks just made were to the effect that if a school board thought a teacher should go to Harvard or some other university, wherever it might be, for a year or two of graduate work, under this legislation the school board could pay room, board and tuition? In other words, a full scholarship for a year or two at any school.

Mr. SEYLER. Mr. President, it would be up to the board to decide this question. It would seem to me that any board that would send an employee to Harvard and pay all of his expenses, including travel, living expenses, and so on, would be risking grave censure from the community in which they existed. However, it seems to me that if a school board decided that a certain teacher could profit by a course, let us say, in advanced mathematics at a nearby State College or a nearby university, and would be willing to pay a part of the tuition costs, we should leave that to that board.

I am a believer in home rule, and I thought the various Senators who have spoken here today also believed in home rule. It seems to me that here is a question in which they would be spending the money of the district, which was raised by local taxes, and, therefore, the board would be safely trusted to use a certain amount of judgment in whether they are going to send them to the University of Heidelberg or to Millersville State Teachers' College, if it happened to be in a county near Millersville.

Mr. McMENAMIN. Senator, I agree that any board that sent a local teacher to a faraway school with all expenses

paid for a year would certainly get heck from the local taxpayers.

My question is this, sir. Under this bill, would that not exactly be possible whether it were Heidelberg, Harvard or the University of California?

Mr. SEYLER. Mr. President, under the law, it would be possible for a board to do this. However, I would point out that there are many other things under the law that would be possible for a board, a member of a local city council, a borough council or a board of township supervisors to do. As I understand the meaning of home rule, this is what it means. We leave discretion to local authorities to do those things, using local funds, which are to the advantage of the operation of their municipality or school district.

I do not anticipate that any board will send a teacher to California, to Heidelberg or any of those faraway places, nor do I anticipate that any of them are going to pay traveling expenses, subsistence and so forth.

I do anticipate that boards will do as some boards are now doing. They say to certain teachers: "The present demands of mathematics in the senior high school are such that we believe you could profit by a course at a nearby institution. If you are willing to go, we are willing to pay half of the tuition costs." This is being done. I think it is a good idea. I think we can safely leave to local boards this decision.

Mr. McMENAMIN. Mr. President, I thank the gentleman. I still cannot vote for this bill without some sort of a ceiling in it.

Mr. STROUP. Mr. President, I have just a brief comment on this particular bill. I have had some slight experience with the problem with various school boards, and the great difficulty is just this particular matter. When one or two schoolteachers ask for expenses to go for summer instruction, then you find a rush to the school board by many such schoolteachers. As a consequence, the entire cost becomes quite burdensome to the board.

At this particular time when we are struggling to meet the cost of education at the local level, it would seem to me to be a bad piece of legislation on which the Senate would put its particular seal of approval. It would be a method which could be established and pointed to by members of instructional staffs whereby they could demand from the local school boards costs, expenses and even tuition to go for advanced instruction.

For that reason, I find it necessary to vote against this legislation.

Mr. LANE. Mr. President, the gentleman from York, Senator Seyler, said there would not be any State expenditure at this particular time. However, Mr. President, we do not know what the future holds forth. There is a possibility that there will be a subsidy later on for this particular field.

I might say also, Mr. President, that this is taking a real estate owner's taxes and it is taking the taxes under Act No. 481. These are public funds. It seems to me that under certain circumstances, a schoolteacher who is favored by the board could actually have an advantage.

I believe to kill this legislation, or to amend the bill, would be of great assistance to the local school boards because I know they are hammered and hammered by the numbers of teachers who want to advance themselves at the cost of the taxpayers. I feel this is wrong. As Senator

Stroup has said, we are now confronted with a financial crisis, and I believe the local taxpayers are paying more than their proportionate share now. Therefore, I cannot vote for this legislation.

Mr. WAGNER. Mr. President, I think there have been enough questions and answers presented on this bill for everyone to make up his own mind as to what he wants.

I do feel, however, there is sufficient merit in it for us, who wish to see education improved and the quality of teaching improved, to support it. For that reason, I intend to vote for the bill.

I believe the gentleman from Armstrong implied that when they had a teacher—during his years as a school director—who went away for additional training, they gave him or her a bonus. I presume this means that they gave an increase in salary, which would be practically in perpetuity so far as the life of that teacher is concerned.

This bill would afford an opportunity for a board, who needs another teacher to become more expert in remedial reading or something of that kind, to invest very wisely a couple hundred dollars which would bring thousands of dollars of benefit to all of the children of the community.

I would suggest that we either vote "aye" on this bill, or if—like the gentleman from Armstrong, we have a genuine desire to make sure that it does not get out of bounds—someone has an amendment which they would like to offer tomorrow that would provide for a reasonable amount of circumscription to prevent an out-of-bounds deal, I am sure the sponsors would certainly be agreeable to deferring action until such an offering could be made.

Mr. PECHAN. Mr. President, if I may just take another minute, I would like to explain this bonus. I forget what category we called it. It was for extracurricular work. It was not a bonus that was added onto this teacher's salary permanently. We, for instance, gave the teacher who handled the yearbook perhaps \$300 extra that year. Perhaps the next year she did not have the year book and, consequently, the \$300 would not be given to her, but was given to another teacher.

I want to say that we have more important educational problems before us now. We are all very worried. I have much reading at my nightstand, mostly pertaining to education. I think we are trying to find money to give to these school districts, which are going broke, as an extra subsidy to take care of their present needs. I would like to say that those needs are much more important than trying to add something additional unto our books and to make more and more expense. As somebody said a while ago, if you do it for one, you are going to have a rush by all of the teachers.

We used to send one teacher to a conference. I am no longer a member of the board, but now, as I understand it, the high school superintendent has the schoolteachers who are going to these workshops make a request at least two months in advance so that it can be taken up by the school board, and it has gotten to be a very costly thing.

I am not arguing that it does not help the school system, does not help the schoolteacher, and does not help the school child. However, I do not think that today when we are confronted with a shortage of funds, we should put something additional onto our statute books.

Mr. HAYS. Mr. President, I would like to say to the gentleman from Armstrong that politics makes strange



bedfellows. It seems to me that he and the Governor are doing the same nighttime reading, as I recall.

Therefore, Mr. President, I would request that this bill go over in its order on Final Passage.

The PRESIDENT. There being no objection, the bill will go over in its order on Final Passage.

BILL ON THIRD READING AND FINAL PASSAGE

**SB 667 (Pr. No. 777)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Bell,	Kessler,	Pechan,	Stalsey,
Berger,	Kromer,	Propert,	Stevenson,
Chapman,	Lane,	Ripp,	Stiefel,
Confair,	Madigan,	Rooney,	Van Sant,
Ehrgood,	Mallery,	Scott,	Wade,
Flack,	McGinnis,	Sesler,	Wagner,
Fleming,	Miller,	Seyler,	Ware, III,
Hays,	Mullin,	Silvert,	Weiner,
Keller,			

NAYS—12

Camiel,	Haluska,	McMenamin,	Stroup,
Devlin,	Hawbaker,	Murray,	Taylor,
Donolow,	McCreesh,	Sarraf,	Wolfe,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

**SB 670 (Pr. No. 780)**—Upon motion of Mr. WEINER, seconded by Mr. DEVLIN, and agreed to, the bill was placed on the Third Reading Postponed Calendar.

BILLS OVER IN ORDER

**SB 688 and 690**—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

BILL ON THIRD READING AND FINAL PASSAGE

**SB 736 (PR. No. 908)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

**HB 642 and 743**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

**SB 748 (Pr. No. 897)**—Read at length the third time, agreed to,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I am going to vote against this bill because I think it is very unwise to omit an annual post audit. I think there have been enough cases of irregularities in the third class cities of our Commonwealth, in the past, which make this provision a wise one. Therefore, I think it would be very unwise to remove this requirement.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. DONOLOW. Mr. President, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman will be so recorded.

Mr. ROONEY. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Berger,	Haluska,	McMenamin,	Taylor,
Camiel,	Hawbaker,	Pechan,	Van Sant,
Chapman,	Keller,	Rooney,	Wade,
Confair,	Kromer,	Scott,	Wagner,
Donolow,	Lane,	Stalsey,	Weiner,
Ehrgood,	Mallery,	Stevenson,	Yatron,
Fleming,	McGinnis,		

NAYS—20

Bell,	Madigan,	Propert,	Silvert,
Devlin,	McCreesh,	Ripp,	Stiefel,
Flack,	Miller,	Sarraf,	Stroup,
Hays,	Mullin,	Sesler,	Taylor,
Kessler,	Murray,	Seyler,	Ware, III,
			Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

**HB 817 (Pr. No. 899)**—Read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,

Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Sesler,  
Seyler,  
Shafer,  
Silvert,

Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 823 (Pr. No. 905)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,

Stalsey,  
Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 895 (Pr. No. 1958)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, here is an inconsistency, if I ever saw one.

A few moments ago, we passed a bill which would, in effect, put certain employees of the Department of Highways under Civil Service and take them away from political activity. Now, a few minutes later, we are granting to other employees of the Commonwealth, who are under Civil Service, the right to participate actively in political affairs to some extent, without fear of repercussion from the powers that be.

I do not understand how one can go with the other.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. CAMIEL. Mr. President, I desire to be recorded voting "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—17

Camiel,  
Devlin,  
Donolow,  
Haluska,  
Hays,

Lane,  
Mallery,  
McCreesh,  
Mullin,

Murray,  
Ripp,  
Sarraf,  
Seyler,

Silvert,  
Stalsey,  
Stiefel,  
Weiner,

#### NAYS—29

Bell,  
Berger,  
Chapman,  
Confair,  
Ehrgood,  
Flack,  
Fleming,  
Hawbaker,

Keller,  
Kessler,  
Kromer,  
Madigan,  
McGinnis,  
McMenamin,  
Miller,

Pechan,  
Propert,  
Rooney,  
Scott,  
Sesler,  
Stevenson,  
Stroup,

Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Wolfe,  
Yatron,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

The PRESIDENT. At this time, the Chair turns the gavel over to the gentleman from Allegheny, Mr. Ripp, to preside.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 966 (Pr. No. 1885)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,  
Hays,

Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Pechan,  
Propert,  
Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Stalsey,

Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Ripp,  
Presiding Officer

#### NAYS—1

Ehrgood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

**HB 973**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

#### BILL ON THIRD READING AND FINAL PASSAGE

**HB 974 (Pr. No. 1364)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,  
Berger,  
Camiel,  
Chapman,  
Confair,  
Devlin,  
DiSilvestro,  
Donolow,

Hays,  
Kalman,  
Keller,  
Kessler,  
Kromer,  
Lane,  
Madigan,  
Mahady,

Mullin,  
Murray,  
Pechan,  
Propert,  
Rooney,  
Sarraf,  
Scott,  
Sesler,

Stevenson,  
Stiefel,  
Stroup,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Ware, III,



Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Mallery, McCreesh, McGinnis, McMenamin, Miller,	Seyler, Shafer, Silvert, Stalsey,	Weiner, Wolfe, Yatron, Ripp, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

**HB 979 and 985**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON THIRD READING AND FINAL PASSAGE

**HB 995 (Pr. No. 1097)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Probert, Rooney, Sarraf, Scott, Sesler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Ripp, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

**HB 1007 (Pr. No. 2213)**—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—17

Camiel, Devlin, Donolow, Haluska, McCreesh,	McGinnis, Mullin, Rooney, Sarraf, Sesler,	Seyler, Silvert, Stalsey, Stiefel,	Weiner, Yatron, Ripp, Presiding Officer
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## NAYS—28

Bell, Berger, Chapman, Confair, Ehrgood, Flack, Fleming,	Hawbaker, Hays, Keller, Kessler, Kromer, Lane, Madigan,	Mallery, McMenamin, Miller, Murray, Pechan, Probert, Scott,	Stevenson, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III,
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Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

## BILLS OVER IN ORDER

**HB 1082 and 1139**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

## BILL ON THIRD READING AMENDED

**HB 1181 (Pr. No. 1873)**—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Sec. 1, page 2, lines 6 to 8, by striking out "INCLUDING ONE ANTHRACITE MINING" in line 6, all of line 7 and "THE BARGAINING AGENT" in line 8.

Amend Sec. 1, page 2, line 9, by striking out "THREE" and inserting: five

Amend Sec. 1, page 2, lines 11 to 14, by striking out "AND A PANEL OF TWO NAMES SUB-" in line 11, all of lines 12 and 13 and "AGENT" in line 14.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

## BILLS OVER IN ORDER

**HB 1222**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

**HB 1308 (Pr. No. 1524)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I am not an expert on fishing licenses, but it is my impression that the licenses, at present, just consist of a piece of paper. I would presume that if this bill went through, we would change it and have the licenses consist of metal, cloth or something of that sort.

It seems to me that with the present license, there would be considerable difficulties to the fisherman in pinning a piece of paper on his outer garment and expecting it to remain there. I just wonder whether anyone has any information as to whether the present type of license is going to be replaced by one which would be more substantial and one which could be more easily displayed in the manner that this bill contemplates.

Mr. WEINER. Mr. President, I think they mean this just for people who are going to do dry fly fishing.

Mr. BERGER. Mr. President, I refuse to disclaim knowledge of this subject.

However, Mr. President, I thoroughly agree with Senator Seyler. If they continue to issue the little, bitty piece of paper which I lose every year and have to buy a couple extra, it certainly cannot be worn on the outside unless, for a quarter, you purchase one of those cellophane things that you can pin on your lapel. I am sure there are certain firms in Pennsylvania that would be glad to meet the demand. However, the old system of a button, with the license stuck down in the back of the

button, is one of the best there ever was. If they resume that, by virtue of this bill, I will vote in favor of it.

Mr. SESLER. Mr. President, it seems as though there is some question about this bill. I would presume that the Department would have the wisdom to issue a license in the future which would be acceptable in one form or another. However, there is no information about this on the floor.

Under the circumstances, I request that the bill go over in order until tomorrow.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I have no objection to the bill going over in its order.

I was going to suggest dog tags, but then I realized we would be involved in the Game Laws. We do not want to interrupt those laws and, therefore, perhaps the bill should go over in order.

Mr. STASEY. Mr. President, with all due respect to the very significant remarks made on this bill, I should like to make my humble contribution.

I do not know why there should be so much concern about pins. I am certain that my colleagues are aware that there are some very important garments which, for years, have been held up by pins, and very safely.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order on Final Passage.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 1327 (Pr. No. 1547)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1390 (Pr. No. 1656)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,

Confair,  
Devlin,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Flack,  
Fleming,  
Haluska,  
Hawbaker,

Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Rooney,  
Sarraf,  
Scott,  
Sesler,  
Seyler,  
Shafer,  
Silvert,  
Stalsey,

Van Sant,  
Wade,  
Wagner,  
Ware, III,  
Weiner,  
Wolfe,  
Yatron,  
Ripp,  
Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL REREFERRED

**HB 1443 (Pr. No. 1751)**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was referred to the Committee on Appropriations.

#### BILLS ON THIRD READING AND FINAL PASSAGE

**HB 1542 (Pr. No. 1925)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**HB 1562 (Pr. No. 1950)**—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bell,	Hawbaker,	Miller,	Stalsey,
Berger,	Hays,	Mullin,	Stevenson,
Camiel,	Kalman,	Murray,	Stiefel,
Chapman,	Keller,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Ripp,
			Presiding Officer

#### NAYS—2

Kessler, Wade,



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## SECOND READING CALENDAR

### BILL OVER IN ORDER

**SB 23**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

### BILL ON SECOND READING

**HB 48 (Pr. No. 1889)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**HB 53 and 160**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 247**—Without objection, the bill was passed over in its order at the request of Mr. EHRGOOD.

### BILLS ON SECOND READING

**HB 254 (Pr. No. 2321), HB 255 (Pr. No. 2322), HB 281 (Pr. No. 306) and SB 322 (Pr. No. 339)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**SB 342, HB 345 and SB 353**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 375**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 413 (Pr. No. 445)**—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 1 (Sec. 5.1), page 3, line 9, by striking out "ten per centum (10%)" and inserting: three per centum (3%)

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, I think this is a bad amendment. The ten per cent, I think, is even low. However, to ask any unit or any group to spend the kind of money that it takes to put together a local health unit and then to be able to destroy it by a petition signed by one per cent of the electors. I felt was very bad. Ten per cent is still a low number. To reduce it further down and raise the one per cent to three per cent, I think you will do irreparable harm to this type of activity and to this type of thinking.

Therefore, Mr. President, I would ask my colleagues to vote "no" on this legislation.

I also feel that probably the best type of legislation would be to allow any community to live with it for at least five or six years, until they decide how they feel about it. However, to put it in and then at any time be able to pull the rug out, when you get one per cent of the people, is certainly bad. I think three per cent is just as bad.

Therefore, I ask my colleagues and others who I know are interested in this measure to vote "no."

Mr. BERGER. Mr. President, I believe the Majority Leader is in error, although he very seldom is, of course. However, any health department may not be destroyed by one per cent of the electors. It only puts it on the ballot. The increase from one to three per cent, as this amendment would provide for, increases the difficulty of obtaining the necessary number of names in order to get the question put upon the ballot. The question is not to be submitted until the department has been in existence for five years, and the people certainly do know what they are doing.

Consequently, Mr. President, I ask my colleagues to vote "aye" on the amendment.

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendment?

### AMENDMENT LAID ON TABLE

Mr. BERGER. Mr. President, I request that the amendment be laid on the table and that Senate Bill No. 413 go over in its order.

The PRESIDING OFFICER. There being no objection, the amendment will be laid on the table and the bill will go over in its order, on Second Reading.

### BILLS OVER IN ORDER

**SB 435 and 473**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

**SB 496 and 568**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

### BILL ON SECOND READING

**SB 587 (Pr. No. 664)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

**SB 598**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**SB 611 and 613**—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

### BILL ON SECOND READING

**HB 659 (Pr. No. 715)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 664**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

### BILLS ON SECOND READING

**SB 687 (Pr. No. 800) and SB 691 (Pr. No. 804)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

**SB 715**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 726 (Pr. No. 926), HB 728 (Pr. No. 2324) and SB 735 (Pr. No. 855)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

**SB 741**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILLS ON SECOND READING

**SB 757 (Pr. No. 903) and HB 844 (Pr. No. 929)**—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 990, 1025, 1085, 1098, 1099 and 1101**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

## BILL ON SECOND READING

**HB 1165 (Pr. No. 2326)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 1174**—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

**HB 1178**—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

## BILL RECOMMITTED

**HB 1259 (Pr. No. 1749)**—Mr. BERGER. Mr. President, I request that House Bill No. 1259 go over in its order. The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I wonder whether the gentleman would withdraw his request that House Bill No. 1259 go over in its order?

Mr. BERGER. Mr. President, at this moment, I would prefer to let the request stand.

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. WEINER. Mr. President, there is a Section 8 in this bill which seems to be causing some problems, and I think these can be ironed out in committee, with amendments being made there and the bill brought back to the floor for final action by the Senate.

Therefore, Mr. President, I move that House Bill No. 1259 be recommitted to the Committee on Highways.

Mr. LANE. Mr. President, I second the motion. The motion was agreed to.

## BILL ON SECOND READING

**HB 1297 (Pr. No. 1513)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

**HB 1367, 1402 and 1545**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

GUEST OF SENATOR LEONARD C. STASEY  
PRESENTED TO SENATE

Mr. STASEY. Mr. President, there is presently in progress, here in the Commonwealth of Pennsylvania, the State Plumbing and Pipefitters Apprenticeship Contest. We have with us here in the Chamber of the Senate a young man who won the contest in Allegheny County. He comes from my Senatorial District and is here in Harrisburg to compete for the State contest. If successful in Harrisburg, he will then move to the University of Purdue for the national championship.

I would ask my colleagues to give their approbation to a very able and worthy young man; namely, Mr. David Murano.

The PRESIDING OFFICER. Will the young gentleman please rise?

Thank you, Senator Stasey. It is nice having the young fellow with us.

## BILLS INTRODUCED AND REFERRED

Messrs. SEYLER, MILLER and HALUSKA, by unanimous consent, presented to the Chair **SB 790**, entitled:

An Act amending the act of May 13, 1915 (P. L. 286), entitled "Child Labor Law," further prescribing work in which minors may engage; providing for the issuance of special permits for minors engaging in the entertainment and related fields; changing provisions relating to working hours, employment certificates, regulations; prescribing penalties; and providing a short title.

Which was committed to the Committee on Labor and Industry.

Messrs. McMENAMIN and SEYLER, by unanimous consent, presented to the Chair **SB 791**, entitled:

An Act relating to and regulating the solicitation of moneys and property.

Which was committed to the Committee on Judiciary General.

## PETITIONS AND REMONSTRANCES

Mr. McMENAMIN. Mr. President, I would like to comment and point out to the Members of the Senate that following the defeat last week of a bill which would have required contractors, dealing with public utilities, to furnish performance bonds, over the week end, the Telephone Company announced that next year in the Commonwealth of Pennsylvania, they will spend approximately \$240,000,000 in construction. Had this bill passed, this would have increased even at the rate of one per cent, over \$2,000,000 in cost on utilities, which would ultimately have been passed on to the consumers.

Therefore, I think we did a good job in saving the people of Pennsylvania who use utility products—whether it be heat, light or telephone—a considerable amount of money.

## COMMUNICATIONS FROM THE GOVERNOR

## APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

**SB 179 and 481.**



**ANNOUNCEMENTS BY THE SECRETARY**

The following announcements were read by the Secretary of the Senate:

**COMMITTEE MEETINGS**  
**TUESDAY, JUNE 20, 1961**

**Eastern Daylight****Saving Time****Committee****Room**

9:30 A. M.	Elections	301
9:45 A. M.	Select Committee on Education	302
10:00 A. M.	Highways	542
10:30 A. M.	Agriculture	539
11:00 A. M.	Local Government	301
12:00 Noon	Judiciary General	535
12:30 P. M.	Public Health and Welfare	535A
Republican Caucus .....	1:00 P. M., D.S.T.	
Democratic Caucus .....	1:00 P. M., D.S.T.	

**NOTICE**

The Committee on Forests and Waters, Game and Fish will hold hearings on Senate Bill 210 and House Bill 1258 on Wednesday, June 21, 1961, in the Democratic Caucus Room, at 9:30 a.m., Daylight Saving Time.

**ADJOURNMENT**

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, June 20, 1961, at 1:00 p.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:28 p.m., Eastern Standard Time.









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